

# Referral Bonus System Regulations

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## §1. Definitions

Whenever the words listed below, written with a capital letter, are used herein, their meaning is as follows:

1. **Organizer** – ITMAGINATION Sp. z o.o. with its registered office in Warsaw (00-805, Poland), at Chmielna 85/87, registered by the District Court for the Capital City of Warsaw, XII Commercial Division of the National Court Register under the number KRS 0000315903, with a share capital of PLN 1 800 000 paid-in full, the creator and organizer of the Referral Bonus System;
2. **Referral Bonus System** – a set of guidelines and rules that specifies how to submit Referrals in a proper way so that the Recommender is entitled to a Reward;
3. **Referral** – the process of submitting the documents and statements defined herein;
4. **Recommender** – a natural person with full legal capacity who submits a Referral;
5. **Recommended** – a natural person, who is a specialist in the IT industry, recommended to the Organizer by the Recommender in accordance with the Public Pledge and the Regulations;
6. **Public Pledge** – a public notice posted on [www.itmagination.com](http://www.itmagination.com), regarding the Referral Bonus System, based on which the Organizer promised a Reward for carrying out the tasks specified in the notice and herein;
7. **Reward** – money which constitutes a form of recognition for carrying out the tasks specified in the Public Pledge and herein;
8. **Regulations** – this document;
8. **Act on the Protection of Personal Data** – the Act of August 29, 1997 on the Protection of Personal Data (unified text: Journal of Laws of 2014, Item 1182 with amendments).

## §2. General provisions

1. The Referral Bonus System is organized on the basis of the Public Pledge.
2. The Organizer declares that the Referral Bonus System is neither a game of chance, a tombola, a mutual bet, a game depending on coincidence, nor any other form provided



for in the Act of 19 November 2009 on Gambling (unified text: Journal of Laws of 2016, No. 471 with amendments).

3. The Referral Bonus System is valid from October 1, 2016 to December 31, 2018.
4. The Referral Bonus System is open which means that any natural person can participate, subject to the provisions of the Regulations. The condition of participation in the Referral Bonus System is acceptance of the Referral Bonus System Regulations
5. Participation in the Referral Bonus System is voluntary and free of charge.
6. Individuals who have participated in the recruitment process concerning a given employee or associate as well as individuals directly managing or supervising the work carried out by the employee or associate do not take part in the Referral Bonus System. Such individuals do not have the rights prescribed by these Regulations, including in case they refer any employee or associate.
7. It is forbidden to conclude any contracts or agreements and to make any arrangements or settlements between the individuals who have participated in the recruitment process concerning the employee or associate and the Recommenders, and between the individuals directly managing or supervising the work carried out by the employee or associate and the Recommenders, intended to affect the fulfilment or non-fulfilment of the terms prescribed by Paragraph 5, Point 2 of the Regulations. Should any such contract, agreement or settlement be confirmed to have been concluded, the Organizer may refuse to assign or give the Reward.

### §3. Technical requirements

In order to participate in the Referral Bonus system, the Referrer should have:

- a. a connection to the Internet;
  - b. any web browser updated to the latest version;
  - c. an electronic address which the Referrer can independently dispose of to the extent necessary to carry out the provisions of the Regulations.
- Chapter IV. [Personal data, their processing and protection]

## §4. Referral submission policy

1. The Recommender joins the Referral Bonus System upon submitting a Referral to the Organizer's e-mail address: [ref@itmagination.com](mailto:ref@itmagination.com). The Referral should consist of the following data and documents:
  - a. the personal data of the Recommender: name, surname, e-mail address and phone number;
  - a. the personal data of the Recommender: name, surname, e-mail address and phone number;
  - b. the personal data of the Recommended: name, surname, e-mail address, phone number and a job reference number, should the Referral involve a specific job offer;
  - c. the resume of the Recommended;
  - d. the following statements:

