

## Privacy Policy

This Privacy Policy of Made By Diet Clinic (“Privacy Policy”) defines the rules of processing of personal data and cookie files (cookies) when using the website at the address <https://madebydiet.com> and the provision of services by the Controller.

### § 1 Definitions

The terms used in this Privacy Policy shall have the following meaning:

**Controller** – Made By Diet Sp. z o.o. with its registered office in Warsaw, at the following address: ul. Twarda 18, 00-105 Warszawa, entered in the Register of Entrepreneurs kept by the District Court for the Capital City of Warsaw, 12<sup>th</sup> Commercial Division of the National Court Register, under KRS No.: 0000868348, NIP (Business Statistical Number): 5252842497, REGON (Business Statistical Number): 387519819; share capital: PLN 73,000.00.

**Website** – the website operated by the Controller at the address

**User** – a natural person, legal person or organisational unit without legal capacity using services provided by the Controller, with the exception of using the Website, applying for employment (regardless of its form), traineeship, apprenticeship or collaboration with the Controller, regardless of the form of this collaboration.

**Personal data** – any information about an identified or identifiable natural person (“data subject”).

**Identifiable natural person** – a person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

**Processing of personal data** – any operation or set of operations which is performed on personal data, such as collection, recording, storage, adaptation, alteration, dissemination or otherwise making available and erasure in traditional form and in information systems.

**Cookie files (cookies)** – information data, in particular text files, which are stored on the User's end device.

**GDPR** – Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

## § 2 General information

1. The Controller shall process personal data in accordance with applicable provisions of law, in particular the GDPR and the Personal Data Protection Act of 10 May 2018 (Journal of Laws of 2018, item 1000).
2. The Controller shall be responsible that any User can make use of his/her legal rights, in particular:
  - the **right of access** to his/her personal data, **obtaining their copy** and information on, among others, the purposes of their processing, categories of recipients and period of storage of such data;
  - the **right to demand from us deletion of his/her personal data** (also referred to as the “right to be forgotten”) in specific situations, including where data processing is illegal, is no longer necessary for the purposes for which data were collected or in the event of an objection and the lack of other legal grounds for data processing;
  - the **right to demand limitation of processing of his/her personal data** in specific situations, among others, in the period necessary for the Controller to verify the correctness of personal data, which has been challenged, or until an objection has been verified;
  - the **right to object to the processing of his/her personal data** if data are processed in order to execute a task performed in public interests or in pursuance of a legitimate interest of the Controller – for reasons connected with the data subject's special situation;
  - the **right to object to data processing** if data are processed for purposes connected with direct marketing;
  - the **right not to be subject to a decision** based only on automated processing, including profiling;
  - the **right to submit a complaint to a supervisory authority** (President of the Personal Data Protection Office) in the event of finding that the processing of personal data by us is not compliant with applicable provisions of law.
3. The provision of personal data by the User shall be voluntary, yet necessary to use the Website, for the Controller to provide services, to participate in recruitment and selection and to undertake collaboration with the Controller – this shall not be possible if the User refuses to provide his/her data.
4. The User may communicate the Controller:
  - a) by e-mail to the address: [hello@madebydiet.com](mailto:hello@madebydiet.com);
  - b) by letter to the address: Made By Diet Sp. z o.o., ul. Twarda 18, 00-105 Warszawa.



