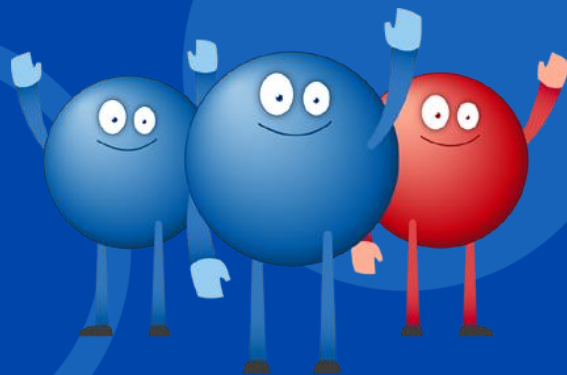


WELCOME TO PAYBACK!



What are we going to be talking about ?

Lesson 1: Legal Department - presentation

- who are we ?
- what are our responsibilities
- how to live with...Legal Department

Lesson 2: Processing documents in our company

- what does it mean ?
- why is it so important ?
- good practices – be confidential !
- archivization

Lesson 3: Processing of personal data

- what is personal data
- when are we processing personal data
- DPO – who is that ?



Legal Department – who is behind all of THIS

Dariusz Sojka



Adrianna Gnatowska



Wojciech Dobrzański



Grzegorz Atkonis



Legal Department AKA GLC GCO

GCO _General Consuel's Organisation
GLC _Global Loyalty Coalition

What is our job in PAYBACK?

- ✓ We ensure that all internal processes are carried out in accordance with the law and we support departments with this task.
- ✓ We provide support in preparing – drawing up, negotiations and interpretation of contracts and other documents.
- ✓ We help with understanding different topics, from different branches of law, especially advice on personal data.



How to live with...Legal Department – couple of tips

1. **We like it when You give us all of the information** – we are not experts in everything, Your knowledge matters to us!
2. **We like it when You give us clear information** – sometimes it is better to ask yourself than exchange 1000 e-mails – we will avoid unnecessary misunderstanding and save time.
3. **We like it when You give us some time** – we need to think over certain thingsfor longer.
4. **We like Your commitment** – forwarding e-mial is really not the best way to bring us up to speed.
5. **We like it when you bring agreement (with printed CCC) yourself** – leaving important documents on your desks is not the best idea.



What can we help you with?



Contracts, contracts, contracts !

- ✓ **We prepare** and **opinionate** all **contracts** with Partners (PARTNER) and our Service Providers (VENDOR)
- ✓ We indicate probable **legal risks** (eg. cooperation with pharmaceutical industry, promotion of alcoholic products)
- ✓ We take part in negotiations , talks with Partners – possible **avenue of cooperation**

We watch over functioning of Loyalty Partner as a company and processing personal data inside the company.

② Processing documents

Few words about contracts....

We have OUR OWN TEMPLATES

- we want you to use them.

✓ ANNEX, AGREEMENT, ORDER) are also agreements

✓ Acceptance of Terms of Service shared on a website will also be conclusion of the contract

PAYBACK Program Participation Agreement

between

(1) [PARTICIPANT company name, street address, postal code, city]

represented by the managing directors at the same business address

- hereinafter "PARTICIPANT"

and

(2) **Loyalty Partner Polska sp. z o.o.** based in Warsaw (00-839), ul. Towarowa 28, entered in the Company Register of the Regional Court Register, maintained by the District Court for the Capital City of Warsaw, under the Regional Court Register Number (KRS): 0000290350, Tax Identification Number (NIP): 527-255-88-71,

represented by Marcin Pilarski - Board Member and managing director at the same business address

- hereinafter "PAYBACK" -

NON-DISCLOSURE AGREEMENT

concluded [redacted] in Warsaw by and between:

Loyalty Partner Polska sp. z o.o. ("LP") with its registered office at 28 Towarowa Street, 00-839 Warsaw, registered in the Register of Entrepreneurs maintained by the District Court for the Capital City of Warsaw, 12th Commercial Division of the National Court Register, under number KRS 0000290350, NIP 527-25-58-871, with share capital of PLN 15.069.100. represented by:

Marcin Pilarski - Member of the Management Board

and

[redacted]

WHEREAS the Parties are interested in evaluating possibilities for cooperation within PAYBACK Program ("Program")

WHEREAS the Parties may disclose information to each other, now therefore it is mutually agreed:

1. The Parties agree to keep confidential any and all information collected from another Party and not to disclose this information to

UMOWA O ZACHOWANIU POUFNOŚCI

zawarta [redacted] w Warszawie pomiędzy:

Loyalty Partner Polska sp. z o.o. („LP”) z siedzibą w Warszawie (00-839), przy ul. Towarowej 28, wpisaną do rejestru przedsiębiorców przez Sąd Rejonowy dla m.st. Warszawy w Warszawie, XII Wydział Gospodarczy Krajowego Rejestru Sądowego pod nr KRS 0000290350, NIP 5272558871, kapitał zakładowy: 15.069.100 PLN, reprezentowaną przez:

Marcina Pilarskiego – Członka Zarządu

oraz

[redacted]

Mając na uwadze fakt, iż Strony zamierzają określić możliwość współpracy w ramach Programu PAYBACK („Program”) oraz mogą ujawniać wobec siebie informacje, Strony uzgodniły:

1. Strony zobowiązują się do traktowania wszelkich informacji uzyskanych od drugiej Strony jako informacje poufne i nie ujawnia

Good practices – be confidential !



