

General Matters

Fotoferia Club mission is to connect the world's amateurs and professional photographers to publish and promote their photographs. Central to this mission is our commitment to be transparent about the data we collect about you, how it is used and with whom it is shared. This Privacy Policy applies when you use our Service. We offer our users choices about the data we collect, use and share as described in this Privacy Policy.

The purpose of the Privacy Policy is to define the activities undertaken by the Association in the scope of personal data collected via the www.fotoferia.pl website www.fotoferia.com and the mobile application and related services and tools used by Users to perform activities such as registration on the Website, posting or viewing comments and photos and performing a number of other activities related to the above. All activities are subject to the relevant legal provisions that apply to data protection. This Privacy Policy is subject to the provisions of Polish law, in accordance with the Act of 29 August 1997 of the Protection of Personal Data (Journal of Laws of 2002, No. 101, item 926, as amended

The User who uses the Website, downloads a mobile application or uses related services and tools confirms that he is familiar with the provisions of this Privacy Policy and the Regulations of the Website and understands their content, and consents to the use of his personal data in accordance with the Regulations of the Website and this Privacy Policy. Participation in the Website is conditioned by the User's possession of copyrights - as defined by the appropriate Act – to Photographs published by him at the Website. Photographs published by Users at the Website must not violate any rights of third parties, especially the legally protected personal rights. Each User agrees to obtain appropriate consent from persons whose image he publicizes at the Website.

The User acknowledges that by publishing any picture on the Website, he has all copyrights to the published image and has permission to publish the image of the persons presented on it.

The User acknowledges that by clicking on the links posted on the Website or the mobile application, he may be redirected to external services of other companies that are outside the administered Website environment, in which the data collection process takes place beyond the direct control of the Website. The privacy protection policy applicable in the services or applications of external websites is applicable to the data obtained by them.

Article I. Definitions

Administrator (Service) - The Administrator of Users personal data who are natural persons within the meaning of the Polish Act of 29 August 1997 of the Protection of Personal Data (Journal of Laws of 2002, No. 101, item 926, as amended) is the Fotoferia Club Association registered in the National Court Register under the name "Fotoferia Club" with its registered office in Kolobrzeg, hereinafter referred to as the Association.

Personal data - all information about a physical person identified or identifiable by one or more specific factors determining physical, physiological, genetic, psychological, economic, cultural or social identity, including device IP, location data, internet identifier and information collected through cookies and other similar technology.

Policy - this privacy policy.

The General Data Protection Regulation (GDPR) (EU) 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union (EU) and the European Economic Area (EEA). It also addresses the export of personal data outside the EU and EEA. The GDPR aims primarily to give control to citizens and residents over their personal data and to simplify the regulatory environment for international business by unifying the regulation within the EU

Website - a website maintained by the Administrator at www.fotoferia.pl and www.fotoferia.com.

Mobile application - software called "Fotoferia" available for free download for a mobile device from the Google Play Store (in the case for devices running on Android) and from the App Store (for devices operating in iOS).

User - any natural person visiting the Website or using one or several services or functionalities described in the Policy.

Article II. Administrator

The Administrator of Users personal data who are natural persons within the meaning of the Polish Act of 29 August 1997 of the Protection of Personal Data (Journal of Laws of 2002, No. 101, item 926, as amended) is the Fotoferia Club Association registered in the National Court Register under the name "Fotoferia Club" with its registered office in Kolobrzeg, hereinafter referred to as the Association. The Association is a non-profit organization and its activities are based on the social work of its Members. In particular, it is a work related to the operation of a club website based on two domains: the Polish language version of www.fotoferia.pl and the English language version www.fotoferia.com, hereinafter referred to as the Website. Each User registering on the Website is willing to become a Member of the Association and submits their Photographs to be evaluated by the Members of the Association.

Association's data: KRS 0000405183 REGON 321168573 NIP 6711810825 Słowińców 1 78-100 Kolobrzeg

The Users' data set processed by the Association is kept by the Data Security Administrator, in this case the President of the Association.

Article III. Data processing

The Administrator collects data to provide particular services for the Users and information on the User's activity on the Website. The detailed principles and purposes of processing personal data collected during the User activity are described below.

Article IV. Goals and Law

Personal data of all persons using the Website (including the IP address or other identifiers and information collected via cookies or other similar technologies) and not being registered Users (ie persons without a profile on the Website) are processed by the Administrator:

- to provide services online
- for analytical and statistical purposes - then the legal basis for processing is the Administrator's legitimate interest (Article 6 (1) (f) of the GDPR involving the analysis of Users' activity, as well as their preferences in order to improve the functionalities and services provided;

- in order to possibly set and enforce claims or defend against them - the legal basis for processing is the legitimate interest of the Administrator (Article 6 (1) (f) of the GDPR) consisting in the protection of its rights;

The User's activity on the Website, including his personal data, is recorded in system logs (a special computer program used for storing a chronological record containing information on events and activities regarding the IT system used to provide services by the Administrator). Information collected in logs is processed primarily for purposes related to the provision of services. The administrator also processes them for technical and administrative purposes, to ensure the security of the IT system and management of this system, as well as for analytical and statistical purposes - in this respect, the legal basis of processing is the legitimate interest of the Administrator (Article 6 paragraph 1 point f of the GDPR).