### § 3 Personal data processed by the Website

1. The Website shall use the following personal data: first name, last name, e-mail address, telephone number, address of residence, company name, company address, NIP (Tax Identification Number), for the purposes enumerated below:
  - a) handling of questions submitted by sending the form;
  - b) buying a selected service or service package,
  - c) recruitment and selection process;
  - d) debt collection.
2. The data referred to in item 1 above shall be processed:
  - a) in connection with the purposes referred to in item 1, letter a) above, pursuant to Article 6, item 1, letter b) or f) of the GDPR;
  - b) in connection with the purposes referred to in item 1, letters b) and d) above, pursuant to Article 6, item 1, letter b) of the GDPR;
  - c) in connection with the purposes referred to in item 1, letter e) above, pursuant to Article 6, item 1, letter f) of the GDPR.
3. The website executes functions aimed at obtaining information about users and their behaviour in the following way:
  - a) by data given voluntarily in forms, which are entered into the Controller's systems;
  - b) by saving cookie files (cookies) on end devices.
4. The Website shall not collect any information in an automated way, except for information contained in cookie files.
5. Cookie files (cookies) are information data, in particular text files, which are stored on the Website User's end device and intended for using the Website's internet pages. Cookies usually contain the name of the internet page from which they originate, the time of their storage on the end device and a unique number.
6. The entity placing cookie files on the Website User's end device and obtaining access to them shall be the Website Administrator.
7. Cookie files shall be used for the following purposes:
  - a) adapting the content of the Website internet pages to User preferences and optimising the use of internet pages; in particular, these files enable recognising the Website User's device and display an internet page correctly, in a manner adapted to the User's individual needs;
  - b) creating statistics which help to understand how the Website Users use internet pages, which enables improving their structure and content;
  - c) maintaining the Website User's session open (after logging in), thanks to which, the User does not have to enter the login and password on each sub-page of the Website;

- d) fulfilling the objectives referred to below in the “Important marketing methods” section.
8. Two basic types of cookie files shall be used by the Website: session cookies and persistent cookies. Session cookies are temporary files which are stored on the User’s end device until logging out, leaving the internet page or closing the software (internet browser). Persistent cookies are stored on the User's end device for a period of time defined in the cookie files parameters or until they are deleted by the User.
  9. Software for browsing internet pages (internet browser) usually permits cookie files storage on the User's end device by default. The Website Users may change these settings. An internet browser enables the deletion of cookie files. It is also possible to automatically block cookie files. Detailed information can be found in the internet browser’s help section or documentation.
  10. Restrictions on the use of cookie files may affect certain functionalities available on the Website’s internet pages.
  11. The cookie files placed on the Website User’s end device can also be used by entities collaborating with the Controller, in particular the following companies: Google (Google Inc. with its registered seat in the USA), Microsoft (Microsoft Corporation with its registered seat in the USA), Ticksy (Ticksy with its registered seat in the USA), Automattic (Aut O’Matic A&C Ireland Ltd. with its registered seat in Ireland), WooCommerce (WooCommerce Ireland Ltd. with its registered seat in Ireland), mBank S.A. with its registered seat in Poland, Blue Media S.A. with its registered seat in Poland.

#### **§ 4 Important marketing methods**

The Controller uses the statistical analysis of website traffic through Google Analytics (Google Inc. with its registered office in the USA). The Operator does not entrust to the Controller this service connected with personal data, but only provides anonymised data. This service is based on the use of cookies on the User's end device. Regarding information on user preferences collected by Google advertising network, the user may view and edit information resulting from cookie files using the following tool: <https://www.google.com/ads/preferences/>

#### **§ 5 Cookie files management**

##### **How to give and withdraw consent in practice?**

1. If the User does not wish to receive cookie files, he/she may change the browser settings. We would like to point out that deactivating the support of cookie files



necessary for authentication processes, safety, and user preferences maintenance can hamper, and in extreme cases impede, the use of internet pages.

2. In order to manage cookies settings, select your internet browser from the list below and follow the instructions:

- [Edge](#)
- [Internet Explorer](#)
- [Chrome](#)
- [Safari](#)
- [Firefox](#)
- [Opera](#)

Mobile devices:

- [Android](#)
- [Safari \(iOS\)](#)
- [Windows Phone](#)

## § 6 Hosting

The Website is hosted (technically maintained) on the Administrator's home.pl server.

## § 7 The Controller's logs

Information on the Users' behaviour on the Website may be subject to logging. These data are used for the Website administration purposes.

