

CONTEST TERMS AND CONDITIONS

Who is organizing the Contest?

1. The Organizer of the Contest is SARIGATO spółka z ograniczoną odpowiedzialnością with its registered seat in Krakow, ul. Biała Droga 13, 30-327 Kraków, entered in the Register of Entrepreneurs of the National Court Register by the District Court for Krakow - Śródmieście in Krakow, XI Economic Department of the National Court Register under KRS number 0000399231, NIP 6762449931, REGON 122423766, share capital PLN 5,000 (in words: five thousand).
2. The Organizer acts on behalf of the **Polish Tourism Organisation**.
3. **The Polish Tourism Organisation** is also the sponsor of the prizes and one of the independent administrators of the personal data obtained in the Contest, according to the entry form provided to the participants.

What is the Contest? What is the Contest task?

4. The Contest is based on the Participant's performance of the contest task, which is to publish a photo or video on Instagram consistent with the challenge left by the Organizer. The published materials may contain the participant's image.
5. The user publishes on Instagram a photo or video related to one of the Contest challenges. The contest challenges will be on:
 - a. ACTIVE TOURISM,
 - b. CULINAR TOURISM,
 - c. CULTURAL TOURISM
 - d. REGIONAL TOURISMin Poland. The hashtag “#polandchallenge” must be placed under the published content, and the Contest organizer's profile – “@polska.travel” - must be tagged.

Who will judge the contest entries? What are the evaluation criteria?

6. A Jury has been appointed to conduct the Contest, consisting of persons designated by the Organizer and the Polish Tourism Organisation. The Contest is a competition in which the Jury selects 3 (three) of the submitted entries, evaluating them according to the following equal criteria: creativity, aesthetics, originality and clarity of execution.
7. Only the entries that meet the mandatory elements and formal requirements specified in the Regulations are submitted to the Jury for deliberation.

Who can participate in the Contest?

8. The Contest is directed exclusively to natural persons with full legal capacity who are 18 years or older.
9. The Organizer is committed to ensuring that the Contest is transparent, therefore, (a) employees and collaborators of the Organizer and the Polish Tourism Organisation and (b) members of the Jury are not allowed to participate in the Contest. The above prohibition also applies to family members of the above persons.

Is there a participation fee?

10. No, it isn't. The Contest does not involve any fees for participants to enter the Contest. However, in doing so, the Participant bears the cost of his performance of the Contest task.

How to participate in the Contest?

11. The Contest takes place on Instagram on the **@polska.travel** profile.
12. Participation in the Contest is voluntary. To become a participant in the Contest and have the entry submitted for the deliberation of the Jury, you must:
 - a. Publish a photo or video related to the challenge
 - b. add the hashtag **"#polandchallenge"**
 - c. tag the Organizer **@polska.travel**
13. All incomplete applications with errors or submitted after the deadlines specified in the Regulations will not be considered. The date of application accepted by the Organizer is the date of fulfilment of all elements provided for in the Regulations, i.e.:
 - a. The photo or video must be a response to a challenge published by the Organizer
 - b. The image or video must include the hashtag **"#polandchallenge"** and tag the Organizer's profile **@polska.travel**
 - c. The user profile on which the application will be published must be public.

What requirements must the Contest entry meet?

14. In addition to the elements specified in the section of the Regulations entitled "What is the Contest? What is the Contest task?" the entry must not:
 - a. contain content that is vulgar, racist or otherwise derogatory to culture and commonly accepted moral values;
 - b. violate the provisions of generally applicable law, including, in particular, the protection of third parties' image and other personal rights.The entries must not violate the rights of third parties, particularly copyright.
15. The entry can be submitted by only one person (one Participant). Therefore, it is not possible to report joint entries.
16. By entering the Contest, the Participant confirms that he is the author of the entry and that he is entitled to unlimited property and personal copyrights to the entry. In addition, the Participant ensures that the entry does not infringe on the copyrights or other legally protected rights or goods of third parties and is solely the result of the Participant's personal activity and has not been previously published anywhere.
17. Subject to the provisions of the law, the application of which cannot be excluded, in the event of an infringement of someone else's copyrights by the Participant, the Participant of the Contest undertakes to indemnify the Organizer or the Polish Tourism Organisation from any liability and undertakes to pay in full all costs and expenses related to the raising of any claims by third parties or the imposition of any obligations, including the obligation to pay reasonable attorneys' fees and costs incurred by them, related to the defence against such claims or against the imposition of such duties.

How should the entry be submitted?

18. The entry should be submitted via publication on Instagram

What is the course of the Contest?

