Information obligation - Kraków the Open City

2024-10-23

This legal notice constitutes a legal regulation concerning the use of online services of the vortal *Kraków the Open City* functioning within the Municipal Internet Platform *Magiczny Kraków* owned by the Municipality of Kraków. The note contains information on privacy policy and a statement of consent to the processing of personal data.

Legal basis: Act of 8 March 1990 on municipal self-government; Act of 17 February 2005 on informatization of the activities of entities performing public tasks; Order No. 1444/2019 of the Mayor of the City of Kraków of 18 June 2019 on the introduction of information policy at the Municipality of Kraków through online channels.

Privacy policy

The *Kraków the Open City* vortal operating as part of the Municipal Internet Platform respects its users' right to privacy. It especially protects personal data and uses appropriate technological solutions to prevent interference with the privacy of third-party users.

1. Processing of users' personal data

a) Mayor of the City of Kraków, with its registered office at pl. Wszystkich Świętych 3-4, 31-004 Kraków is the Administrator of personal data within the meaning of the EU General Data Protection Regulation (GDPR).

b) Users' personal data collected by the *Kraków the Open City* vortal operating within the Municipal Internet Platform, shall be processed in a manner consistent with the scope of permission granted by the users or on the basis of other statutory prerequisites authorizing data processing, in order to enable users to: collect competition prizes, submit questions through the Online Inquiry Log (**Internetowy Dziennik Zapytań**), which is a part of the **Public Information Bulletin** (BIP), receive the *Kraków the Open City* Newsletter, and activity on the *Kraków the Open City* social media profiles (Facebook, YouTube). The set of users' personal data collected by the Municipal Internet Platform is treated as a separate database, stored on a server in a special security zone, ensuring proper protection. Full access to the database is available only to a few authorized employees, engaged in the administration of the database.

c) *Kraków the Open City* vortal operating within the Municipal Internet Platform provides access to the data concerning each user who provides their personal data, in order to verify, modify or delete them. Providing personal data is voluntary.

d) *Kraków the Open City* vortal operating within Municipal Internet Platform does not transfer, sell or lend the collected personal data of its users to other persons or institutions, except with the express consent or at the request of the user. However, it may disclose the aggregate studies, general statistical summaries. Such summaries relate to the viewership of the services and do not contain data that allow identification of individual users.

2. Copyright

a) All content of the *Kraków the Open City* vortal operating within the Municipal Internet Platform is protected by copyright. The content of the WWW site may not be reproduced, distributed or published, unless the owner of the site gives prior written permission, excluding the use for non-commercial purposes and personal use.

b) All rights concerning the content of text, graphic, photographic, video and other elements are legally protected, and are reserved to the Municipality of Kraków or, respectively, to entities cooperating with the Municipality, whose materials are posted on the *Magiczny Kraków* website of the Municipal Internet Platform.

c) Trademarks under the legal disposal of the Municipality of Kraków are subject to protection and each use of logos requires obtaining the appropriate consent. The coat of arms of the City of Kraków belongs to the category of symbols of the City, therefore it is subject to legal protection on the grounds of the Act on Municipal Self-Government (consent of the Council of the City of Kraków) and is associated with the use of this legal good, not leading to its use in a manner detrimental to the good name and image of the Municipality (depreciation of the designation or diminution of the Municipality's reputation).

d) Design, implementation and maintenance of the Service - ACK Cyfronet AGH, all rights reserved.

3. Principles of using the service

a) Information posted on the *Kraków the Open City* website is for informational purposes only.

b) The owner of the *Magiczny Kraków* website, within which the *Kraków the Open City* vortal operates, reserves the right to make changes or additions to the information and data contained on the website at any time and to any extent without prior notification to users. Without prior notice and at any time the rules of use of the site may be changed.

4. Liability

The owner of the *Magiczny Kraków* service within which the *Kraków the Open City* vortal operates makes every effort to ensure that the information and data contained on the sites of the Municipal Internet Platform are as up-to-date as possible. However, any civil liability for the timeliness, correctness, reliability, completeness of the information and data provided and their components is excluded. This also applies to all other websites to which links are provided. *Kraków the Open City* is also not responsible for the content of the websites opened using such a link.