Persons who register on the Website are requested to provide the data necessary to create and service the account. In order to facilitate the service, the user may provide additional data, thereby agreeing to their processing. Such data can be deleted at any time. Providing data is required to set up and service an account, and failure to do so results in the inability to set up an account.

Users needs to provide:

- login,
- name,
- home address,
- age confirmation,
- email
- phone number.

The above data will be entered into the personal database in administration panel. The following data will be visible for other Users: login, gender, name. This data can be edited here and after update only login will be kept in your portfolio

The Association is entitled to use the collected and stored data on the Website for the following purposes:

1. Providing service, including creating and managing user accounts, solving technical problems and providing functions(Article 6 (1) (b) of the GDPR),
2. Monitoring the activity of all and specific Users, e.g. search keywords and traffic management on the Website for analytical and statistical purposes; (Article 6 (1) letter f) of the GDPR.
3. In order to possibly set and enforce claims or defend against them - the legal basis for processing

Article 6 (1) letter f of the GDPR to protect his rights.

4. If the User places on the Website any personal data of other people (including their name and surname, address, phone number or e-mail address), he can do it only on the condition that he does not violate the applicable law and personal rights of these people.

It is possible that we will need to disclose information about you when required by law, subpoena, or other legal process or if we have a good faith belief that disclosure is reasonably necessary to:

- investigate, prevent, or take action regarding suspected or actual illegal activities or to assist government enforcement agencies;

- enforce our agreements with the User,
- enforce copyrights law,
- enforce GDPR law,
- investigate and defend ourselves against any third-party claims or allegations,
- protect the security or integrity of our Service
- exercise or protect the rights and safety of Society, our Members, personnel, or others.

We attempt to notify Users about legal demands for their personal data when appropriate in our judgment, unless prohibited by law or court order or when the request is an emergency. We may dispute such demands when we believe, in our discretion, that the requests are overbroad, vague or lack proper authority, but we do not promise to challenge every demand. The User shall be solely liable for any claims of third parties for the infringement of author's proprietary copyrights of personal rights or any rights of third parties in connection with the use of the Website by publishing his photographs on the Website. Accordingly, the Association is exempt from liability for any claims by third parties for violations of proprietary copyrights, moral rights or other rights of such persons. If third parties make any claims for infringement of their rights as a result of the user publishing photos, analyzes or comments on the Website, only the user will be required to bear the costs of possible court proceedings, costs of legal representation and compensation awarded or settled by the settlement.

Social media

Service, after obtaining the voluntary and withdrawal consent of the user, may publish photographs of users on public profiles of social websites, including Facebook, Instagram, Twitter and Youtube. The administrator processes personal data of Users visiting Administrator profiles carried out in social media (Facebook, YouTube, Instagram, Twitter). These data are processed only in connection with running a profile, including to inform Users about the activity of the Administrator and to promote various types of events, services and products, as well as to communicate with users via the functionality available in social media. The legal basis for the processing of personal data by the Administrator for this purpose is its legitimate interest (Article 6 (1) letter f) of the GDPR, which consists in promoting its own brand and building and maintaining a brand-related society.

Users communication

The created profiles allow contact between Users. Users provide information on their public profiles at their own risk. The user should carefully consider the risk of making personal data public, in particular the location. By creating an account on the Website, the User indicates a unique identifier and password. The User is obliged not to disclose data used to authorize third parties in the portfolio and is liable for any consequences of disclosing the login or password. Our Services allow you to stay in touch and up to date with other photographers register on the website. To do so, you will "connect" with the professionals who you choose, and who also wish to "connect" with you. You can create an internal group of registered users. Our Service allow you to stay informed about news, events and ideas regarding professional topics, and from professionals you respect. Our Services also allow you to improve your professional skills, or learn new ones. We use your content, activity and other data, including your name and picture, to provide notices.

Service communication

Collected data is used for ordinary communication between the Association or Service and the Member or User regarding:

- club workshops
- club news
- photo contests
- photo exhibitions
- other events related to Photography and the nature of the Website

Service can contact the User through email, notices posted on our websites or apps, messages to your inbox, polls, and other ways through our Service. We will send you messages about the availability of our Services, security, or other service-related issues. We also send messages about how to use the Services, network updates, reminders, promotional messages from us and our partners.