19. The Contest is conducted following the following schedule:

Date	Action	Description
[11.07.2022]	Entry registration opening	From that day on, it is possible to complete challenges
Until [26.08.2022]	Submission of entries	Until that day, it is possible to complete challenges. Studies submitted after that date will not be submitted to the Jury's deliberation.
From [6.09.2022] to [7.09.2022]	Jury deliberations	The Jury will convene on these days. All adequately submitted entries will be judged by the Jury
From 8.09.2022	the results of the Contest, and thanks for participation	On that day, the winner's studies will be published via the @polska.travel profile. On that day, the participant will also be informed via a private message that he has been awarded the laureate status.
12.09.2022	Prizes will be given / Contact the Polish Tourism Organisation for prize fulfilment	On that day or after that, the laureate will contact a representative of the Polish Tourism Organisation in order to arrange the details of the award transfer

What will the winners receive?

21. The prize in the Contest is the organisation of a stay for two people in a Polish city chosen by the winner. This award includes:
- round-trip air tickets for two people from a European airport to a Polish city of your choice and back (up to a maximum value of €500 per person)
 - provision of accommodation with breakfast for two persons for two nights in a hotel of minimum 4-star standard
22. The Organizer reserves the right not to award one or more prizes if, in the Jury's opinion, the submitted entries do not meet the evaluation criteria to the extent that these prizes can be awarded. The rights to prizes are non-transferable to third parties. It is not possible to give up part of the prizes, and giving up part of the prizes is equivalent to giving up the whole prize. In the event of cancellation of prizes, the Organizer reserves the right to transfer them to the next Participant in the order indicated by the Jury. It is not possible to convert the award into a cash equivalent.

23. The realization of the prize will be agreed upon with the winner by e-mail.
24. The winner will be able to redeem the prize within a year of receiving information about being chosen, but the booking of all benefits comprising the prize will be made by the end of October 2022,
25. As a condition for the release of the prize, the details of the date and location of the stay in Poland must be agreed with the winner, along with the data necessary to make the reservations for the winner.
26. The Organizer contacts the winners via a private message on Instagram to inform them of their winning and obtain the data necessary to release the prize. If:
 - a. within 7 working days, the Organizer does not receive a message allowing the transfer of the prize; or
 - b. The Organizer receives a message with a delivery error (including no delivery); The Organizer sends another message in the same way. This message will be sent no later than 5 days from the day the first message is sent. Suppose the Organizer does not receive a reply to the second message within [5] working days or the winner refuses to provide the data necessary to issue the prize. In that case, this is equivalent to surrendering the entire prize.

Is it possible to file complaints related to the Contest?

27. Any participant may file complaints related to the organisation and conduct of the Contest. Complaints should be sent to the address: socialmedia@sarigato.com with "COMPLAINT" in the body of the message title. The complaint should include a description of the problem and the preferred processing method. In addition, each complaint must contain the Participant's name and e-mail address. Suppose the data provided in the complaint application is insufficient for the Organizer to process the complaint. In that case, the Organizer will request the complainant to provide further information. All complaints are processed within 14 days of receipt.

Can a participant be excluded from the Contest?

28. Yes, but only in exceptional situations. The Organizer has the right to exclude a given participant from the Contest if there is a reasonable suspicion of fraud or actions contrary to the purpose and rules of the Contest, in particular, in cases of
 - a. when there is a reasonable suspicion that the Participant does not meet the formal requirements (e.g., is not 18 years old);
 - b. discovering a violation of the Regulations;
 - c. when the participation of a given participant may violate the rules of social intercourse or good morals and, even indirectly, involve the promotion of values not shared by the Organizer or the sponsor of the Contest;
 - d. when the Participant objects to the processing of their personal data, withdraws the consent to use their image (if applicable), or otherwise affects the inability to use their data or image for the Contest purposes.

Is personal information collected in the Contest?

29. The Administrator of the personal data collected in the Contest, subject to the provisions of the paragraph below, is the Polish Tourism Organisation, 8 Chałubińskiego Street, 00-613 Warsaw, NIP: 525 21 50 196, Regon: 016213775

30. The Administrator entrusts the processing of participants' data to the Contest's Organizer through a contract of entrustment of personal data processing.
31. The information obligation related to the processing of personal data is attached to the regulations.

By participating in the Contest, is there a transfer of copyright of the contest task entries?

