

**TERMS AND CONDITIONS OF  
THE “Poleć nas i zyskaj” (*Refer us and earn*) PROMOTION**  
(hereinafter the “T&C”)

**§ 1. Definitions**

Capitalized terms, unless stated otherwise, have the following meanings:

<b>Organiser</b>	means Dom Development S.A. with its registered office in Warsaw, address: 00- 078 Warszawa, Pl. Piłsudskiego 3, entered in the Register of Companies of the National Court Register under number KRS 0000031483, paid up share capital: PLN 25 548 422.00, business statistical identification number REGON: 012212483, taxpayer identification number NIP: 525-14-92-233.
<b>Promotion</b>	means a programme to boost sales of apartments developed by the Organiser by attracting as many Customers as possible for the Organiser, as described in these T&Cs
<b>T&amp;Cs</b>	means this document
<b>Participant</b>	means a natural person with full legal capacity, who does not conduct a business activity in real estate brokerage or of similar nature and is not an Employee of the Organiser, and who, prior to the announcement of or during this Promotion, will have entered into an Agreement with the Organiser concerning the purchase of an apartment in a project developed by the Organiser.
<b>Customer</b>	means a natural person to whom, during the period of the Promotion, a Participant has recommended the purchase of an apartment in the Organiser's projects and who also, before receiving such Recommendation, has not: signed with the Organiser an Agreement concerning the purchase of an apartment in a project developed by the Organiser or sent to the Organiser in any manner whatsoever a registration form, which is attached to the Agreement concerning the purchase of an apartment in the projects developed by the Organiser, nor reserved an apartment
<b>Agreement</b>	means a development agreement as referred to in the Act of 16 September 2011 on the protection of the rights of a residential unit or home buyer (Dz.U.2021.1445, consolidated text of 10.08.2021) or a Promise of Sale Agreement for a self-contained residential unit in a residential building developed by the Organiser.
<b>Reward</b>	means a cash reward for which a Participant is eligible provided that the Promotion rules set forth in the T&Cs are met.

<b>Sign Up Form</b>	means a form to be completed by the Participant, stating that he/she wishes to take part in the Promotion and recommend the purchase of apartments from the Organiser to Customers, being Appendix no. 1 to the T&Cs
<b>Recommendation</b>	means a Customer's statement regarding the Participant's recommendation, being Appendix no. 2 to the T&Cs
<b>Employee</b>	means a natural person employed by the Organiser on the basis of a contract of employment or who co-operates with the latter on the basis of a civil law contract

## **§ 2. General**

1. The Organiser of the Promotion is Dom Development S.A. with its registered office in Warsaw.
2. The purpose of this Promotion is to stimulate sales of apartments developed by the Organiser by having Participants recommend to Customers concluding Agreements in exchange for receiving Rewards and for discounts granted to Customers for purchasing such apartments, in accordance with the rules set forth in these T&Cs.
3. To become a Participant in the Promotion, you must:
  - a. during the period of the Promotion, recommend the purchase of an apartment from the Organiser to a Customer,
  - b. accept the provisions of these T&Cs,
  - c. consent to the processing of your personal data for information purposes related to the Promotion.
4. No person providing real estate or related advisory services or who is engaged in co-operation with the Organiser can be a Participant in the Promotion.
5. No Employee's of the Organiser or Employee's family member's, i.e. spouse, ascendants, descendants, stepsons/stepdaughters, siblings, stepfather or stepmother, can be a Participant in the Promotion.
6. The Promotion runs for a limited from **1 September 2022 until 31 October 2022**.

## **§ 3. Promotion Rules and the Rewards**

1. To sign up for the Promotion as a Participant, the Participant must correctly fill out the entire Sign Up Form and either submit it in written form to the Organiser 's registered office or sales office, or send it in electronic form to the following address: [polecnas@domd.pl](mailto:polecnas@domd.pl), at any time before the actions described in paragraph 2 below are taken.
2. For a Participant to be eligible for a Reward, the following conditions must be satisfied jointly:
  - a. the Participant has recommended the purchase of an apartment from the Organiser to a Customer during the period of the Promotion, as confirmed subsequently by the Customer by filling out, correctly and completely, the Recommendation and depositing it at the Organiser's head office or sales office or submitting it in electronic form to the following address: [polecnas@domd.pl](mailto:polecnas@domd.pl) , at any time preceding the conclusion of the Agreement;
  - b. The Customer to whom the Participant has recommended the purchase of an apartment from the Organiser concludes, during the period of the Promotion, the Agreement with the Organiser and pays at least 5% of the purchase price of the apartment covered by the Agreement and does not exercise the right to terminate it within the time limit he/she is

allowed to do so; whereby the conclusion by the Customer of an agreement for the transfer of rights and obligations and/or a debt assumption agreement previously entered into by another purchaser shall not constitute the conclusion of an Agreement with the Organiser as defined in these T&Cs.

