



Information duty for persons whose personal data are processed throughout the performance of carrier-to-carrier agreements by Orange

As of 25 May 2018 the General Data Protection Regulation (GDPR) i.e. Regulation (EU) 2016/679 of the European Parliament and of the Council (EU) 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 is applied in the European Union.

The implementation of the GDPR provisions provides an opportunity to inform you how we protect and process your personal data and what rights you have on this account.

The changes implemented under GDPR do not require any contact with Orange Polska S.A. Please read the following information.

How do we process your personal data?

Because you use the services of other telecommunication entrepreneurs who provide their services using the services of Orange Polska S.A., for the sake of technical operation of telecommunication services, we enter into possession of your personal data (all or some) such as the IMSI number (*International Mobile Subscriber Identity*), phone number, IP number or transmission data (related to connections).

Orange Polska S.A. is the controller of your personal data mentioned above - it means that we are liable for using personal data in a manner that is safe, consistent with carrier-to-carrier agreements concluded by us and with applicable laws.

1. For what purpose and on what grounds do we use your personal data?

We use your personal data for the purpose of:

- a) performance of carrier-to-carrier agreement to which we are the party, including provision
- b) of the services, removing failures and replying to complaints – throughout the period specified by the provisions of law (legal basis: processing is necessary for the purposes
- c) of our legitimate interests, where such interests are not overridden by your interests
- d) or fundamental rights and freedoms; we will refer to this basis as „*our legally justified interest*”);
- e) performing legal obligations to which we are subject:
 - throughout the performance of such obligation, e.g. when we provide network security in accordance with the provisions of the Telecommunications Law (legal basis: processing is necessary for compliance with a legal obligation to which we are subject; we will refer to this basis as "*legal obligation*");

- if the regulations explicitly specify the required period of data storage, e.g. in case of the obligation to retain data in accordance with the provisions of the Telecommunications Law - during this period (legal basis: *legal obligation*);
- f) detecting, reacting to and preventing abuse, including by profiling – throughout the term
 - g) of carrier-to-carrier agreement, not longer than throughout the period specified by
 - h) the provisions of law (legal basis: *our legally justified interest*);
- i) preparing summaries or analyses or statistics for our internal needs, e.g. for the needs
 - j) of reporting, marketing studies, planning of service or network expansion, creating statistical models (e.g. concerning revenue protection), including by profiling – throughout the term of carrier-to-carrier agreement, not longer than throughout the period specified by the provisions of law (legal basis: *our legally justified interest*).

2. Which data we receive?

During the term of carrier-to-carrier agreement, we will enter into possession of personal data (all or some of them) including the IMSI number (*International Mobile Subscriber Identity*), telephone number, IP number or transmission data (related to connections). The appearance of this data with us is a consequence of your use of the services of other telecommunication entrepreneurs who provide their services using the services of Orange Polska S.A. and technical operation of telecommunication services.

3. To whom data can be transferred?

- a) to entities processing data on our behalf, participating in conducting our acts:
 - operating our ICT systems or providing us with ICT tools,
 - subcontractors supporting us, e.g. in performance or settlements or reporting of interconnection services or in equipment installation,
 - entities operating and maintaining our telecommunication network;
- b) to other data controllers processing your data on their own behalf, in particular standard technical information (including about phone number or termination of the network from which you make connection) - to other telecommunication carriers or directly to the entities with whom you will be connecting to set up a connection or transmission of messages or IP numbers.

4. Will your data be transferred outside the European Economic Area (EEA)?

In accordance with the standards specified by the International Telecommunication Union and the GSM Association, your use of the services of other telecommunication entrepreneurs that provide their services using the services of Orange Polska S.A. or technical operation of telecommunication services may require the transfer of your data outside of the European Economic Area (including the European Union, Norway, Liechtenstein and Iceland). Current information on the level of protection in the countries to which the data may be transferred you can find at <https://ec.europa.eu>.

We do not plan to transfer your data to international organizations.

5. Automated decision-making

We make automated decision-making that have a significant effect on you, to detect abuse while using our services and to react to them and prevent them.

We make automated decisions on the recognition of a specific non-standard telecommunication traffic (e.g. short calls made with a high frequency from the same number) as inconsistent with carrier-to-carrier agreement and constituting the so-called telecommunication abuse. As a consequence, we limit such traffic or block numbers that generate such traffic. The data subject may question such decision and then we will consider the matter. To make automated decision we use information about telecommunication connections in our network (including typical and unusual traffic patterns in the network) and about cases of fraud observed so far.

6. Your rights

You can submit a request to us for:

- rectification (modification of inaccurate data),
- erasure (erasure of data processed unjustifiably),
- restriction of processing (stopping operations on data until the request for objection, rectification or for not removing your data that we no longer need is settled),
- access to data (for information about the data we process and a copy of such data),
- data transmission to another controller or to you, if we process data directly provided by you to Orange Polska S.A.

You can exercise these rights by submitting written request to the following address:

Orange Polska S.A.
34 Jagiellońska Street
96-100 Skierniewice
Poland

To ensure that we are indeed acting on your request, we may ask you to provide additional information enabling us to authenticate the party making the request.

The extent of each of these rights and cases where they can be exercised arise out of GDPR. The full text of GDPR is available at eur-lex.europa.eu and reference at www.hurt-orange.pl/rodo.

7. The right to object

In special situations, you can at any time object to processing of your personal data by us (including profiling) based on our legally justified interest or based on public interest.

In such situations, after reviewing your request, we will no longer be able to process the personal data subject to the objection on this basis, unless we evidence that there is:

- valid legally justified basis for data processing, overriding your interests, rights and freedoms, or
- basis for determining, exercising or defending claims.

8. Consent

If our use of your data is not necessary to perform a legal obligation or is not within our legally justified interest, we may request your consent to use your data in a specific manner. The consent given us can be at any time withdrawn (this will not affect the legality of the use of your data prior to the withdrawal of such consent).

9. Complaint

You have the right to lodge a complaint with the President of the Office of Personal Data Protection if you believe that the processing of your personal data violates the law.

Contact details

The address of our registered seat:

Orange Polska S.A.
Al. Jerozolimskie 160
02-326 Warsaw
Poland

Our correspondence address (this is the address where you should send requests in order to exercise your laws):

Orange Polska S.A.
34 Jagiellońska Street
96-100 Skierniewice
Poland

Contact details of the Data Protection Officer in Orange Polska S.A.:
inspektorochronydanych@orange.com

More information

If you wish to learn more about how we use and protect your data, or about your rights, please visit:
<http://www.hurt-orange.pl/rodo>.