*"I hereby declare that I have obtained consent from the Recommended to share and (to the extent that personal data will be processed on the basis of consent) consent to allow for processing the personal data of the Recommended, included in Referral, for the purposes of participation in the Referral Bonus System, the recruitment processes and processes of searching for business partners, carried out by ITMAGINATION Sp. z o.o. (with its registered office in Warsaw, Chmielna 85/87, 00-805 Warsaw, entered into the Register of Entrepreneurs kept by the District Court for the capital city of Warsaw in Warsaw, XII Commercial Division of the National Court Register under KRS entry No. 0000315903, Tax Id. No. [NIP] 5272587128) and other companies within the ITMAGINATION capital group, in accordance with the 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) and with the Referral Bonus System Regulations. "*

and

*"I hereby agree for processing my personal data, included in my Referral, by ITMAGINATION Sp. z o.o. (with its registered office in Warsaw, Chmielna 85/87, 00-805 Warsaw, entered into the Register of Entrepreneurs kept by the District Court for the capital city of Warsaw in Warsaw, XII Commercial Division of the National Court Register under KRS entry No. 0000315903, Tax Id. No. [NIP] 5272587128) and other companies within the ITMAGINATION capital group, for the purpose of participation in the Referral Bonus System, in accordance with article 6(1) point (a) of the General Data Protection Regulation of 27 April 2016 and with the Referral Bonus System*

*Regulations. This consent to personal data processing is freely given and I declare that my personal data that I have voluntarily provided are correct and truthful. I have read the information clause indicated in §7 of the Referral Bonus System Regulations, including information about the purposes of personal data processing and the right to request access to and rectification of my personal data. I know that I have the right to withdraw my consent at any time, and the withdrawal of consent does not affect the lawfulness of personal data processing, based on consent before its withdrawal."*

2. Prior to submitting the resume of the Recommended to ITMAGINATION, the Recommender is obliged to present the Recommended information clause with the following content:

*"According to Article 13(1) and 13(2) of the 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) we hereby inform you that:*

- 1. The controller of your personal data is ITMAGINATION Sp. z o.o. with its registered office in Warsaw, Chmielna 85/87, 00-805 Warsaw, entered into the Register of Entrepreneurs kept by the District Court for the capital city of Warsaw in Warsaw, XII Commercial Division of the National Court Register under KRS entry No. 0000315903, Tax Id. No. (NIP) 5272587128 (hereinafter: ITMAGINATION). The personal data controller's contact details: [privacy@itmagination.com](mailto:privacy@itmagination.com) .*
- 2. Your personal data included in your resume will be processed for the purpose of establishing a cooperation within the current and future processes of searching for business partners and the recruitment processes by ITMAGINATION and other companies within the ITMAGINATION capital group, on the basis of Article. 6 (1) point (a) of the General Data Protection Regulation (consent to the processing of personal data for one or more specific purposes).*
- 3. Data collected for the purpose of establishing a cooperation (indicated in point 2 above) may be made available to other companies from the ITMAGINATION capital group: ITMAGINATION OUTSOURCING Sp. z o.o. with its registered office in Warsaw, Chmielna 85/87, 00-805 Warsaw (KRS: 0000472942, NIP: 5272698537, REGON: 146825687), TGK Central Europe Sp. z o.o. with its registered office in Warsaw, Chmielna 85/87, 00-805 Warsaw (KRS: 0000545917, NIP: 5272731269, REGON: 360920747), ITMAGINATION Spółka z ograniczoną odpowiedzialnością SERVICES Sp. k. with its registered office in Warsaw, Chmielna 85/87, 00-805 Warsaw (KRS:*

0000646927, NIP: 5272786425, REGON: 365863675), ITMAGINATION INTERNATIONAL Sp. z o.o. with registered office in Warsaw, ul. Chmielna 85/87, 00-805 Warsaw, (KRS: 0000691076, NIP: 5272817953, REGON: 368076699); the personal data may also be made available to external entities providing, for the controller and other members of the ITMAGINATION group, services such as legal, audit and accounting services, as well as to on-line IT services providers (Microsoft Ireland Operations, Ltd.).

4. *Your personal data will not be transferred to a third country/international organisation. If there appears a need to pass the personal data to any third party state/international organisation, the controller will inform you of its intention to pass the personal data to such third party state/international organisation and of having satisfied requirements of the General Data Protection Regulation in this regard, and if your consent is required for the personal data to be passed to such third party state/international organisation, the controller will obtain such consent prior to passing the personal data.*
  5. *Your personal data will be stored for the duration of the process of searching for business partners or the recruitment process. In the event of consent to the processing of personal data for future processes, your personal data will be stored for one year from the date of provision of your personal data to the controller.*
  6. *You have the right to request from the controller access to and rectification or erasure of your personal data, restriction of processing or to object to processing as well as the right to data portability. You have the right to withdraw consent at any time and the withdrawal of consent does not affect the lawfulness of personal data processing, based on consent before its withdrawal.*
  7. *You have the right to lodge a complaint with GIODO (President of the Personal Data Protection Office), when you consider that the processing of your personal data violates the provisions of the General Data Protection Regulation of 27 April 2016.*
  8. *The provision of personal data by you and consent to their processing is voluntary but necessary to participate in the process of searching for business partners or the recruitment process.*
  9. *Your personal data is not subject to automated decision-making, including profiling."*
3. To the resume of the Recommended shall be attached the consent for the processing of personal data with the following content:

