



Privacy Policy in the CityFit application

In force from: 26.05.2021

IMPORTANT INFORMATION

Our mission at CityFit is to create as many avenues as possible for our club members to pursue their passion for sport. That is why we launched the CityFit mobile application, which gives our club members access to such features as managing their membership, buying subscriptions, registering for fitness classes and sessions with a personal trainer, purchasing additional products, including a Medcover package, and taking advantage of loyalty schemes or discounts (hereinafter jointly referred to as “**Services**”). As we offer you our Services, we remain mindful of protecting your privacy, which prompted us to present you with the following Privacy Policy that describes how we collect and process personal data via our application.

We encourage you to become acquainted with this Privacy Policy, as well as our Terms and Conditions [<https://cityfit.pl/regulamin/>] (hereinafter referred to as “**Terms and Conditions**”).

DOWNLOADING, INSTALLING AND USING THE APPLICATION IS TANTAMOUNT TO YOUR CONSENT FOR YOUR PERSONAL DATA TO BE COLLECTED, USED AND TRANSMITTED FOR THE PURPOSE OF PROCESSING IN A WAY DESCRIBED IN THIS PRIVACY POLICY. Should you decide not to share your personal data with us, you will not be able to take full advantage of our Services.

About us

We are CityFit sp. z o.o. with the registered office in Warsaw at ul. Jana Pawła II 27, 00-867, a company that is part of the CityFit Group. We offer Services using a mobile application linked to our website www.cityfit.pl (“**mobile application**”). In addition, the application is capable of referring users to other websites dedicated to ongoing competitions, promotional campaigns or events.

Information on your personal data



This Privacy Policy extends to the personal data related to you, your devices and your interactions with our Services.

“Personal data” are data that can be used to identify you, directly or indirectly, on their own or combined with other information. This usually applies to such information as name and surname, e-mail address, telephone number, exact location, device identifiers, certain cookies and network identifiers, contact data, data on physical aptitude and search history.

CityFit collects, uses and processes personal data in accordance with this Privacy Policy for the purpose of delivering, maintaining and improving the Services, which includes offering innovative services related to physical aptitude, for advertising and marketing purposes and in order to allow you to participate in competitions and promotional events, as well as purchase certain products from third parties, in accordance with the description featured in this Privacy Policy. Regardless, information on how CityFit processes personal data without the mobile application is available in our Terms and Conditions.

In the course of offering you Services, we are able to generate personal data, which are then anonymised by excluding certain data enabling identification (such as name and surname, e-mail address or a related identifier that allows monitoring), or by using other anonymisation techniques. Our use of anonymised data is not subject to this Privacy Policy.

How do we collect and use personal data?

We collect your personal data in various ways and for various purposes, including:

1. When you register an account or interact with our Services.
2. When you input data concerning your physical aptitude in our Services or when you use the Services which collect or infer such data using sensors placed in your mobile devices.
3. When you use or interact with a wearable device or other connected device.
4. When you agree to location data collection when using the functionality of your device.
5. When you communicate with us or register to receive promotional materials.
6. When you participate in special classes, offers or programmes.



7. When you interact with our online communities on internet portals (Facebook) or through an advertisement we display to you.
8. When you gain access to products and services of third parties.
9. When you connect with us via social media (logging in using third party accounts).
10. When we use cookies, device identifiers, QR codes, your location, data collected from the operating environment of your devices.
11. When we monitor your activity in the CityFit shop.
12. When you make use of the functionality of the mobile application and connect with your friends on various third party platforms, send information to your friends using the mobile application.
13. When we provide you with occasional rewards for specific activities in CityFit clubs.
14. When we abide by the requirements imposed on us by relevant legal provisions (obligations related to taxation, archiving, laws imposed by judicial authorities, etc.).

Identifiers

Our mobile application and Services can provide us with device identifiers, location data. Device identifiers include identifiers related to carriers of mobile devices, such as IMEI numbers, identifiers specific to a given platform, such as Android ID, Google AID or Apple's IDFA, as well as identifiers that are part of the device, such as MAC WiFi address and serial number. The exact information on which device identifiers are transmitted may depend on the platform of your mobile device and version of the operating system. Location data can be obtained from GPS services, based on the cell tower triangulation or a known location of nearby WiFi access points. In addition, we use alphanumeric two-dimensional graphic codes (QR Codes) for allowing entrance to our clubs.