32. Yes, submitting the entry in the manner described in the Regulations above is equivalent to granting to the Organizer and **the Polish Tourism Organization** (for each of these entities separately) a non-exclusive license, unlimited in terms of time and territory, to use the entry in terms of public performance, exhibition, display, reproduction, broadcast and rebroadcast, as well as to make the entry available to the public in such a way that everyone can have access to it at a place and time of their own choosing, including publication on the competition website and on Facebook, Instagram and Youtube. In addition, the use of the entry to the extent provided above may be made without mentioning authorship. The Participant also authorizes the Polish Tourism Organisation to decide on the first public dissemination.
33. The Organizer, acting based on Article 921 §3 of the Act of 23 April 1964 of the Civil Code, stipulates that upon issuance of the prize, the Polish Tourism Organisation, as the pledger of the prize, acquires the author's economic rights to each awarded entry in the following fields of exploitation:
 - a. in terms of recording and reproduction- production of a specific technique of copies, including printing, reprography, magnetic recording and digital technique;
 - b. in terms of circulation of the original or copies of the entry carriers, and on which the entry was included - marketing, lending or renting of the original or copies;
 - c. concerning the dissemination of the entry in a manner other than specified above - public performance, exhibition, display, reproduction, as well as broadcasting and rebroadcasting, as well as making the development available to the public in such a way that everyone can have access to it at a place and time of their own choosing.

The transfer of rights to the extent specified above shall be made with the granting to the Polish Tourism Organisation

- a. exclusive authorization of the winner's moral rights to entry. The above includes, in particular, deciding on the first public dissemination of the entry, authorization to perform copyright supervision, as well as to make any changes to the entry without the winner's consent (infringement of form and content);
- b. exclusive authorization to exercise any and all subsidiary rights to the entry, which includes, in particular, the right to change, edit or modify the entrance, and to use the entries or their modifications, as well as to dispose (both against payment and free of charge) of these entries or their modifications to the fullest extent permitted by law;

and permission to distribute without mentioning authorship. The winner is obliged to confirm in writing the transfer of rights to the extent provided for above with the receipt of the prize. This confirmation conditions the receipt of the prize and is an appendix to the Terms and Regulations.

34. The laureate may collect the award on the condition that he or she submits a declaration in accordance with the template attached to the regulations.

Will the image of the winners be used in the Contest?

35. Yes, it will be used, but it applies only to the Contest winners. Entering the Contest is equivalent to giving free-of-charge consent, unlimited as to time and territory, for the Organizer and the Polish Tourism Organisation (for each of these entities separately) to record and use their image, in particular recorded on film, sound or photographic materials, prepared during meetings with the winners (including the prize-giving ceremony), as well as to disseminate and publish this image in electronic media, in particular on websites, in the press and in promotional prints, to promote the Contest. The consent also includes the possibility of publishing the image together with the name.

Where can I read the regulations?

36. Terms and conditions of the Contest are available at **@polska.trvel** Instagram profile and at the link [<https://www.poland.travel/en/travel-inspirations/poland-challenge-accepted-win-a-stay-in-poland#i>]

Is there anything else you should know about?

37. The Organizer reserves the right to change the rules of the Contest, of which it will inform all participants and allow withdrawal from the Contest.
38. The Contest is not created, conducted, administered, supported or sponsored by Instagram. Thus, Instagram is exempt from responsibility by each Contest Participant.
39. The Contest is organized on the territory of the Republic of Poland, using the profile “@polska.travel” on Instagram.
40. Supervision over the correctness and conduct of the Contest, i.e. providing information about the Contest and handling complaints, is exercised by the Organizer.

INFORMATION CLAUSE

Polish Tourism Organisation regarding Participants of the Contest

Who is the Administrator of my data?

Following Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons concerning the processing of personal data and on the free movement of such data ("**GDPR**"), the controller of your personal data is the **Polish Tourism Organisation**, 8 Chałubińskiego Street, 00-613 Warsaw, NIP: 525 21 50 196, Regon: 016213775 ("**Administrator**").

Who can I contact if I have questions about processing my data?

To answer questions about data processing, the Administrator has prepared a point of contact, which can be reached by sending an e-mail to [dpo@pot.gov.pl]

What is the purpose of processing my data?

The data is processed:

- to conduct the Contest, including communication with participants, selection of winners, publication of information about winners on the website, issuance of prizes and processing of complaints and defence of possible claims. The processing of the data is necessary for the conduct of the Contest and is based on the Administrator's legitimate interest (Article 6(1)(f) GDPR);
- for the purpose of recording, using and distributing the image and voice under the provision of Article 81 (1) of the Law of 4 February 1994 on Copyright and Related Rights) made to inform about the Contest and for its promotion.