*“According to Article 6(1) point (a) of the General Data Protection Regulation of 27 April 2016, I hereby give consent for my personal data included in my resume to be processed for the purposes of establishing a cooperation within the current and future processes of searching for business partners and the recruitment processes by ITMAGINATION Sp. z o.o. (with its registered office in Warsaw, Chmielna 85/87, 00-805 Warsaw, entered into the Register of Entrepreneurs kept by the District Court for the capital city of Warsaw in Warsaw, XII Commercial Division of the National Court Register under KRS entry No. 0000315903, Tax Id. No. [NIP] 5272587128) and other companies within the ITMAGINATION capital group. This consent to personal data processing is freely given and I declare that my personal data that I have voluntarily provided are correct and truthful. I have read the information clause, including information about the purposes of personal data processing and the right to request access to and rectification of my personal data. I know that I have the right to withdraw my consent at any time, and the withdrawal of consent does not affect the lawfulness of personal data processing, based on consent before its withdrawal.”*

4. The Recommender may not recommend him/herself.
5. The Referral meets the requirements of the Referral Bonus System and is taken into consideration if the Recommended is not already listed in the Organizer’s database or is listed in the Organizer’s database but was not contacted by Organizer in last six months.
6. The Recommender will be notified within 2 working days whether the Recommended is listed in the Organizer’s database.
7. The Referral binds the Organizer for a period of six months starting from the date of its submission.
8. The Recommender may submit any number of Referrals – none of them, however, should address the same Recommended.
9. The Recommender may withdraw the Referral at any given time. Upon withdrawing a Referral, the Recommender is no longer a participant of the Referral Bonus System. In order to withdraw a Referral, the Recommender is to send a declaration of withdrawal to the Organizer’s e-mail address: [ref@itmagination.com](mailto:ref@itmagination.com).

## §5. Rewards

1. The Rewards are financed from the Organizer’s own funds.

2. The Rewards are as follows:
  - a. PLN 1 000 (one thousand) – if the Recommended accepts the offer of work or cooperation, signs an agreement with the Organizer and carries out the tasks specified therein for at least one full week,
  - b. PLN 3 000 (three thousand) – if the Recommended carries out the tasks specified in the aforementioned agreement for at least 3 months and both, the Recommended and the Organizer are not willing to cease the agreement.
3. The Recommender is entitled to the Reward only after fulfilling the conditions referred to in Paragraph 2 in cases when the agreement enters into force within the period referred to in Paragraph 4, Point 7 of the Regulations.

## R§6. Results and entitlement to rewards

1. On the last day of the month in which the conditions referred to in Paragraph 5 Point 2 herein are met, the Organizer will notify the Recommender about the Reward by e-mail.
2. The Reward, referred to in Paragraph 5 Point 2 herein, will be sent by bank transfer to the bank account of the Referrer within 14 days from the date the Referrer submits all data necessary for the transfer.
3. The Organizer declares that ITMAGINATION Sp. z o.o. does not pay income tax advances. Should the Recommender be entitled to the Reward, he/she is obliged to settle the income in the proper tax office. For this purpose, the Organizer will issue and deliver the PIT8-C document to the Recommender.

## §7. Personal data

1. To participate in the Referral Bonus System, the Recommender shall provide the personal data referred to in Paragraph 4 Point 1 herein. The provision of personal data is voluntary.
2. By submitting a Referral, the Recommender agrees to processing his/her personal data by the Organizer and also declares that he/she was granted permission by the Recommended to share their personal data.