We can use identifiers for purposes that are strictly necessary: to maintain Services, to improve our Application and carry out analyses and to display advertisements relevant to your interests.

How do we share your personal data?

We may share your personal data for the purposes described above with the following entities:



1. Our companies from CityFit Group.
2. Third parties with whom we cooperate to offer you Services, such as providers of technical infrastructure, application administrators, providers of marketing services or Medcover offering you its packages.
3. Administrators of social media portals, such as Facebook Inc.
4. Other natural persons, as per your request, when you share e.g. the results of your aptitude tests.
5. Entities in charge of displaying advertisements in the mobile application, including advertisements relevant to your interests.
6. Entities that provide tools for analysing your interaction with the mobile application.
7. State authorities in order to ensure compliance with the law, enforcement of legal provisions and acting in the interest of public security.

In order to raise the efficiency of Services offered, some of our Partners have their registered seats in countries located outside of the European Economic Area, where the level of personal data protection may not be on par with the standards of the European Union (United States of America). However, in such cases we sign appropriate agreements with our partners which feature Standard Contractual Clauses approved by the European Commission: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en and for the purpose of protecting your rights and freedoms, we may apply additional safeguards laid down in the guidelines which are applicable to such transfer of data.

Legal basis for data processing

For the purposes of applicable personal data protection law CityFit sp. z o.o. is the controller of personal data that you share with us when using the mobile application ("**Data Controller**"). In our capacity as Data Controller, we process your stored personal data in accordance with this Privacy Policy and the relevant legal provisions. Should you have any questions or doubts regarding the processing of personal data or questions concerning this Privacy Policy, please contact our Data Protection Officer Ms Małgorzata Jankowska at e-mail iod@cityfit.pl.



We process your personal data for various purposes specified in this Privacy Policy, often based on grounds other than a separate consent. When your consent is necessary, you will be asked to grant it in the mobile application itself, at www.cityfit.pl website or otherwise. In other cases the legal grounds for the processing of your personal data include:

1. Execution of Services (execution of the Agreement concluded with you).
2. Execution of legal obligations.
3. Our legitimate interest.

Details in the context of GDPR requirements:

In the case of account registration or interaction with our Services, such processing is necessary for us to offer you our Services (Article 6(1)(b) of the GDPR).

After you input data concerning your physical aptitude as part of our Services, if they are sensitive personal data (including data concerning health and biometric data) specified in the GDPR, we process those data based on your prior consent (Article 9(2)(a) of the GDPR).

In the case of non-sensitive personal data that we require for the execution of Services (QR codes, e-mail address, etc.), such processing is necessary (Article 6(1)(b) of the GDPR).

With regard to other non-sensitive personal data, we process such data based on our legitimate interest (Article 6(1)(f) of the GDPR), which is to constantly improve the Services we provide.

In the course of collecting the exact location data after obtaining your consent, we process such data based on your prior consent (Article 6(1)(a) of the GDPR).

In the case of you contacting us or registering in order to gain access to promotional materials, we process such data based on our legitimate interest (Article 6(1)(f) of the GDPR), which is to communicate our promotional content to you.



In the case of marketing that makes use of direct communication devices, and transferring unsolicited commercial information, as well as profiled advertisements, the legal basis is your consent (Article 6(1)(a) of the GDPR).

In the case of use and/or collection of cookies, device IDs, data from the environment and other tracking technologies, we process such data on the basis of your prior consent (Article 6(1)(a) of the GDPR) and based on our legitimate interest (Article 6(1)(f) of the GDPR), in which case we do not obtain your consent and our legitimate interest is to offer you better Services or marketing.

As we monitor your purchases in our shop, we process such data based on our legitimate interest (Article 6(1)(f) of the GDPR), which is to constantly improve your shopping experience, as well as prevent losses or crimes.

When we disclose Personal data to affiliated entities, partners, service providers and sellers: if in this case, your consent is required by law, we process such data pursuant to your previous consent (Article 6(1)(a) of the GDPR). If there is no legal obligation to obtain your consent, then, in this case, such processing is required for the provision of our Services (Article 6(1)(b) of the GDPR) or we process such data based on our legitimate interest (Article 6(1)(f) of the GDPR), and our legitimate interest is to provide you with better Services and marketing.

