

## **Privacy Policy of Elemental Asia**

In Elemental Asia Group - [www.elemental-asia.biz](http://www.elemental-asia.biz) – we protect privacy of people contacting us. This policy explains how we do it and describes rights of individuals, whose personal data are processed by us.

*This policy was updated on March, 26<sup>th</sup> 2020*

**Controller of personal data** provided to Elemental Asia S.A. is:

**Elemental Asia S.A.**, with its registered office in Grodzisk Mazowiecki, ul. Traugutta 42A, 05-825 Grodzisk Mazowiecki, entered into the Register of Entrepreneurs kept by the District Court for the Capital City of Warsaw in Warsaw, 14<sup>th</sup> Commercial Division of the National Court Register under the number KRS: 0000426498NIP: 8971743506, REGON: 020739787 (hereinafter referred to as the “**Controller**”).

Please send any questions, comments or requests regarding your personal data to the Controller’s address specified above or to the following e-mail address: [biuro@prime-minerals.com](mailto:biuro@prime-minerals.com).

### **Personal data.**

The contact form available on our website contains the following personal data: first name and last name, e-mail address, telephone number. Providing this personal data is completely voluntary. If they are not provided or incorrect data are provided, the Controller will not be able to reply to the information sent.

### **Legal basis for personal data processing**

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) (“**GDPR**”) - Article 6 (1) (a), (c), (d), (f) GDPR.

### **Purpose of personal data processing.**

The Controller processes personal data in order to:

- A. provide answers to persons who sent information to the Controller via the online contact form and have expressed their consent in this respect;
- B. fulfill the obligations imposed on the Controller by law, e.g. to detect or prevent acts prohibited under the Act;
- C. protect vital interests of data subjects or another natural person in a situation threatening those interests;
- D. pursue Controller's legitimate interests, such as:
  - a. ensuring effective communication with the market environment, in particular with people who contact us;
  - b. ensuring that our website is used in accordance with law and accepted principles of morality, including establishing, investigating or defending Controller's claims;
  - c. improving quality and transparency of the website; and
  - d. maintaining efficient business management and relations with the Controller's capital group environment.

### **Period of storage of personal data.**

Personal data are always stored or processed to the extent necessary to achieve a respective purpose of the processing.

In the case of:

- a) expressed consent, they will be stored or processed until we are notified of its cancellation or restriction;
- b) a legal obligation incumbent on the Controller (according to Polish or EU law), they will be stored or processed in accordance with such a legal obligation;
- c) necessity to protect vital interests of the data subject or another natural person, they will be stored or processed until the end of the threat to these vital interests, legally protected goods;
- d) legitimate interests pursued by the Controller, they will be stored or processed until an objection is filed or the pursue of such an interest has ended.

### **Rights of persons whose personal data are processed by the Controller.**

- A. Right of access to personal data** – everyone may find out whether or not personal data concerning him or her are being processed by the Controller, and, where that is the case, in what way.
- B. Right of rectification of personal data** – everyone may rectify, modify or update personal data concerning him or her.
- C. Right to erasure ('right to be forgotten')** – the Controller erases personal data and ceases to process them, if these data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; the data subject withdraws consent on which the processing; demands restriction of objects to their processing. Disclaimer - further retention of personal data by the Controller should be considered lawful if it is necessary to exercise the right of freedom of expression and information, to comply with a legal obligation, to perform a task carried out in the public interest, for reasons of public interest in the area of public health, for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, or for the establishment, exercise or defense of legal claims.
- D. Right to withdraw consent** – consent to the processing of personal data can be withdrawn or modified at any time.
- E. Right to data portability** – the data subject has the right to receive the personal data concerning him or her, which he or she has provided to the Controller, and has the right to transmit those data to another controller.
- F. Right to object** – the person whose data are processed by the Controller has the right to object, on grounds relating to his or her particular situation, to processing of personal data concerning him or her. The objection should contain information enabling the Controller to assess whether the interests, rights and freedoms of the data subject override compelling legitimate interest of the Controller.
- G. Right to lodge a complaint with the supervisory body** – in the event of any objection to the way we process personal data, a complaint can be filed with the Personal Data Protection Commissioner <https://uodo.gov.pl/>.

The Controller will respond to questions or requests of data subjects without undue delay – at the latest within one month of receipt of a request.

## **Cookies.**

Cookies are text information saved on the device used to browse the website. Cookies on our site do not collect any personal data about users (they do not contain any tracking codes).

Types of cookies and purpose of using them:

### **A. Functional.**

By default, cookies currently only store consent to the use of cookies by the website and to choose the language of the website. This consent is kept for 30 days. It is in fact used only to avoid displaying the window on using cookies every time and to display the website in the preferred language. This is aimed at facilitating the use of our website by returning Users.

- B. Analytical** – Google Analytics. Google Analytics collects its own cookies, i.e. data related to the device and browser, IP service and user actions in advertisements or applications, according to measuring and reporting statistics of users using websites or applications that are available from Google Analytics. Customers can customize cookies and collect data using functions such as cookie settings, user ID, data import and platform Measurement Protocol. For more information please look at:

<https://support.google.com/analytics/answer/6083646?hl=en>

Website Users may at any time block cookies in the settings of their web browser.

## **Security of transmitted data.**

We make every effort to ensure that data sent through our website are protected against unauthorized use (e.g. we prevent impersonation). However, 100% Internet security cannot be guaranteed, so sending personal data to us involves the risk of unauthorized interception. We provide protection for collected, stored and processed personal data in accordance with the Personal Data Protection Policy applicable within the Elemental Asia Capital Group.

## **Children.**

The Controller does not knowingly collect personal data from persons under 16 years of age.

## **Changes to the Privacy Policy.**

Elemental's Privacy Policy may be changed from time to time. The current version is published on our website [www.elemental-asia.biz](http://www.elemental-asia.biz).

We will contact persons whose personal data we process if a change in the Privacy Policy would mean any limitation to their rights or in the event of a change of the personal data Controller.