

Contest Rules for Aquaforest Sp. z o.o. sp.k "Calendar Contest" on Aquaforest Instagram profile (@aquaforest.eu)

I. General Provisions

1. The organizer of the contest is Aquaforest Sp. z o.o. sp.k, headquartered in Brzesko, registered by the District Court for Krakow City Centre in Krakow, XII Economic Division of the National Court Register under number 0000660869.
2. This regulation (hereinafter: Regulations) is a framework and covers the rules for conducting the contest on the official Aquaforest Instagram profile (@aquaforest.eu).
3. The contest will take place from January 12, 2024, at 16:00 until January 18, 2024, at 23:59.
 - 3.1 Contest results will be published on January 19, 2024.
4. The subject of the contest is to come up with the most creative and inspiring answer according to the jury's assessment of the contest task.
 - 4.1 To participate in the contest, the participant should post a picture/reels on their Instagram profile including "How the participant's aquarium has changed over the year".
 - 4.2 Submissions from individual users will be verified by the jury, which will evaluate them based on the creativity of the task, the user's inspiring approach to the contest task, as well as the manner of expression and its originality.
5. The contest is not sponsored, conducted, co-conducted, or administered by the Instagram service. Instagram is exempt from responsibility for any actions of Aquaforest Sp. z o.o. sp.k and the consequences resulting from conducting the contest on the Instagram service.
6. The contest is open to individuals who are over 18 years old and follow the Aquaforest profile on Instagram.
7. Employees of Aquaforest Sp. z o.o. sp.k, their spouses, persons in actual cohabitation, persons in a relationship of adoption, and relatives up to the fourth

degree of kinship and in-laws up to the second degree of affinity cannot participate in the contest.

II. Conditions for participating in the contest

1. To participate in the contest, participants need to like the contest post and share it on their instastory. They are required to post a picture/reel showing how their aquarium has changed over the past year. Participants must use the hashtag #afcalendar2024 in the description under their contest picture/reel.

2. The criteria for choosing the Winner are the creativity of the task, the inspiring approach of the participant to the contest task, as well as the manner of expression and its originality. The participant whose task is rated highest by the jury during the entire contest becomes the Winner of the main prize described in § V point 1 (hereinafter: Winner).

3. To verify the Winner and issue the contest prize, participants are required to provide the following data: first name, last name, mailing address, email address, and contact phone number.

4. By participating in the contest, the participant:

a. Confirms familiarity with the content of the regulations, fully accepts its provisions, and undertakes to comply with them.

b. Confirms that they meet all the conditions that entitle them to participate in the contest.

c. Ensures and takes full responsibility that they are the author of the contest submission, and the content contained in the contest submission does not infringe any rights of third parties, especially personal rights and copyrights. In case of any claims or demands by any person related to Aquaforest Sp. z o.o. sp.k, the participant undertakes to release Aquaforest Sp. z o.o. sp.k from all liability and to fully satisfy the claims of third parties.

5. Each contest participant has the right and obligation to familiarize themselves with the provisions of this regulation and the conditions of the specific contest and is obliged to comply with them. By participating in the contest or attempting to complete a task, the participant accepts this Regulation and undertakes to comply with it.

6. All participants can participate in the contest only once.

7. Participation in the contest is voluntary.

8. Participation in the contest is individual.

9. Participation in the contest, as well as the rights and obligations associated with it, including the right to demand the award specified in this regulation, cannot be transferred to a third party.

10. To participate in the contest, in addition to meeting the conditions specified in this regulation, it is necessary to meet the following technical conditions: a. Internet access, b. mobile device with Instagram app or a hardware with an installed web browser: Firefox, Opera, Chrome Safari, or equivalent, c. Any other technical conditions ensuring the correct operation of the Instagram service.

III. Intellectual Property Rights - License

1. By participating in the contest, the participant grants Aquaforest Sp. z o.o. sp.k a non-exclusive, unlimited territorial license to use the works resulting from the task, including computer programs in the form of source code, for the purpose of organizing, conducting the contest, and announcing its results. The license described in paragraph 1 above is granted from the moment the participant's task results are fixed.

2. Upon receiving the main prize, the Winner grants Aquaforest Sp. z o.o. sp.k a non-exclusive, unlimited territorial license to use the works resulting from the task.

3. The license described in paragraphs 1 and 2 of this section is granted in the following fields of exploitation: a. fixing and reproducing the work - producing copies of the work by any technique, including printing, reprographic, magnetic recording, and digital techniques; b. trading the original or copies on which the work was fixed - putting into circulation, lending, or renting the original or copies; c. distributing the work in a manner other than specified above – public performance, exhibition, display, reproduction, broadcasting and re-broadcasting, as well as public making available of the work in such a way that anyone can access it at a place and time of their choosing.

4. The license described in paragraphs 1 and 2 above is granted for a specified period of 5 years, with the provision that after the expiration of this period, it transforms into a license for an indefinite period.