When we comply with our legal obligations, we process data based on existing legal provisions (Article 6(1)(c) of the GDPR).

Consent

We may ask for your consent to verify your location, for marketing activities targeting you through means of direct communication, in the case of gaining access to sensitive personal data (data concerning health), profiling content that is displayed to you, sending you commercial information.

You can withdraw your consent at any moment, effective for the future and without impact on the legality of processing of your personal data based on the consent granted prior to its withdrawal, by contacting us at: iod@cityfit.pl.



Your rights

You have the following rights:

Right of access to your personal data (Article 15 of the GDPR): You have the right to obtain our confirmation as to whether or not we process your personal data and to access your personal data and related information on their processing (e.g. the purposes of the processing or the categories of personal data).

Right to change your personal data (Article 16 of the GDPR): You have the right to rectify your personal data, pursuant to legal provisions.

Right to erasure (Article 17 of the GDPR): You have the right to demand that we erase your personal data, pursuant to legal provisions. Grounds for executing this right may extend to the following cases: (i) when your personal data are no longer necessary for the purposes for which they were collected or otherwise processed; (ii) when you withdraw your consent on which the processing of data is based, according to Article 6(1)(a) or Article 9(2)(a) of the GDPR, and where there is no other legal ground for the processing; (iii) when you object to the processing of data pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing or when you object to the processing of data pursuant to Article 21(2) of the GDPR; or (iv) when your personal data have been unlawfully processed.

Right to restriction of processing (Article 18 of the GDPR): You have the right to obtain restriction of our processing of data under limited circumstances, including: when you contest the accuracy of your personal data; when the processing of data is unlawful and you oppose the erasure of your personal data and request the restriction of their use instead; or when you object to the processing of data pursuant to Article 21(1) of the GDPR pending the verification whether the legitimate grounds override your interest.

Right to data portability (Article 20 of the GDPR): You have the right to receive the personal data you have provided to us in a structured, commonly used and machine-readable format, and the right to transmit this information to another



controller, including direct transmission, provided that it is technically feasible. The first copy of the data is provided free of charge.

Right to object (Article 21 of the GDPR): You have the right to object to the processing of your personal data, pursuant to legal provisions. This right is limited to the processing of data based on Article 6(1)(e) or (f) of the GDPR and extends to profiling on the basis of these provisions and the processing of data for direct marketing purposes. After this time we will no longer process your personal data, unless we are able to demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

You also have the right to contact a supervising authority competent for matters concerning personal data, which in Poland is the President of the Personal Data Protection Office. You have the right to lodge a complaint with the supervising authority.

Processing time

We will store your personal data for as long as you continue to use the application and/or maintain a club member account or for as long as is necessary to offer you Services. We will also store your personal data in case we need to meet our legal obligations, settle disputes and execute our binding agreements with you.

When we no longer have to process your personal data for the purposes specified in this Privacy Policy, we will erase your personal data from our systems.

Where it is allowed, we will also erase your personal data at your request. Such a request may be submitted by contacting us at iod@cityfit.pl.

You can find further details regarding processing time in our Terms and Conditions.



Security

We are implementing appropriate technical and organisational safeguards in order to protect against unauthorised and/or unlawful processing of personal data and against accidental or unlawful destruction, loss, alteration, unauthorised disclosure or access to personal data.

We note that this Privacy Policy is not applicable to the actions of enterprises that do not fall under our control, nor to persons that are employed or supervised by us. Our Services may feature links or otherwise provide access to websites of external entities. These links are made available exclusively for your convenience. Our Privacy Policy is not applicable to websites of external entities and all data that you share on websites of external entities are shared at your own risk. We encourage you to become acquainted with the privacy policies of all external entity websites that you interact with.

Children

We purposely do not collect personal data of children under the age of 14. Should you become aware of the fact that a child has shared their personal data with us without parental consent, please contact us. Should we find out that a child under the age of thirteen has shared their personal data with us without parental consent, we will take steps towards erasing the data and cancelling the child's account.

How to contact us?

Should you have any questions, comments or doubts concerning the way in which we process your personal data, please contact us by sending an e-mail to iod@cityfit.pl.