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I. General information

The procedure scope is systematization of actions taken by Personal Data Protection Specialist (hereinafter referred to as PDP Specialist) as part of the implementation of the rights of persons whose data are processed under the general regulation on the protection of personal data (679/2016) (hereinafter referred to as GDPR) by CHEMET S.A. (hereinafter referred to as company). Those rights are described in articles 13-22 GDPR.

The procedure applies, when individual, whose data are processed, requests the realization of rights, which include:

- the right to be informed about the collection and use of their personal data (art. 13 i 14 GDPR),
- the right of access by the data subject (art. 15 GDPR),
- the right to rectification (art. 16 GDPR),
- the right to erasure ('right to be forgotten') (art. 17 GDPR),
- the right to restriction of processing (art. 18 and 19 GDPR),
- the right to data portability (art. 20 GDPR),
- the right to object (art. 21 GDPR),
- the right not to be subject to automated decision-making (art. 22 GDPR).

II. Parent documents:

- Regulation (EU) 2016/679 of 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) (GDPR),
- Personal Data Protection Act of 10 May 2022.


III. Responsibilities and tasks:

1. PDP Specialist:

- Collection and consideration of applications for realization of rights of person, whose data are processed; collection and consideration of applications handed over by other workers from the company,
- analysis of law basics for the application,
- verification of identity of person who submitted an application, communication with that person,
- ordering the performance of adequate tasks to IT Department or to other, appropriate Department in company.

2. IT Department:

- performance of adequate tasks order by PDP Specialist regarding to IT systems for the scope of realization of rights of persons whose data are processed.

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3. Managers from other, appropriate Departments:
 - performance of adequate tasks order by PDP Specialist for the scope of realization of rights of persons whose data are processed

IV. Application submission

1. Request of natural person in field of rights from art. 13-22 GDPR have to be sent to data controller:
 - 1) by mail: Sienkiewicza 47 Street, 42-600 Tarnowskie Gory;
 - 2) by email: ds@chemet.com.pl;
 - 3) at the meeting with PDP Specialist.
2. Submitted application has to include:
 - 1) Data of person who is submitting the application: name, surname and other appropriate information, which will helps to identified this person correctly;
 - 2) Discription of request.
3. In situation when identification of the person is questionable and difficult to confirm, PDP Specialist has to contact with this person to verify her/his identity.
4. Verification takes place by sending additional data by a natural person in an e-mail, if this is not enough, than PDP Specialist asks about sending letter with signature as confirmation the identity of the person.
5. PDP Specialist after receiving the application, but not later than 30 days after it, informs the natural person about its acceptance and possibilities of rights realization.
6. Communication form with the natural person who submitted request is the same form as initiated by this person.
7. Every submission of application is registered by PDP Specialist in register of applications. The register shows following information: data of natural person, requests, termon of receiving the application, taken action and the date of realization of application.

V. Request realization - detailed procedure

1. Prior to its implementation, each application is carefully verified in terms of the identity of the person and the correctness of its implementation.
2. The verification is process by PDP Specialist, in case of the luck of technical possibilities, task is handed over the IT Department or other, appropriate Department.
3. During the verification the most important is the purpose of processing and law basics.
4. Verification should be based on searching in the own database for a record related to the data contained in the application, through which the will to exercise of the right is directed.
5. There are four main action scenario of realization of request (without limiting the right to implementation of any other adequate actions):
 - 1) no data in the database – inability to fulfill the request;
 - 2) data are available in the database but there is inability to fulfill the request because the request is not consistent with the law requirements;
 - 3) data are available in the database but there is inability to fulfill the request because there is now possibility to fully exercise the rights;
 - 4) data are available in the database with the possibility of exercising rights.

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VI. The right to be informed about the collection and use of their personal data


1. In terms of art. 13 GDPR – in situation when personal data relating to a data subject are collected from the data subject:
 - 1) at the time of collecting personal data directly from the data subject, e.g. a potential employee or customer;
2. to the extent resulting from art. 14 GDPR - when personal data comes to the Company from other sources (e.g. from other administrators):
 - 1) information referred to in art. 14 sec. 1 and 2 of the GDPR must be provided to the person to whom they relate:
 - within a reasonable time after obtaining the personal data - within one month at the latest;
 - or if the personal data are to be used for communication with the data subject - at the latest at the time of the first communication;
 - or, if the personal data are to be disclosed to another recipient - at the time of the first disclosure at the latest;
 - 2) information from art. 14 sec. 1 and 2 of the GDPR are not transmitted when the data subject no longer has the data and in other cases indicated in art. 14 sec. 5 GDPR (in particular when obtaining or disclosing personal data is expressly regulated by law).

