



Privacy Policy

1. Introduction

This Privacy Policy is meant to describe how we process any data collected when a user signs up and uses the CHECLY app as well as all any updates thereof (the “**App**”).

By using the App, you agree to be bound by this Privacy Policy. If you do not agree to the terms of this Privacy Policy, you must discontinue your use of the App.

In relation to the personal data uploaded by you to the App and processed using the App as part of the services provided by us, we act as the processor in relation to such personal data. In such a case the terms and conditions of **Personal Data Processing Addendum** apply.

Any re-directions, links or referrals to second or third parties’ online services or websites that the user might come in contact with while in the domain of using the App are not applicable by this privacy policy. Please also be aware that we are not responsible for the privacy policies or practices of any second or third parties.

2. Who is controller of your data?

The App is offered by **Checly spółka z ograniczoną odpowiedzialnością** with its registered office in Lublin at: ul. Związkowa nr 26 (20-148 Lublin), entered in the Register of Entrepreneurs of the National Court Register kept by the District Court Lublin Wschód in Lublin with its registered office in Świdnik, VI Commercial Department of the National Court Register under KRS number: 0001016875, having REGON number: 524337314 and NIP number: 7123448865 (“**Checly**”, “**we**”, “**us**”, and “**our**”).

For the purposes of this Privacy Policy, we are the controller of your personal data within the scope of your activity in the App. We control the purpose and way your personal data will be processed.

3. What categories of personal data we collect?

We collect the following categories of data from you when you sign up and use the App:

- (a) Personal data: name and surname, e-mail address,
- (b) Billing data: business name, address, tax identification number.



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Providing the above data is necessary to sign up and use the App, i.e. for the purpose of the conclusion and performance of the agreement between us, governed by the Terms and Conditions of the App.

We may also collect subsequent data from you when you contact us via e-mail. The provision of such data is on a voluntary basis.

4. What is the purpose and basis for processing your personal data?

All data that will be processed by us as either the Data Controller, or Data Processor, will be based on one or more of the lawful grounds for processing personal data according to Article 6.1 of the GDPR. Whenever feasible and reasonable, we always seek to acquire explicit consent from the data subject for most purposes, such as marketing or other communication. We also seek consent for each purpose separately, whenever feasible but do occasionally process data according to our legitimate interests, for example by performing actions aimed to grow the business, such as direct marketing, in which case you shall always have right to opt-out at any time by simply contacting our Data Protection Officer or via other applicable means.

We process collected data for various purposes:

- (a) to set up and maintain your account in the App and provide you with our services via the App, including performance of the control process, producing inspection reports, marking up the occurred incidents, correlating the inspections with relevant locations and generating statistics from the undertaken activities - the basis of processing is the necessity of processing for the conclusion and performance of the agreement between us governed by the Terms of Service of the App,
- (b) to comply with our legal obligations, for example resulting from tax and accounting regulations and, in certain cases - the basis of processing is the necessity of processing to ensure compliance with a legal obligations to which we are subject,
- (c) to pursue our legitimate interests, including:
 - a. mediating our relationship with our users, for example to notify you of changes to our Terms of Service of the App or our Privacy Policy, essential updates of the App, new features of the App,
 - b. administering and protecting our business and the App, including technical support and troubleshooting, testing, IT systems maintenance,
 - c. dealing with your inquires, claims and complaints,
 - d. preventing and investigating fraud, misuse of the App and breach of the Terms and Conditions of the App,
 - e. maintaining security for the App and our IT systems,



f. establishing, exercising or defending against legal claims.

(d) to provide you with marketing communication on our behalf - the basis of processing is your consent.

5. What are your rights regarding your personal data?

You have certain rights regarding your personal data. These include the right to:

request access to your personal data	At any time you can find out what data we process and receive a copy of such data.
request rectification of your personal data	You have the right to request your personal data are corrected if they are inaccurate or completed if they are incomplete.
request erasure of your personal data	You have the right to request that your personal data are deleted or removed if: <ul style="list-style-type: none">(a) they are no longer necessary in relation to the purposes for which they were collected or otherwise processed(b) they have been unlawfully processed(c) the erasure of your personal data is necessary for compliance with a legal obligation
request restriction of our use of your personal data	You have the right to restrict the processing of your personal data if: <ul style="list-style-type: none">(a) you contest the accuracy of your personal data, for a period enabling us to verify their accuracy(b) the processing is unlawful and you oppose the erasure of your personal data and request the restriction of their use instead(c) we no longer need your personal data for the purposes of the processing, but you require them for

	<p>the establishment, exercise or defense of legal claims</p> <p>(d) you have objected to processing of your personal data pending the verification whether our legitimate grounds override yours</p>
<p>object to the processing of your personal data</p>	<p>You have the right to object to the processing of your personal data based on our legitimate interests.</p> <p>We will no longer process your personal data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or we process your personal data for the establishment, exercise or defense of legal claims.</p> <p>Where your personal data are processed for direct marketing purposes, i.e., to provide you with marketing communication from us, you have the right to object at any time to processing of your personal data for such purpose. In such case we will no longer process your personal data for such purpose.</p>
<p>data portability</p>	<p>You have the right to receive your personal data, which you have provided to us, in a structured, commonly used, electronic format.</p> <p>Moreover, you have the right to transmit those data to another controller or request to have the personal data transmitted directly from us to another controller, where technically feasible.</p>
<p>withdraw your consent</p>	<p>You have the right to withdraw your consent for the data processing at any time.</p>

	The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.
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We will contact you if we need additional information from you in order to honor your requests. Please note that we may ask you to verify your identity before responding to such requests.