Photo exhibitions

The Association may collect personal data of the User, e.g. name and contact details, if he participates in competitions organized by the Association. In particular, this applies to the international competitions under the patronage of international photographic organizations, where photographs and personal details of the Competition Participant appear in the post-competition gallery of the competition. Photographs and data of the Competition Participant may appear in post-competition articles, post-competition public exhibitions, in a video made of awarded photos, post-competition reports and a printed photobook. The participant agrees to transfer personal data to an organization that is the patron of the competition (eg American Photographic Association PSA, Federation of Photographic Art FIAP) in the form of a post-contest report, which includes:

- first name and last name
- country
- titles of works
- results of submitted photographs for the competition (prizes, acceptances for the post-competition exhibition)

Each Exhibition has a separate policy in which privacy policy is included. Personal data in competition reports provided to these organizations are required to obtain the artistic titles of these organizations. The Association does not provide contact data of the Participant. Address details are necessary to send a possible award by regular mail.

Email

The Association may collect personal data of Users contacting via email address, which are necessary to complete the User's request and contact him if necessary. The contact will also be possible through the use of data placed for this purpose on the User's Account. The Association is entitled to collect other data regarding communication with Users, e.g. information about requests for support or feedback from Users.

Photography achievements

You have choices about the information on your profile, such as your photography achievements, work experience, skills, photo, city or area and endorsements.. You don't have to provide additional information on your profile; however, profile information helps you to get more from our Services. It's your choice whether to include on your profile and to make that sensitive information public. Please do not post or add personal data to your profile that you would not want to be publicly available. Your profile is fully visible to all Users, it can also be visible to others on or off of our Services (e.g., Visitors to our Services or users of third- party search engines).

When do we collect data?

We collect personal data from you when you publish photos, adding posts or comments, scoring the photos, fill out a form, respond to a survey.

You don't have to post or upload personal data; though if you don't, it may limit your ability to grow and engage with your network over our Services. You and others may post content that includes information about you (as part of articles, posts, comments) on our Services.

We log your visits and use of our Services, including mobile apps. We log usage data when you visit or otherwise use our Services, including our sites, install or update one of our mobile apps. We use log-ins, cookies, device information and internet protocol ("IP") addresses to identify you and log your use.

Mobile application

The Administrator processes Users' personal data also to enable the use of services offered on the Website and additional services via the Mobile Application. Users' data is processed in order to register and use the Mobile Application. The legal basis for data processing is in this respect necessary to perform this agreement is (Article 6 (1) (b) of the GDPR).

With the help of the Mobile Application, the User may, in particular: browse the Service assortment, access his account on the Website, place orders and make payments for them, read the information provided in the Mobile Application and use other functionalities available in the Mobile Application. The administrator informs that due to technical limitations, the Mobile Application does not provide the possibility of using all the functionalities of the Website that are available through the Website.

Cookies

The Association is entitled to collect data on the Website via technologies such as cookies and objects made available locally (eg in a browser or on a device). Cookies are small text files that store data locally on a computer, mobile phone or other device of the User. Pixels are small images that are part of the website code that allow another server measurement of page usage and are

often used with cookies. The page code tracks if and when (and on which page) the pixel has been loaded, providing information that the user has viewed part or all of the page.

Through the use of cookies, the website server has the ability to save information, e.g. about the preferences and settings of the computer, mobile phone or other device of the User, which are used during the next visit. In other words, cookies are used, among other things, to ensure easy use of the Website, e.g. you can use the Website without having to log in again. The operator collects on the Website both "permanent" and "session" cookies. "Permanent" cookies are stored on the User's computer for a long time, while "session" cookies are automatically deleted when the browser window is closed.

Types of cookies used by the website:

1P_JAR used by the Google reCaptcha service

_ga used by Google Analytics to recognize users

__utma: The cookie informs how many times visitors entered the Website

__utmb: The cookie informs you how long the visit takes

__utmc: The cookie informs you how long the visit takes. It expires after the session ends

__utmz: The cookie informs where the User comes from

Cookies from other websites

Facebook, Twitter, Youtube can send cookies useful for sharing content on social networks or to develop statistics. The presence, number and status of these cookies may depend on the use of a platform before or during the Website visit. Please familiarize yourself with the policy of managing cookies for social networks on those websites.

Cookie analytics

Google Analytics is used to analyze the usage of our website. The analytics service provider generates statistical information and other information about the use of the website by means of cookie files.

The cookies used by the Website have the following names: _ga, __utma, __utmt, __utmb, __utmc, __utmz and __utmv.

The information generated on the Website is used to create reports on the use of our website.

The privacy policy of the analytics service provider is available at <http://www.google.com/policies/privacy/>.