VII. The right of access by the data subject

1. The right of access to data includes information about:
 - 1) the purposes of processing;
 - 2) the categories of personal data concerned;
 - 3) recipients or categories of recipients;
 - 4) the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period;
 - 5) rights of data subject;
 - 6) the right to lodge a complaint with a supervisory authority;
 - 7) from which source the personal data originate, and if applicable, whether it came from publicly accessible sources;
 - 8) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4);
 - 9) transmission of data to countries outside the EEA (if any).
2. In case of realization application for access to data, data are shared on paper form or on electronic form, depends on the subject preferences.
3. The controller ensure, that data are appropriately secured, when it's necessary with use of cryptographic techniques.

VIII. The right to rectification

1. Right to rectification includes information about:
 - 1) request for correction of inaccuracies in personal data;
 - 2) request for completion incomplete personal data;
 - 3) request for supplementation of personal data.

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2. PDP Specialist verifies application and orders the performance of adequate tasks to IT Department or to other, appropriate Department in company.
3. If the application is accepted and PDP Specialist realize the application, PDP Specialist has to inform the recipients of the data to whom the Company disclosed their personal data.

IX. The right to erasure ('right to be forgotten')

1. The right, which refers to art. 17 GDPR, concerns deletion of collected by controller personal data and 'being forgotten' in a situation when the data has been made public.
2. The data subject has the right to request the deletion of data in a situation where:
 - 1) data are incomplete, out of data and incorrect;
 - 2) data are not proceed anymore in purpose on which there were collected;
 - 3) subject has withdrawn the consent on which the processing was based and there is no other basis for further processing of the data;
 - 4) subject has objected to processing the data;
 - 5) personal data have been unlawfully processed;
 - 6) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.
3. PDP Specialist after receiving of application verifies identity of subject or order identification in IT Department, after that makes decision about erasure of data;
4. PDP Specialist makes a decision about application realization, if its necessary task is handed over the IT Department or other, appropriate Department. PDP Specialist gave an information about actions to the subject.
5. In many cases, the right to erasure personal data will not be possible due to the fact that the collector has an obligation to archive documentation in compliance with the law, e.g. the Labor Code, the Acts and Accounting Law, etc.

X. The right to restriction of processing

1. The natural person whose data are processing in the company, has a right to request the restriction of processing in the following cases:
 - 1) when questions the accuracy of personal data - for a period allowing the Company to verify their accuracy;
 - 2) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use by the Company instead;
 - 3) the controller no longer needs the personal data for the purposes of the processing;
 - 4) the data subject has objected to processing pending the verification whether the legitimate grounds of the controller override those of the data subject.
2. After receiving the application and its verification, PDP Specialist fulfills the request. If it is necessary task is handed over the IT Department or other, appropriate Department.
3. PDP Specialist informs subject about the fulfillment of the request.
4. In case of restriction of processing, data would be processed only for storage purpose.

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XI. The right to data portability



1. The right to data portability refers to:
 - 1) right to receive data from the controller;
 - 2) right to have the personal data transmitted directly from one controller to another, where technically feasible.
2. The right to data portability may be exercised if the following two conditions apply jointly:
 - 1) the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) or on a contract pursuant to point (b) of Article 6(1); and
 - 2) the processing is carried out by automated means.
3. In case of application realization of the right to data portability, the data can be shared with subject by paper letter form or via email, depends on subjects preferences.

XII. The right to object

1. The right to object applies to data processed on the basis of Art. 6 sec. 1 lit. f GDPR.
2. The controller may refuse to realize the request (objection) if there are valid legally justified grounds for data processing (overriding the rights and freedoms of the data subject) or there are grounds for establishing, investigating or defending claims.

XIII. The right not to be subject to automated decision-making

1. The automated processing of personal data and decision-making based on such processing are not used in any process carried out by the Company.

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