7. How do you file a complaint to the supervisory authority?

If you believe that your personal data is being processed unlawfully you can lodge a complaint with a supervisory authority – in Poland: Urząd Ochrony Danych Osobowych (UODO).

Contact details for other supervisory authorities in the European Economic Area, Switzerland are available [here](#).

8. How long we retain your personal data?

We will retain your personal data only for as long as is necessary for the purposes set out in this Privacy Policy.

We will retain your personal data and your control processes activity for as long as you use the App and for a period not shorter than the limitation period for potential claims.

We will retain and use your personal data to the extent necessary to comply with our legal obligations (for example, if we are required to retain your data to comply with applicable laws), resolve disputes and enforce our legal agreements and policies.

In cases where we anonymize your personal data (when it is no longer be associated with you personally, i.e. the process of creating aggregated insights and segmentations about user preferences, opinions and control processes behavior for research or statistical purposes) we may retain and use such anonymized data indefinitely without further notice to you.

9. How we keep your personal data secure?

We implement technical and organizational measures to ensure a level of security appropriate to the risk to the personal data we process. These measures are aimed at ensuring the on-going integrity and confidentiality of personal data. We evaluate these measures to ensure the security of the data processing we conduct.

While we strive to use commercially acceptable measures to protect your personal data, we cannot guarantee its absolute security. Please keep in mind that no method of transmission over the Internet or method of electronic storage is 100% secure.

10. What are the categories of recipients of your personal data?

We do not sell, lease, rent, share or otherwise disclose personal data, including user details, with third parties, unless otherwise stated below.

We will never disclose your personal data (i.e. any information relating to you, which allows to identify you directly or indirectly) with any third party, subject to the exceptions clearly indicated below.

We may disclose your personal data with the following categories of recipients:

- (a) Third party service providers and advisors (including legal, financial and technical advisors, accountants, auditors and IT support). We may share your personal data to the necessary extent with our service providers and advisors to obtain their advice or assistance or who perform business operations for us or render different services to us, for example by hosting it, enabling certain features or functionality of the App, or by providing ancillary services such as data analytics, data storage, support and maintenance or security technology. We require all our third party service providers and advisors to respect the security of your personal data and to process it in accordance with the law. We do not allow our third-party service providers and advisors to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions,
- (b) Entities authorized to obtain your personal data on the basis of applicable law, including law enforcement agencies, courts, regulators, government authorities. We may share your personal data with these parties where it is necessary to comply with a legal obligation.

11. What are the conditions of international transfers of your personal data?

We store and process all of the data for our App within the European Union.

In cases where personal data is transferred by us out of the European Union we ensure that a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- (a) the transfer is based on the adequacy decision, or
- (b) in the absence of the adequacy decision – we may transfer personal data to a third country only if we have provided appropriate safeguards, and on condition that



enforceable data subject rights and effective legal remedies for data subjects are available.

We may also transfer your personal data out of the European Union if one of the following conditions laid down in the provisions of the law is complied with:

- (c) the transfer is necessary for the performance of a contract between us and you or to implement pre-contractual measures taken at your request,
- (d) the transfer is necessary for the establishment, exercise or defense of legal claims,
- (e) you have explicitly consented to the same.

For more information on international transfer of data, including appropriate safeguards in place, please contact us.

12. How can we changes this Privacy Policy?

We reserve the right to change this Privacy Policy from time to time and publish updates in the App.

We will also notify you of such changes via the email address associated with your account or via a pop-up notification in the App, prior to the change becoming effective. We will update the "effective date" at the bottom of this Privacy Policy.

By clicking to accept a change or by continuing to use the App after the date that the changes to this Privacy Policy take effect, you agree to be legally bound by this Privacy Policy as amended.

You are advised to review this Privacy Policy periodically for any changes. We will make available the latest version of this Privacy Policy in the "Privacy Policy" section on our website.

13. How do you contact us?

If you have any questions about this Privacy Policy, including any inquiries and requests regarding the processing of your personal data, please contact us via post to our correspondence address: Checly sp. z o.o., ul. Związkowa nr 26, 20-148 Lublin or by email at hello@checly.app

Version: 1.0

Effective date: December 4, 2023.