3. Processing of personal data is carried out in accordance with the 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)
4. Within the meaning of the General Data Protection Regulation, ITMAGINATION Sp. z o.o. with its registered office in Warsaw (00-805, Poland), at Chmielna 85/87, registered by the District Court for the Capital City of Warsaw, XII Commercial Division of the National Court Register under the number KRS 0000315903, with a share capital of PLN 1 800 000 paid-in full. NIP: 5272587128. REGON: 141608169, is the controller of personal data.
5. The personal data of the Recommender is collected in order to participate in the Referral Bonus System. The data referred to above may be made available to other companies from the ITMAGINATION capital group: ITMAGINATION OUTSOURCING Sp. z o.o. with its registered office in Warsaw, Chmielna 85/87, 00-805 Warsaw (KRS: 0000472942, NIP: 5272698537, REGON: 146825687), TGK Central Europe Sp. z o.o. with its registered office in Warsaw, Chmielna 85/87, 00-805 Warsaw (KRS: 0000545917, NIP: 5272731269, REGON: 360920747), ITMAGINATION Spółka z ograniczoną odpowiedzialnością SERVICES Sp. k. with its registered office in Warsaw, Chmielna 85/87, 00-805 Warsaw (KRS: 0000646927, NIP: 5272786425, REGON: 365863675), ITMAGINATION INTERNATIONAL Sp. z o.o. with registered office in Warsaw, ul. Chmielna 85/87, 00-805 Warsaw, (KRS: 0000691076, NIP: 5272817953, REGON: 368076699); the personal data may also be made available to external entities providing, for the controller and other members of the ITMAGINATION group, services such as legal, audit and accounting services, as well as to on-line IT services providers (Microsoft Ireland Operations, Ltd.).
6. The personal data of the Recommender will be stored for the duration of participation in the Referral Bonus System. In the event of granting the Reward the personal data of the Recommender will be stored for the period necessary to fulfill the Organizer's obligations resulting from the Reward, including obligations related to the settlement of the Reward.
7. The personal data of the Recommender will not be transferred to a third country/international organisation. If there appears a need to pass the personal data to



any third party state/international organisation, the controller will inform the Recommender of its intention to pass the personal data to such third party state/international organisation and of having satisfied requirements of the General Data Protection Regulation in this regard, and if the Recommender's consent is required for the personal data to be passed to such third party state/international organisation, the controller will obtain such consent prior to passing the personal data.

8. The Recommender has the right to request from the controller access to and rectification or erasure of his/her personal data, restriction of processing or to object to processing as well as the right to data portability. The Recommender has the right to withdraw consent at any time and the withdrawal of consent does not affect the lawfulness of personal data processing, based on consent before its withdrawal.
8. The Recommender has the right to lodge a complaint with GIODO (President of the Personal Data Protection Office), when the recommender considers that the processing of his/her personal data violates the provisions of the General Data Protection Regulation of 27 April 2016.
9. The provision of personal data by the Recommender and his/her consent to processing is voluntary but necessary to participate in the Referral Bonus System.
10. The personal data of the Recommender is not subject to automated decision-making, including profiling.

## §8. Complaints

1. The Recommender has the right to report irregularities in the Referral Bonus System to the Organizer.
2. Complaints are best submitted by means of sending a message to the e-mail address of the Organizer: [ref@itmagination.com](mailto:ref@itmagination.com).
3. In order to accelerate the complaint consideration, the complaint should include the designation of the Recommender and the Recommended, Recommender's e-mail address, and also a detailed description of the problem and the time and circumstances of its emergence. Lack of these components does not, however, result in the ineffectiveness of the complaint.

4. The Organizer reviews the complaint and is to respond (by means of sending an e-mail message to the e-mail address provided by the Recommender) to the complaint within 10 working days from the day of its submission.

## §9. Unlawful content

In connection to the participation in the Referral Bonus System, the Recommender is forbidden to deliver material that is unlawful or unrelated to the System, as well as material that violates the rights of others or their moral principles.

## §10. Hazards

1. The main threat to every Internet user – the Recommender included – is the possibility to infect the ICT system by means of spreading software developed primarily to inflict harm, i.e. viruses, 'bugs' or Trojan horse programs. To avoid related risks, including those emerging upon opening e-mails, it is suggested that the Recommender should maintain the computer (used to participate in the Referral Bonus System) with an anti-virus program and update it regularly.
2. The Organizer informs that ITMAGINATION Sp. z o.o. applies modern technology to minimize safety risks referred to above. However, there are no ways to obtain complete protection against the aforementioned undesired activities.

## §11. Final provisions

1. This document is rendered available on the Organizer's website ([www.itmagination.com](http://www.itmagination.com)) so that each Recommender can become familiar with its contents before taking part in the Referral Bonus System. The Recommender confirms that he/she read the contents of this document upon submitting the Referral.
2. The content in materials used for advertising and promotion that is related to the Referral Bonus System is for information purposes only.
3. The Regulations become effective on the day of the publication of this document.
4. We kindly ask to send any questions regarding the Referral Bonus System to the Organizer's email address: [ref@itmagination.com](mailto:ref@itmagination.com).