BEFORE you start the talks **SIGN NDA**, that is non-disclosure agreement.

We are a part of American Express group, and so....



LPCOP*



***LOYALTY PARTNER CONFIDENTIALITY OPERATING PRINCIPLES**

AMEX and their competitors...



You are in talks with our competitors
=> ACT CAREFULLY

REMEMBER! Do not transfer business sensitive informations.

Confidential information protection framework in PAYBACK is created by:

LAW



Applicable law eg. civil code,
competition law, GDPR

AGREEMENT



Including NDA,
cooperation agreement

LPCOP



If you want to know more – ask us directly!

Document signing process



Verification

- ☐ **CHECK** information (NIP, KRS, reprezentacja) of the entity from available ones in the official register

- KRS
- CEIDG

CADENCE file

- **EVERY NEW ENTITY** is subject to determination by AMEX
- ☐ **APPLY** for **VERIFICATION** of the entity in the correct process
 - MAIL request lub
 - TLM_ONBORDING

Contract Control Check

- ☐ **UPLOAD** final version to the Neula platform
- ATTACH** scan with CADENCE
- ☐ **GET THE ACCEPT** for the document on Neula platform

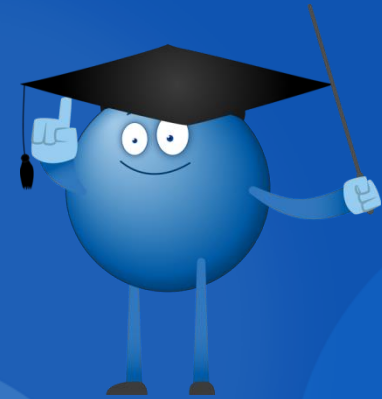
Signatures

- ☐ **GET THE SIGNATURES ON ORIGINAL COPY** of the agreement
 - Signatures on paper or
 - Electronic signature from **DocuSign**

Contract Database

- ☐ **SCAN** the contract
- ☐ **NAME IT** according to the formula
- ☐ **SAVE IT** on the DRIVE in dedicated folder
- **ORIGINAL COPY MUST BE BROUGHT TO LEGAL DEPARTMENT**

Remember, that every contract needs the approval of Legal Department!

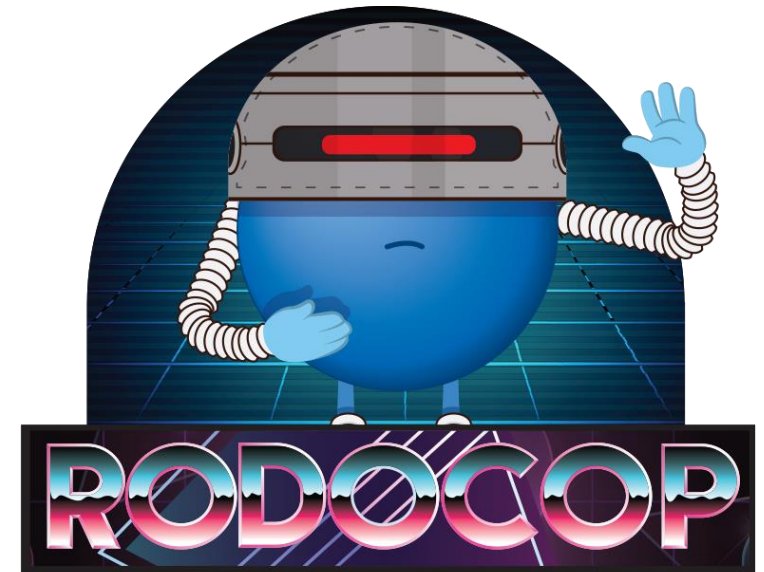
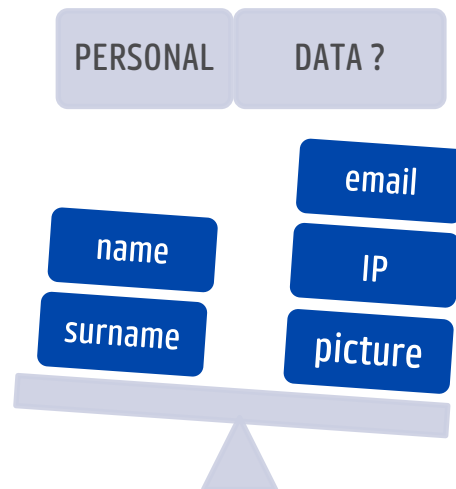


3 Processing of personal data at PAYBACK

... IT DEPENDS

Personal data is any information that relates to an identified or identifiable living individual

unless establishing identity of that person, would require **undue effort, time or work...**



What does it mean to „PROCESS“ DATA?