Blocking cookies. You can allow or block cookies saved by websites. Note: If you don't allow sites to save cookies, most sites that require you to sign in won't work. Blocking all cookies will have a negative impact on the usability of many websites. Blocking cookies will result in the inability to use certain Website functions.

V. The period of personal data processing

The period of data processing by the Administrator depends on the type of service provided and the purpose of the processing. The data is processed by the time the service is provided or the order is processed, until:

- completion of the contract,
- withdrawal of expressed consent, when the legal basis for data processing is the User's consent,
- reporting effective objections to data processing in cases where the legal basis data processing is justified by the interest of the Administrator.

The period of data processing may be extended each time, if the processing is necessary to establish and assert any claims or defend against them, and after that time only in the case and to the extent that the law will require it. After the end of the processing period, the data is irreversibly deleted or anonymized.

VI. Rights to Access and Control Personal Data

Users have an access to their data in the profiles or they can write a request to club@fotoferia.pl

- Delete Data: Request to erase or delete all or some of your personal data (photographs, comments, articles and posts). This will be done within three working days,
- Change or Correct Data: Some data can be edited through the account.
- Object to, or Limit or Restrict, Use of Data: Request to stop using all or some of the personal data (email address club@fotoferia.pl)
- Right to Access and/or Take Your Data: Request to provide a copy of the personal data.

Account Closure

If you choose to close your account by sending email to club@fotoferia.pl, your personal data will generally stop being visible to others on our Services within 3 days

Membership

Membership is paid directly to the Association account or by using the PayPal system or polish payments Dotpay.

Article VII. Recipients of data

In connection with the implementation of services, personal data will be disclosed to external entities, including in particular suppliers responsible for the operation of IT systems, entities such as banks and payment operators, entities providing accounting services, couriers (in connection with the implementation of the contract), marketing agencies (in the scope marketing services) and entities associated with the Administrator.

If the User agrees, his data may also be made available to other entities for their own purposes, including marketing purposes.

The Administrator reserves the right to disclose selected information about the User to the competent authorities or third parties who submit a request for such information, based on an appropriate legal basis and in accordance with the applicable law.

The Association does not provide the collected personal data of Users to unrelated parties without the consent of the interested Users. As part of the Privacy Policy adopted, the Association undertakes not to lend or sell Users' personal data.

Article VIII. Data transmission outside the EEA

The level of protection of personal data outside the European Economic Area (EEA) differs from that provided by European law. For this reason, the Administrator transfers personal data outside the EEA only when it is necessary and with an adequate level of protection, primarily through:

- cooperation with entities processing personal data in countries for which an appropriate decision of the European Commission has been issued,
- application of standard contractual clauses issued by the European Commission,
- application of binding corporate rules, approved by the competent supervisory authority,
- in the event of data transfer to the USA - cooperation with entities participating in the Shield program Privacy (Privacy Shield), approved by the European Commission.

The administrator always informs about the intention to transfer personal data outside the EEA at the collection stage.

Article IX. Security of personal data

The administrator ensures the security of personal data through appropriate technical and organizational measures to prevent unlawful processing of data and their accidental loss, destruction and damage. In addition, the Administrator makes special care so that personal information is:

- correct and processed in a lawful manner,
- obtained only for specific purposes and not further processed in a manner inconsistent with these purposes,
- adequate, appropriate and not excessive in relation to the purposes of their processing,
- accurate and current,
- not kept longer than necessary,
- safely stored,

- not transferred to a country outside the European Economic Area without adequate protection.

In order to better secure the user's account, it is recommended to:

- using a complex password to secure access to an account that makes it impossible to hack by third parties. Such a password should contain a minimum of 8 characters, uppercase and lowercase letters, numbers and special characters.
- keeping the login and password for the client's account in secret, including in particular not sending the data (login, password) to any third parties
- logging out of the Website after each session ended (adding and rating photos, adding messages on the forum e.t.c.). Simply turning off the browser window is not enough to logging out from the fotoferia.pl fotoferia.com website. Logout from fotoferia.pl fotoferia.com will take place after clicking on "Log out" in your Main Menu, which is placed at the top of the page
- use of anti-virus programs, including regular scanning of disks for viruses
- using the Website only through trusted computers on which they are installed only tested software. The use of third-party computers by the User raises the risk of interception

login, password or other data which the User provides while using the account.

- if the User uses the Website using a foreign computer, for example in an internet cafe, he should not memorize the data on the computer and delete the history of the pages viewed.

The administrator conducts risk analysis on an ongoing basis to ensure that personal data is processed in a secure manner - ensuring, above all, that only authorized persons have access to the data and only to the extent that it is necessary due to the tasks performed by them. The administrator makes sure that all operations on personal data are recorded and made only by authorized employees and associates.

The administrator takes all necessary actions to ensure that its subcontractors and other cooperating entities provide a guarantee