

**REGULATIONS OF THE NEWSLETTER SENT OUT BY  
AD ARTE FOUNDATION FOR CULTURAL EDUCATION**

**§ 1**

**Definitions**

1. Website – an online service in the domain [www.shortwaves.pl](http://www.shortwaves.pl) to which the Service Provider is entitled.
2. Service Provider – Ad Arte Foundation for Cultural Education with registered office in Poznań (61-625) at Hawelańska 1 street, entered into the register of associations, other social and professional organizations, foundations and public social welfare institutions, kept by the District Court in Poznań, XXI Commercial Division of the National Court Register under ID number (KRS): 0000173312, tax ID number (NIP) 972-10-75-346.
3. Subscriber – a natural person, legal person or organizational unit without legal personality, which possesses a legal capacity, that uses the Service.
4. Service – the newsletter service delivered by the Service Provider by electronic means, consisting in the Service Provider sending information to the Subscriber's email address.
5. Regulations – the present regulations.

**§ 2**

**General provisions**

1. The regulations define the rules of:
  - 1) providing Subscribers with Service by the Service Provider,
  - 2) processing of the personal data of Subscribers who are natural persons by the Service Provider.
2. The Service Provider provides the Service by electronic means within the meaning of the Act of 18 July 2002 on the provision of electronic services (i.e. Journal of Laws of 2017, item 1219). The service is provided free of charge.
3. Before using the Service, the Subscriber is obliged to read the Regulations.
4. The Subscriber is obliged to comply with the provisions of the Regulations from the moment they start using the Service.
5. The regulations are available to Subscribers free of charge via the Website that allows for them to be downloaded, saved and printed.

**§ 3**

**Technical conditions for using the Service**

1. In order to ensure a proper and full use of the Service, Subscribers should have:
  - 1) a device with Internet access;
  - 2) an email account;
  - 3) software that enables access to the email account;
  - 4) one of the following browsers: Firefox 8.0 or later, Chrome 11 or later, Internet Explorer 8 or later, or software with similar parameters.

#### **§ 4**

### **Conclusion and termination of contract for the provision of Service**

1. Provision of Service requires the order of the Service by the Subscriber.
2. Service order occurs through completing the form on the Website.
3. Service order requires acceptance of the Regulations.
4. Either Party may terminate the Service Agreement at any time. The Subscriber opts-out of the Service by clicking the "Unsubscribe" button or a similar button, placed by the Service Provider at the end of each message sent to the Subscriber as part of the Service.
5. The Service Provider is entitled to terminate the contract for the provision of the Service with immediate effect in the event that Subscriber uses the Service in a manner inconsistent with the law or provisions of the Regulations.

#### **§ 5**

### **Rights and obligations of the Parties**

1. The Service Provider undertakes to provide the Service and send the newsletter to the Subscriber's email address provided when ordering the Service. The Service Provider determines the frequency of the newsletter reception.
2. The newsletter is promotional in nature and applies to the Service Provider's products and services, as well as products and services of third parties that liaise with the Service Provider. The newsletter may contain commercial information within the meaning of the Act of July 18, 2002 on the provision of electronic services.
3. It is forbidden to use the Services by the Subscriber in a manner inconsistent with law, decency, or the Regulations.
4. It is forbidden for the Subscriber to deliver illegal content.

#### **§ 6**

### **Complaints**

1. Any complaints regarding the Service may be submitted by the Subscriber in writing to the Service Provider's address or to the email address: [media@adarte.pl](mailto:media@adarte.pl).
2. The complaint must contain, at least, name, surname and email address of the Subscriber, indicate the reason for the complaint and the Subscriber's request regarding the method of settling the complaint.
3. The Service Provider will consider the complaint within 30 days from the date of receipt of the complaint.

4. The Subscriber will be notified of the Service Provider's decision in writing by regular mail or by email via the email address provided in the complaint.