## § 8 Information given in forms

1. The Website collects information given voluntarily by the User, including personal data, if any.
2. The Website may save information on connection parameters (time stamp, IP address).
3. In certain cases, the Website may save information facilitating linking data contained in the form to the e-mail address of the User completing the form. In such an event, the User's e-mail address appears inside the url address of the page containing the form.
4. Data given in the form are processed for the purpose resulting from the function of a specific form, e.g. to handle a service request or for commercial contact, service registration, etc. The context and the form each time clearly indicate the purpose of the form.



### § 9 Selected methods of personal data protection used by the Controller

1. The places of logging and personal data entry are protected in the transmission layer (SSL certificate). Thanks to this, personal data and logging data entered in a page are encrypted in the User's computer and can be retrieved only on the target server.
2. The Controller changes administration passwords on a periodic basis.
3. In order to protect data, the Controller regularly makes back-up copies.
4. An important element of data protection are regular updates of all software used by the Controller to process personal data, which in particular means regular updates of programming components.

### § 10 The principles of processing personal data provided to the Controller by the Patient as part of services related to diet

1. The principles of processing the Patient's personal data provided to the Controller as part of the services offered by the Controller:

<b>Purposes and legal grounds for data processing</b>	<p>Your personal data:</p> <p>a) i.e., your first and last name, e-mail address, phone number, address of residence, shall be processed for the purposes of drawing up and performing the agreement and claim handling – in a period for which services have been ordered, and the basis for their processing shall be Article 6, item 1, letter b) of the GDPR;</p> <p>b) related to your weight, height, age, date of birth, health condition information, results of laboratory tests shall be processed for the purpose of preparing dietary and supplementation recommendations, consultations or collecting health information, controlling the results of dietary support and for purposes specified in detail in the Consent for Processing Personal Data. The basis of their processing shall be your conscious and voluntary consent resulting from Article 6, item 1, letter a) in connection with Article 9, item 2, letter a) of the GDPR, which you may revoke at any time without any effect on the legitimacy of processing before revoking your consent. From the moment of withdrawing the consent, the Controller shall not be able to process data based on the consent and it shall not be</p>
---	---

	<p>possible for it to provide services that require the processing of health condition data.</p> <p>c) i.e., your first and last name, e-mail address, phone number, address of residence, company name, company address, NIP (Tax Identification Number), contained in the Controller’s accounting, bookkeeping and tax documentation and in bank systems and documents – shall be processed for the purpose of meeting obligations under applicable provisions of law, in particular, the Accountancy Act, the General Tax Regulations Act, the Corporate Income Tax Act and the Value Added Tax Act (Article 6, item 1, letter c of the GDPR) – for a period of 5 years from the end of a given settlement period.</p> <p>The personal data of Patients shall also be processed by the Controller for the purpose of a possible exercise of or defence against claims according to the Controller's legitimate interest and generally applicable provisions of national law, in particular, the Civil Code (Article 6, item 1, letter f) of the GDPR) – for 3 years from the end of a calendar year in which a given service ceased to be provided, however, for pending proceedings, this period may be extended until the legally binding termination of the proceedings and until the lapse of new limitation periods.</p>
<p><b>Data recipients</b></p>	<p>The recipients of your personal data may be:</p> <p>a) entities to which the personal data Controller provides personal data where required pursuant to the provisions of generally applicable law;</p> <p>b) entities to which the personal data Controller provides personal data on the basis of personal data provision agreements (e.g. a hosting company, company providing accounting services, legal services, postal operators, authorised employees and contractors, who use the data in order to provide services to the Controller or to ensure the realisation of the objective of the Website’s functioning, IT services for the company, etc.).</p>
<p><b>Rights of the data subject</b></p>	<p>Any data subject shall have the right of:</p> <p>a) <b>access</b> – obtaining confirmation as to whether or not personal data concerning him or her are being processed.</p>