What is the scope of my data processed by the Administrator?

For the purposes stated above, we will process the personal data you provide: name, surname, e-mail address, telephone number, and home address. In addition, we will process your image captured on recordings and photographs created in connection with the conduct of the Contest (e.g., capturing the release of prizes).

To whom is my data transferred?

The Administrator entrusted the processing of personal data to the Organizer: SARIGATO limited liability company with a registered office in Krakow, SARIGATO spółka z ograniczoną odpowiedzialnością with its registered office in Kraków, ul. Biała Droga 13, 30-327 Kraków, entered in the Register of Entrepreneurs of the National Court Register by the District Court for Kraków - Śródmieście in Kraków, XI Economic Department of the National Court Register under KRS No. 0000399231, NIP 6762449931, REGON 122423766, share capital of PLN 5,000 (in words: five thousand), through which the Administrator performs the processing purposes mentioned above.

In connection with the processing of data for the stated purposes, personal data may also be transferred or entrusted to the following entities:

- providing outsourced services to the Administrator,
- providing IT services and maintaining the Administrator's IT infrastructure,
- public bodies, based on statutory requirements.

How long will my data be stored?

Your data will be processed for the above purposes until the legitimate interest ceases. Legitimate interest in the conduct of the Contest and in the provision of information and publicity will cease with the end of the Contest. Legitimate interest in securing and pursuing potential claims lasts until the statute of limitations. The statute of limitations expires after six years, at the end of the last calendar year.

What are my rights?

In connection with the processing of personal data, you have the following rights:

1. **Following Article 7 of the GDPR**, you have the right to **withdraw your consent**. Where the legal basis for processing your personal data is your consent, you have the right to withdraw the consent you have given us at any time with legal effect for future activities related to processing your personal data.
2. According to **Article 15 of the GDPR**, you are entitled to **access the information** we have collected, including, in particular, information about: the purposes of the processing, categories of personal data, categories of recipients to whom personal data have been or will be disclosed, the expected period of storage of personal data, the right to erasure or restriction of processing or to object to such processing, the existence of automated decision-making, including profiling.
3. According to **Article 16 of the GDPR**, you are entitled to **correct incorrect personal data** collected by us;
4. According to **Article 17 of the GDPR**, you are entitled to request the **deletion of your personal data** as long as
 - data are no longer necessary for the purposes for which they were collected or for which they were processed,
 - you exercise your right to object,
 - processing is based on the consent that has been withdrawn, and there is no other legal basis for processing,
 - personal data were processed illegally.
 - The right to erasure does not apply if the processing is necessary to exercise the right to freedom of expression and information, the fulfilment of a legal obligation, the public interest or the establishment, exercise or defence of legal claims.
5. According to **Article 18 of the GDPR**, you are entitled to **request a restriction on processing** your data. This means that while the data will continue to be collected, it can only be processed to a limited extent (e.g., with consent or to pursue legal claims).
6. According to **Article 20 of the GDPR**, you are entitled to the **portability of all data** provided to us. This means we make this data available to you in a structured and commonly used computer-readable format. The condition is that the processing of personal data is automated and based on consent or necessary for the contract's performance.
7. Following **Article 21 of the GDPR**, you have **the right to object**. Suppose the processing of personal data is carried out based on legitimate interests. In that case, you have the right to object to the processing based on your particular situation. Processing will then be stopped unless we can demonstrate valid, legitimate grounds for processing that override your interests, rights and freedoms. This does not apply if the data is needed to establish, assert or defend claims.

To exercise the above rights, please contact us at:

Polish Tourism Organisation 8 Chałubińskiego Street,
00-613 Warsaw, NIP: 525 21 50 196, Regon: 016213775

Following Article 77 of the GDPR, we also inform you that you have the right to lodge a complaint with the President of the Office for Personal Data Protection

Is it an obligation to provide my data?

Participation in the Contest is voluntary but involves providing personal information. Failure to provide data makes it impossible to participate in the Contest.

EXAMPLE COPYRIGHT STATEMENT

Name and Surname

home address

postal code

In connection with the participation in the competition Poland. Challenge accepted! which is commissioned by the Polish Tourism Organisation; I hereby

declare that:

- a.** I am the sole author of the entry of submitted Contest entry, and the development does not violate the rights of third parties, in particular, copyright;
- b.** I confirm that the entry of the competition task does not violate the rules;
- c.** I transfer the copyrights to the entry to the extent provided in the regulations of the competition to the Polish Tourism Organisation.

signature