## § 7

### Processing of personal data

1. The Service Provider is the administrator of personal data provided by the Subscriber in connection with the use of the Service.
2. The data provided by the Service Recipient in connection with the use of the Services is processed:
  - a) pursuant to art. 6 sec. 6 letter b of Regulation 2016/679 of the European Parliament and of the Council (EU) of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and repealing of the directive 95/46/EC – in order to conclude and implement the contract for the provision of the Service;
  - b) in the event of a complaint by the Service Recipient regarding the contract for the provision of Services – pursuant to art. 6 sec. 1 letter f of Regulation 2016/679 of the European Parliament and of the Council (EU) of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and repealing of the directive 95/46/EC – in order to consider the submitted complaint, as well as inform the Subscriber about the result of complaint consideration, constituting the legitimate interests pursued by the Service Provider;
  - c) in case of inquiries, opinions and requests of the Subscriber regarding the functioning of the Website and other such statements submitted to the Service Provider in electronic form – pursuant to art. 6 sec. 1 letter f of Regulation 2016/679 of the European Parliament and of the Council (EU) of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and repealing of the directive 95/46/EC – in order to consider and respond to the received inquiries, opinions, requests and statements of the Subscriber referred to above, constituting the legitimate interests pursued by the Service Provider;
  - d) in case the Service Provider receives information about Subscriber's use of the Service in a manner inconsistent with the law or the Regulations - pursuant to art. 6 sec. 1 letter f of Regulation 2016/679 of the European Parliament and of the Council (EU) of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and repealing of the directive 95/46/EC – for the purpose and to the extent necessary to establish the Subscriber's liability, constituting the legitimate interests pursued by the Service Provider.
3. Personal data provided by the Subscriber is entrusted for further processing to entities

cooperating with the Service Provider, in particular, entities providing hosting, IT, legal, email marketing services, etc.

4. The personal data provided by the Subscriber is stored:
  - a) in the case of data being processed in connection with the conclusion of the contract for the provision of the Service between the Subscriber and the Service Provider – for a period of 3 years after the completion of the Service;
  - b) in the case of a complaint submitted by the Subscriber – for a period of 1 year after the complaint settlement date;
  - c) in the case of data being processed for the purpose indicated in sec. 2 letter c) above – for a period of 1 year from the date of provision of an answer to inquiries, opinions, requests received, as well as Subscriber’s statements referred to in sec. 2 letter c) above;
  - d) in the case of data being processed for the purpose indicated in sec. 2 letter d) above – until the statute of limitations for criminal records and/or claims for unlawful use or the Regulations of using the Service by the Subscriber, determined in accordance with the applicable law in the territory of Poland.
5. The Subscriber has the right to request the access to their personal data from the Service Provider, its rectification, deletion, or limitation of its processing.
6. Within the scope of the Subscriber’s personal data being processed for the purpose indicated in sec. 2 letter a) above, the Subscriber has the right to transfer data.
7. With regard to the Subscriber’s personal data being processed for the purposes indicated in sec. 2 letter b), c) and d) above, the Subscriber has the right to object – for reasons related to their particular case – to the processing of the Subscriber’s data by the Service Provider.
8. The Subscriber has the right to lodge a complaint with the supervisory body, i.e. the President of the Personal Data Protection Office in reference to processing of personal data by the Service Provider.
9. Provision of personal data by the Subscriber is a condition for concluding the contract for the provision of Service. The Subscriber is not obliged to provide personal data. Nevertheless, please note that failure to provide personal data referred to above by the Subscriber may prevent the conclusion of the contract for the provision of the Service. In addition, provision of personal data by the Service Recipient in the submitted complaint or inquiry, opinion, request and statement of the Subscriber referred to above is voluntary, yet necessary for their consideration and informing the Subscriber about the result of such consideration.
10. The Service Provider may also process the following data that characterizes the use of the Service by the Subscriber (operational data):

- 1) markings identifying the Subscriber, assigned based on data referred to in sec. 3 of this paragraph,
  - 2) markings identifying the ending of the telecommunications network or the ICT system used by the Subscriber,
  - 3) information on the start, end and scope of each use of the Service,
  - 4) information on the use of the Service by the Subscriber.
11. The Service Provider, as the data administrator, takes care of the security of the personal data provided by Subscribers. This data is protected against access of unauthorized persons.

## **§ 8**

### **Changes to the Regulations**

1. The Service Provider is entitled to amend the Regulations.
2. The Service Provider is obliged to notify the Subscribers using the Service about the changes in these Regulations before they come into force.
3. The notification referred to in sec. 2 is going to have an email form.
4. Amendments to the Regulations come into force on the date specified by the Service Provider.
5. The Subscriber may terminate the contract for the provision of Service in connection with the changes made to the Regulations within 7 calendar days from the date of notification receipt referred to in sec. 2 above. Failure to terminate the contract by the Subscriber within this period indicates the Subscriber's acceptance of all changes to the Regulations.

## **§ 9**

### **Final provisions**

1. Any inquiries, opinions and requests regarding the Service, as well as statements submitted to the Service Provider in electronic form should be sent by the Subscriber to the following email address: [media@adarte.pl](mailto:media@adarte.pl).
2. The Regulations enter into force on January 20, 2021.