5. The Participant/Winner undertakes not to exercise personal copyright rights with respect to the works to the widest extent permitted by law, in particular excluding

supervisory activities, and authorizes Aquaforest Sp. z o.o. sp.k to exercise personal copyright rights on their behalf. In particular, Aquaforest Sp. z o.o. sp.k may use the work, including publishing and disseminating it without indicating the author. The obligation of the Participant/Winner lasts for a period of 5 years from the creation of the works. After this period, the above obligation will be extended indefinitely.

6. Under the license granted in accordance with paragraph 2 above, the Participant/Winner authorizes Aquaforest Sp. z o.o. sp.k to make changes to the work, including adaptations, modifications, use in whole or in part, translation, adaptation, adjustment, changes to the arrangement, or any other changes in the fields of exploitation indicated above.

IV. Contest Procedure

1. The selection of the Winner takes place in two stages. In the first stage of the contest, the jury verifies the formal conditions of participation in the contest by the participants and the correctness of the task execution (formal stage). In the second stage, the jury selects the answers among the correctly posted comments related to the task according to the contest criteria.

2.1 After the selection of the Grand Prize Winner, Aquaforest Sp. z o.o. sp.k will make an announcement of the results, by the instastory and marking the winners on the Aquaforest Instagram profile on 19.01.2024. Aquaforest Sp. z o.o. sp.k does not provide for any other prizes than those described in these regulations. The main prize for the Winner of the contest (6 winners) is AF Calendar 2024.

2.2 The Organizer is not liable to the participants for the physical defects of the products provided to the winner as prizes.

3. The Organizer reserves the right not to award a specific prize, as well as to additionally reward participants.

4. The Organizer is responsible for awarding the prizes in the contest.

5. The prize will be handed over to the Winner who has fulfilled all the conditions for awarding the prizes specified in this regulation within 21 business days from the moment of receiving the necessary data from the Winner.

6. The Winner may refuse to accept the prize. Refusal to accept the prizes is reported by email to: info@aquaforest.eu within 24 hours of the official announcement of the

results. Refusal to accept constitutes a statement of resignation from the main prize as referred to in paragraph 6 below.

6. If the main prize is not collected by the Winner at the place and time specified in this regulation, it is considered that the Winner has resigned from receiving the main prize. This prize is transferred to another person who meets the criteria entitling them to receive the main prize. The transfer of prizes to another person/persons, in accordance with the previous sentence, may also occur in the event of irregularities related to the participation of the original Winner in the contest or for other important reasons preventing the transfer of prizes to persons originally entitled, as well as in the case of a statement (oral or written) of resignation from the main prize by the Winner. The participant has no possibility to resign from part of the main prize – submitting a statement of resignation is equivalent to resigning from the entire main prize.

7. Aquaforest Sp. z o.o. sp.k is not responsible for the impossibility of awarding any of the prizes for reasons attributable to the Winner, especially in the case of non-disclosure or provision of incorrect personal data, changes in personal data not communicated to Aquaforest Sp. z o.o. sp.k, or failure by such persons to meet other conditions specified in this regulation.

8. The Organizer will award each Winner an additional cash prize of 11.11% of the value of the material prize, intended to cover the lump-sum income tax on the value of prizes obtained in the Contest. The additional cash prize will not be paid to the Winner but will be deducted as tax on the Prizes awarded in the Contest, paid by the Organizer to the appropriate tax office in accordance with the Personal Income Tax Act of July 26, 1991 (Journal of Laws of 2012, item 361, as amended).

9. Awarding the main prize exhausts all claims of the Winner. The Winner is not entitled to compensation on any other basis or reimbursement of the costs of participating in the contest.

10. Participants who are not Winners have no right to claim compensation on any basis or reimbursement of the costs of participating in the contest.

11. The Winner is not entitled to a cash or material equivalent for the prize won.

VI. Complaints Procedure

1. Complaints related to the contest can be directed to Aquaforest Sp. z o.o. sp.k exclusively by email to the email address: info@aquaforest.eu Aquaforest Sp. z o.o. sp.k is responsible for resolving complaints.

2. Each complaint should include at least the identification of its author (name and surname), as well as an accurate description and reason for the complaint, and the content of the request.

3. Interested participants will be notified of the outcome of the complaint by email within 14 days of sending the complaint

VII. Publication of the Contest Rules

The content of the rules can be found at: <https://aquaforest.eu/en/contest-rules2>

VIII. Personal Data Protection

1. The administrator of the personal data of the contest participants is Aquaforest Sp. z o.o. sp.k with its registered office in Brzesko, registered by the District Court for Krakow Śródmieście in Krakow, XII Economic Department of the National Court Register under number 0000660869.

2. The processing of personal data will be carried out in accordance with the provisions of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC ("GDPR"), as well as other applicable regulations on the protection of personal data that complement and/or implement the GDPR, including the Act of May 10, 2018, on personal data protection (Journal of Laws of 2018, item 1000).