3. Where the purchase of an apartment has been recommended to a Customer by several Participants, the date of receipt of the form referred to in paragraph 1 above shall be conclusive. The Participant who was the first to make the said notification is solely eligible for the Reward, provided that the conditions set forth in paragraph 2 above are satisfied. The Organiser also stipulates that no Participant can be simultaneously a Customer.
4. The Participant is not eligible for the Reward if the Customer terminates or rescinds the Agreement within 6 months of the end of the Promotion period. In the event that the Customer rescinds the Agreement within the above-mentioned period, the Participant will be obliged to reimburse the Reward to the Organiser within 30 days of the date on which the Organiser notifies the Participant of such termination or rescission.
5. The Reward for a Participant meeting the conditions set forth in these T&Cs is **PLN 5 000.00 gross** (five thousand Polish zlotys). The cash reward paid out by the Organiser is subject to the provisions of the Act of 26 July 1991 on Personal Income Tax (Official Journal of 2021, item 1128, as amended). The Organiser is required to issue a PIT 11 form containing tax-related information to the Participant to whom it has paid out the Reward and deliver it, by the statutory time limit, to the Participant to the address indicated by the latter on the Sign Up Form and to the head of the tax office competent for the place of residence of the Participant.
6. The Promotion does not provide for any consolation rewards or any exchange of rewards granted.
7. A Customer taking part in the Promotion who has submitted the form referred to in paragraph 2 above is entitled to a discount of **1% off the purchase price of the apartment** (as calculated on the gross value of the builder's finish apartment). A Customer can take advantage of this Promotion only once (i.e. he/she can only enter into one Agreement on preferential terms during the Promotion period).
8. Each Participant may win more than one Reward, subject to paragraph 3 above.
9. A Participant eligible for the Reward will be notified of being granted the Reward by letter, as per the contact details stated in the form referred to in paragraph 1. The Reward will be paid to the bank account stated in the form referred to in paragraph 1 within three (3) months of the end of the Promotion.

#### **§ 4. Complaints**

1. Any complaints or notices of breach of these T&Cs must be sent by letter to the Organiser's address.
2. The complaint should include the name, surname, full address of the person submitting the complaint, as well as a description of the complaint and the reasons therefor.
3. Complaints will be processed within a period of up to 30 days from the date of delivery of the complaint to the Organiser.

#### **§ 5. Personal data**

1. The Organiser is the Controller of Participant's personal data.
2. The Controller has appointed a Data Protection Officer, who may be contacted at the following email address: [iodo@domd.pl](mailto:iodo@domd.pl) or in writing at the address of the Organiser's registered office specified in § 1 above.
3. The personal data of the Participants and Customers taking part in the Promotion will be processed for the purpose of:

- a) the carrying out of the Promotion, the notification of the reward and signing up for the Promotion, and also in order to exercise the Organiser's rights and obligations in relation to the Promotion being carried out;
  - b) the processing of complaints;
  - c) the exercise of or defence against mutual or counterclaims (if any);
4. The legal basis for the processing by the Organiser of the personal data of the Participant or Customer is:
- a) the consent of the Participant or the Customer taking part in the Promotion (pursuant to Article 6(1)(a) of the GDPR) to the use of personal data for the purposes of carrying out the Promotion, in accordance with the T&Cs.
  - b) performance of the provisions of the Promotion - in order to exercise the Organiser's rights and obligations in connection with the sign up by the Participant or Customer for the Promotion (in accordance with Article 6(1)(b) or (c) of the GDPR).
  - c) a legitimate interest of the controller (in accordance with article 6(1)(f) of the GDPR)
5. The extent of personal data processing for the purposes of participating in the promotion includes the Participant's personal data, such as name, surname, email address, bank account number, residence address, telephone number, as well as data necessary for the settlement of income tax on the winnings under the Promotion (e.g., PESEL personal identification number, the competent Tax Office), and the Customer's data such as: name, surname, PESEL (personal identification number), telephone number, residential address.
6. The Participant's personal data may be disclosed by the Organiser to its business partners (recipients), in particular to entities providing archiving, IT, postal or courier services, marketing or other services as necessary to carry out the Promotion.
7. Participant's personal data will be processed, depending on the purpose of the processing:
- a. until such time as consent has been withdrawn, for the time of the Promotion,
  - b. for the period necessary to comply with the provisions of the Promotion and the T&Cs, after the final determination of the Promotion's outcome.
  - c. or until mutual or counterclaims (if any) have expired or complaints (if any) have been resolved
8. The Participant has rights relating to the processing of personal data, i.e. the right to request access to, rectification, erasure, restriction of processing of his/her personal data, the right to data portability and the right to object to the processing; where the processing of personal data is carried out on the basis of a legitimate interest, he/she will be entitled to object to the processing for reasons relating to a specific situation. To the extent that a Participant in the Promotion has consented to the processing of his/her personal data, has the right to withdraw his/her consent at any time. The withdrawal of personal data processing consent shall not affect the lawfulness of data processing based on consent before its withdrawal.
9. The Participant has the right to file a complaint with the data protection authority, i.e. President of the Personal Data Protection Office.
10. Providing personal information is voluntary, but failure to provide personal information prevents participation in the Promotion and the processing of complaints.