5. Information about cookies

When visiting the *Magiczny Kraków* website, within which the *Kraków the Open City* vortal operates, it may happen that information in the form of cookies is transferred to the user’s computer, which helps to recognize him automatically the next time he visits the site. Cookies make it possible, for example, to tailor the site to the user’s interests, etc. If the user does not agree to this, he should set his

Internet browser so that it deletes Cookies from the computer’s hard drive, blocks all Cookies or warns before a Cookie is stored.

Administrator’s information on personal data processing

The Municipality of Kraków informs that the administrator, i.e. the entity that decides how your personal data will be used, is the Mayor of the City of Kraków, with the registered office in pl. Wszystkich Świętych 3-4, 31-004 Kraków.

Your personal data will be processed for the purpose of providing services by the Municipality of Kraków. Please be informed that:

1. The user has the right to request from the administrator access to your personal data, rectification, restriction of processing, and the right to data portability, as well as, in cases provided by law, the right to erasure and the right to object to the processing of your data.

2. The user’s personal data will be stored for the period resulting from the provisions of the law, in particular the Act of 14 July 1983 on the national archival resource and archives and the Ordinance of the Prime Minister of 18 January 2011 on the registry instruction, uniform material lists of files and the instruction on the organization and scope of operation of company archives.

3. The user has the right to lodge a complaint to the supervisory authority, which is the President of the Office for Personal Data Protection with its seat at ul. Stawki 2, 00-193 Warsaw.

4. Provision of personal data is a condition for the implementation of services provided by the Municipality of Kraków.

5. The consequence of failure to provide data shall be the inability of the Municipality of Kraków to provide the service for which the user is applying.

6. The user’s personal data will be processed in accordance with the provisions of 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) (Official Journal of the EU L 119 of 4 May 2016, p. 1), i.e. the data will be processed on the basis of the law, and in special cases - on the basis of the user’s consent or in connection with the performance of the contract to which the user is a party.

Contact details of the Data Protection Inspector:
postal address – ul. Sarego 4, 31-047 Kraków, e-mail address: iod@um.krakow.pl.

We would like to inform you that in order to protect your personal data, we have implemented an Information Security Management System, certified according to the requirements of ISO 27001. This information is of a general nature. Detailed information regarding the processing of personal data and

the user’s rights in connection therewith, constituting the fulfillment of the controller’s information obligation referred to in Article 13 (1) and (2) of 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), will be provided to the user each time in connection with the handling of a specific matter.

Information of the administrator on the processing of personal data – participants of competitions organized by the vortal *Kraków the Open City* functioning within the framework of the Municipal Internet Platform:

Pursuant to Article 13(1) and (2) of the EU General Data Protection Regulation (the so-called RODO), we inform you that the administrator of your personal data is the Mayor of the City of Kraków, based at pl. Wszystkich Świętych 3-4, 31-004 Kraków. The controller can be contacted by letter (address mentioned above) or electronically - e-mail address: kp.umk@um.krakow.pl.

Personal data will be processed in order to participate in competitions organized by the *Kraków the Open City* vortal functioning within the Municipal Internet Platform. The data is covered by the register of processing activities titled “Competitions and projects organized by the Mayor’s Office”.

The participant agrees to the processing of their personal data for the above purpose. Taking part in a competition is tantamount to the participant’s consent to the processing of personal data for the above purpose.

We inform that:

- The participant has the right to withdraw this consent at any time, with the withdrawal not affecting the legality of the processing that was performed on the basis of this consent before its withdrawal.
- The participant has the right to request from the administrator access to their personal data, rectification, deletion or restriction of processing, as well as the right to data portability.
- The participant’s personal data will be kept until the competition is settled.
- The recipient of personal data is the Mayor of the City of Kraków.
- The participant has the right to file a complaint to the supervisory authority, which is the President of the Office for Personal Data Protection.
- Provision of personal data is voluntary. The consequence of failing to provide data is the inability to participate in competitions organized by the *Kraków the Open City* vortal operating within the Municipal Internet Platform.
- The legal basis for data processing is Article 6(1)(e)/Article 9(2)(e) of the GDPR, i.e. data will be processed on the basis of the participant’s consent.

Contact details of the Data Protection Officer:
postal address - as above, e-mail address: iod@um.krakow.pl.