3. Aquaforest Sp. z o.o. sp.k will process the personal data of the participants in the scope of name, surname, email address, and telephone contact number, and in the case of the Winner, also in the scope of the address for correspondence (prize shipment), account number (in the case of a cash prize), as well as the address of residence and the correct tax identification number (NIP or PESEL), if necessary due to the obligations of Aquaforest Sp. z o.o. sp.k related to the collection and payment of income tax on the prize and its payment to the relevant tax office.

4. Aquaforest Sp. z o.o. sp.k will process the personal data of the participants for the following purposes: a. organizing the contest, selecting the Winner, awarding the Prizes, handling complaints, and pursuing and defending against claims related to the contest (the legal basis for processing is the realization of the legitimate interests of Aquaforest Sp. z o.o. sp.k – Art. 6(1)(f) GDPR); b. collecting and paying income tax on the prize and fulfilling other obligations of Aquaforest Sp. z o.o. sp.k in connection with the contest arising from generally applicable legal provisions (the

legal basis for processing data is the necessity to fulfill a legal obligation incumbent on Aquaforest Sp. z o.o. sp.k – Art. 6(1)(c) GDPR); c. informing about the results of the contest on the Facebook website (Aquaforest) (the legal basis for processing data is the voluntarily given consent of the participant – Art. 6(1)(a) GDPR).

5. Providing the personal data specified in paragraph 4 above for the purpose of participating in the contest and awarding the prize is necessary. In case of refusal or failure to provide the data required by Aquaforest Sp. z o.o. sp.k, participation in the contest or awarding the prize will not be possible.

6. Each participant has the right to request access to their personal data, their rectification, deletion or restriction of processing, the right to object to processing, as well as the right to data portability and the right to withdraw any consent given at any time. Withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

7. The participant has the right to object to the processing of their personal data - for reasons related to the participant's specific situation - when processing is carried out as part of the implementation of objectives arising from legally justified interests pursued by Aquaforest Sp. z o.o. sp.k. In such a case, Aquaforest Sp. z o.o. sp.k will cease processing the participant's personal data for these purposes unless it can demonstrate that there are legally justified grounds for Aquaforest Sp. z o.o. sp.k that override the interests, rights, and freedoms of the participant, or if the data is necessary for Aquaforest Sp. z o.o. sp.k to establish, assert, or defend against claims.

8. Regarding the conduct of the competition, the personal data of the participant will be processed for the duration of the competition. After the competition is concluded, the participant's personal data may continue to be processed by Aquaforest Sp. z o.o. sp.k, but only if it is permitted or required by applicable law, such as processing for settlement purposes or for the purpose of pursuing or defending claims. In such cases, the participant's personal data will be processed only for the period necessary to achieve such purposes, not exceeding the statutory limitation period for claims.

9. Participants' personal data will not be transferred to third countries/international organizations.

10. Personal data may be transferred to entities processing personal data on behalf of Aquaforest Sp. z o.o. sp.k, including IT service providers, accounting services, etc. In such cases, these entities process data based on an agreement with Aquaforest Sp. z o.o. sp.k, and the transfer of this data is subject to security measures and control by Aquaforest Sp. z o.o. sp.k. The personal data of the participant may also

be disclosed to entities authorized to do so under the law, only if the participant has given separate consent for the disclosure of such data.

11. Decisions regarding the personal data of the participant will not be made by Aquaforest Sp. z o.o. sp.k in an automated or profiled manner, in accordance with Article 22 of the General Data Protection Regulation (GDPR).

12. Each participant has the right to lodge a complaint with the supervisory authority, i.e., the President of the Office for Personal Data Protection (PUODO).

13. All correspondence regarding the processing of personal data should be addressed to Aquaforest Sp. z o.o. sp.k at the following email address: info@aquaforest.eu.

IX. Final Provisions

1. Matters not regulated by this regulation are governed by Polish law, in particular, the provisions of the Civil Code, including Articles 919-921 of the Civil Code, and the Act on Copyright and Related Rights.

2. The competition is not a game of chance within the meaning of the Act of July 29, 1992, on Games of Chance and Mutual Betting.

3. The rules for conducting the competition are determined by this regulation and the conditions of the specific competition.

4. Matters not regulated by this regulation are settled by Aquaforest Sp. z o.o. sp.k.

5. Aquaforest Sp. z o.o. sp.k is entitled to cancel the competition at any time. In connection with the cancellation of the competition, participants have no claims against Aquaforest Sp. z o.o. sp.k.

6. Aquaforest Sp. z o.o. sp.k reserves the right to change the provisions of this regulation, with the proviso that such changes may not violate the acquired rights of participants. Participants will be informed about changes to this regulation by providing them with information electronically and by publishing it on the Aquaforest Instagram profile (@aquaforest.eu).

All changes to the regulation become effective 14 (fourteen) days after their publication as described in the preceding sentence.

7. The regulation comes into force on January 5, 2024.