## **§ 6. Final provisions**

1. The Organiser reserves the right to change the duration of the Promotion, however such duration cannot be shortened.

2. This Promotion cannot be used in conjunction with any other promotions held by the Organiser. Where there is more than one buyer, only one Customer is eligible to purchase a single apartment covered by the Promotion.
3. The Organiser reserves the right to amend these T&Cs, provided that this shall not negatively affect the position of the Participants, in particular as regards the rights acquired under the T&Cs. Any subsequent amendments to the T&Cs shall be effective from the date of their publication on the website [www.domd.pl](http://www.domd.pl)
4. In the event that a Participant has not provided the Organiser with the bank account number proper for the payment of the Reward within 3 months of the end of the Promotion, the Reward shall become the property of the Organiser.
5. By signing up for the Promotion, each Participant and Customer accepts these T&Cs.
6. Information about the Reward sent via email shall be deemed effectively delivered.
7. Any matters not regulated in these T&Cs shall be governed by the provisions of the Civil Code.

**Sign Up Form**

....., on .....

***The "Poleć nas i zyskaj" (Refer us and Earn) Promotion***

Recommend us to a friend and win PLN 5 000!

The purpose of the Promotion is to attract new customers to Dom Development S.A.

Join our Promotion!

**Promotion Sign Up Statement**

Participant's name and surname: .....

PESEL (*personal identification number*): .....

Residential address: (province, county, municipality, town, postal code, street, building no., unit no.)

.....

Mailing address, if different to residential address:

.....

Telephone: .....

Email: .....

Project name, and number of the apartment bought at Dom Development S.A.:

.....

Bank account no.: .....

Tax Office relevant for the Participant's residential address:

.....

I declare that:

1. I sign up for the Promotion organised by Dom Development S.A. (hereinafter referred to as the "Organiser") with its registered office in Warsaw,
2. I procured the Customer to read the T&Cs of the Promotion, and I received the Customer's consent to the processing of his/her personal data,
3. I have read and agreed to the Terms and Conditions of the Promotion (the "T&Cs")
4. I consent to my personal data being processed by the Organiser for the purposes of the "Poleć nas i zyskaj" (*Refer us and Earn*) promotion, in accordance with the T&Cs,
5. I agree to be contacted by email or telephone as regards the Reward being granted to me,
6. I am not an employee nor a family member of an employee of the Organiser referred to in § 2(5) of the T&Cs, and I do not cooperate with the Organiser as regards real estate transactions, agency or consultancy,
7. I am / I am not<sup>1</sup> a sole trader running a business other than real estate transactions, agency or consultancy,
8. the Reward granted to me is not related to my sole trader business and is my personal income,
9. I am aware of the obligation of personal income tax to be assessed on me in connection with the payment of the Reward to me.

*Participant's signature*

.....

*Name and surname*

Appendix no. 2 to the Terms and Conditions of the Promotion

**Recommendation**

....., on .....

***The "Poleć nas i zyskaj" (Refer us and Earn) Promotion***

**Customer Statement**

I, the undersigned ..... (*enter Customer's name and surname*) (personal identification number PESEL: .....) residing in ..... at ..... (*enter address*), phone number ....., hereby declare that ..... (*enter Participant's name and surname*) recommended to me that I buy a residential unit at ..... (*enter Organiser's name*) with its registered office in ....., and therefore I am eligible to benefit from a dedicated offer as regards the purchase of the residential unit by me.

I further declare that I have read and agreed to the Terms and Conditions of the Promotion (the "**T&Cs**"), and I have consented to my personal data being processed for the purposes of the "Poleć nas i zyskaj" (*Refer us and Earn*) promotion.

*Customer's signature*

.....

*Name and surname*