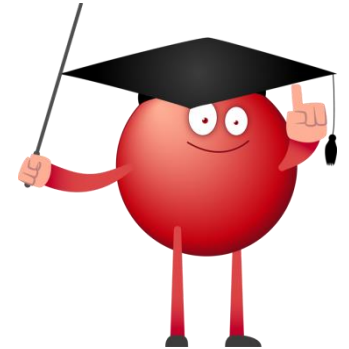


RECORDING

STORAGE

Data processing means:
COLLECTION

ALTERATION



DISCLOSURE BY
TRANSMISSION

ERASURE

At PAYBACK we take data processing **SERIOUSLY!**



1. As a Legal Department we make sure that data processing is done in accordance with the law.



2. ON EVERY ONE OF US lies THE RESPONSIBILITY OF FOLLOWING THE RULES of data processing and making sure it is kept safe.

Subject of GDPR is a long one – we will gladly answer all your questions.



Personal data at PAYBACK on the example of Mr. Marek – customer of BP



- Mr. Marek received a card on BP's petrol station.
- We can tell that Mr. Marek, is a member of PAYBACK Programme thanks to cooperation with BP (SAM BP).
- IF Mr. Marek registers the card and gives appropriate consent he will be:
 - Registered user in the Programme and
 - He will be able to receive communication from PAYBACK (maile / sms) with offers from all of our Partners

What data of Mr. Marek does PAYBACK have?

- Data, that Mr. Marek gave during registration process
- Partners, with which he made purchases
- Dates of transactions
- Amount of money spent
- Category of bought products (only for some partners)

What data of Mr. Marek does BP have?

Aside from data of PAYBACK, BP has knowledge of specific purchases made at BP.

What data of Mr. Marek do other Partners receive?

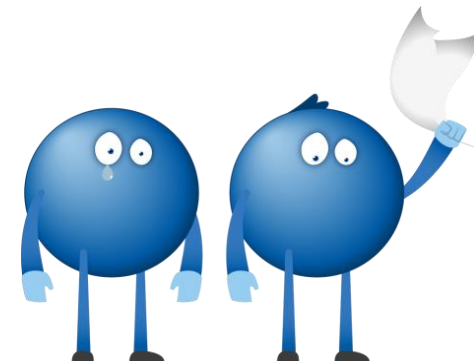
They do not receive anything. Only PAYBACK and BP have that data and can communicate with him.



1. **Rule of lawfulness, fairness and transparency.**
2. **Rule of purpose limitation.**
3. **Rule of data minimisation.**
4. **Rule of accuracy.**
5. **Rule of storage limitation.**
6. **Rule of integrity and confidentiality.**
7. **Rule of accountability.**

WARNING !!! PENALTIES FOR VIOLATIONS

can range up to **20 million euro**
or up to **4% of the global company turnover**



Reporting breaches is not a joke !

IMPORTANT ADDRESSES :

- LPP_Incident_Management_Team@payback.net
- mojedane@payback.net

We have **ONLY 72 h** to **REPORT A BREACH** starting from finding out about the breach

Good thing that we have our **YODA**

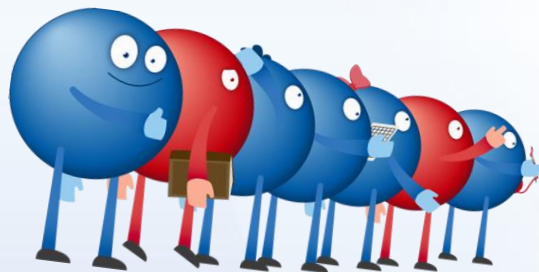


DPO is..... Darek Sadowski, who in PAYBACK:

1. makes **sure that all the regulations pertaining to personal data protection** and ADO policies are followed or rules of the procesors of personal data,
2. he decides the **security measures** necessary to assure proper following of the law;
3. he oversees **who got the access to available personal data** (both inside ADO organization and by outside organizations);
4. he defines **requirements in connection with data exchange** with outside organizations;
5. he provides recommendations as to **data protection impact assessment** and monitors it's execution in accordance with art. 35 (DPIA);
6. he conducts **periodical safety audits** (as part of ADO organization and in relations to the outside organizations);
7. he acts as a **contact point for control authority** for everything concerning data processing.
8. **he cooperates with control authority** (prezesem Urzędu Ochrony Danych Osobowych)



Any questions?



Thank you