	<p>b) If data concerning a given person are processed, this person shall be entitled to gain access to them and to be provided with the following information: purposes of processing, categories of personal data concerned, information on recipients or categories of recipients to which data have been or will be disclosed, period for which the personal data will be stored or the criteria used to determine that period, the right to rectify, erase or restrict the processing of personal data that a data subject may exercise, and the right to object to such processing (Article 15 of the GDPR);</p> <p>c) <b>receiving a data copy</b> – receiving a copy of data subject to processing, where the first copy is free and for each subsequent copy, the controller may charge a reasonable fee based on administrative costs (Article 15, item 3 of the GDPR);</p> <p>d) <b>rectifying</b> – demanding that his/her inaccurate personal data should be rectified or incomplete data should be completed (Article 16 of the GDPR);</p> <p>e) <b>erasure</b> – demanding that his/her personal data should be erased if the collector no longer has the legal basis for their processing or the data are no longer necessary in relation to the purposes of processing (Article 17 of the GDPR);</p> <p>f) <b>restriction of processing</b> – demanding the restriction of personal data processing (Article 18 of the GDPR), where:</p> <ul style="list-style-type: none"><li>- the accuracy of the personal data is contested by the data subject – for a period enabling the controller to verify the accuracy of these data,</li><li>- the processing is unlawful and the data subject opposes to their erasure and requests the restriction of their use,</li><li>- the Controller no longer needs these data, but they are required by the data subject for the establishment, exercise or defence of legal claims;</li><li>- the data subject has objected to processing – pending the verification whether the legitimate grounds of the Controller override those of the data subject;</li></ul> <p>g) <b>data portability</b> – receiving the personal data concerning him/her, which he/she has provided to the Controller, in a structured, commonly used and machine-readable format, and demanding the transmission of those data to another controller if the data are processed pursuant to the data subject's consent</p>
--	--



	<p>or an agreement concluded with the data subject, or if the data are processed in an automated way (Article 20 of the GDPR);</p> <p>h) <b>objecting</b> – rising objections against the processing or his/her personal data for legitimate purposes of the Controller, for reasons related to his/her specific situation, including against profiling. In such a case, the Controller shall assess the existence of compelling legitimate grounds for processing which override the interests, rights and freedoms of the data subjects or for the establishment, exercise or defence of legal claims. Where the assessment shows that the interests of the data subject override the interests of the Controller, the Controller shall cease data processing for these purposes (Article 21 of the GDPR);</p> <p>i) In order to be able to exercise the above rights, the data subject should contact the personal data Controller using the provided contact details and inform the Controller what right and to what extent he/she wants to exercise.</p> <p>Each data subject shall have the right to complain to the President of the Personal Data Protection Office (to the address of the Office: ul. Stawki 2, 00-193 Warszawa).</p>
<p><b>Additional information</b></p>	<p>The provision of your personal data shall be necessary for the conclusion and performance of the agreement, according to the provisions of generally applicable law. The provision of other data with the aim of preparing dietary and supplementation recommendations based on consultation or collected health information and controlling the effects of the dietary support shall not be obligatory, yet not providing these data might result in an ineffective service. As a result of not providing the personal data required by the provisions of law, it will not be possible to conclude or perform the agreement. Your personal data shall not be subject to profiling. Your personal data shall not be transferred to any third country or international organizations within the meaning of the GDPR.</p> <p>Personal data shall be processed by the Controller in compliance with the requirements provided for in the GDPR and other applicable provisions on the protection of personal data which supplement and/or implement the GDPR.</p>

## § 11 Final provisions

1. The Controller reserves the right to amend this Privacy Policy.
2. The Controller shall communicate each amendment to the Privacy Policy on <https://madebydiet.com> website.
3. A new Privacy Policy shall apply to services ordered after the date of amending the Privacy Policy.
4. To any matters not regulated in this Privacy Policy, the provisions on the protection of personal data shall apply, including in particular requirements for controllers of personal data set out in the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.
5. This Privacy Policy shall enter into force on 26 May 2022.

