

Notice on personal data processing of customers of the former Showmax service in Poland

1. Introduction & Contacts

- 1.1. This Notice describes how the personal data related to your past use of the Showmax service in Poland (“your personal data”) will be processed after this service is closed on 31 January 2019. Here we also provide you with explanations about your rights with respect to your personal data and contact details should you have any data protection queries.
- 1.2. We encourage you to bookmark and visit this site from time to time so that we can communicate relevant updates to you here.
- 1.3. **Contacts.** If you have any questions about the processing of your personal data in the context of the Showmax Polish service, you can **reach us by email:**
 - pomoc@showmax.com (until the end of March 2019)
 - showmax.pl@naspers.com (from 1 April 2019)

2. Who is the data controller after 31 January 2019?

- 2.1. Even after 31 January 2019, some of your personal data will need to be retained on file for the reasons mentioned in part 4 of this Notice. Up until the point of its liquidation, Showmax Poland B.V. i.l. will remain the data controller of this personal data. After liquidation, your personal data will be housed with Showmax Poland B.V. i.l.’s shareholder Myriad International Holdings B.V., which will take over as data controller for your personal data. Myriad International Holdings B.V. will retain your personal data in its archive thereafter in the same manner and for these same purposes outlined in part 4 of this Notice.
- 2.2. To sum up:
 - 2.2.1. **Until its liquidation ends, Showmax Poland B.V. i.l. will remain the data controller of the Personal Data of Showmax Poland’s former customers.** Showmax Poland B.V. i.l. is located at Taurusavenue 105, 2132 LS Hoofddorp, in The Netherlands.

2.2.2. After liquidation of Showmax Poland B.V. i.l. the data controller of your personal data will become Myriad International Holdings B.V. Myriad International Holdings B.V. is located at Taurusavenue 105, 2132 LS Hoofddorp, in The Netherlands.

Note that currently we are unable to say when the liquidation of Showmax Poland B.V. i.l. will end – once this happens we will inform you by updating this Notice. In the meantime, we have provided the email contact details of both entities should you have any queries.

2.3. Showmax Poland B.V. i.l. and Myriad International Holdings B.V., as relevant, are hereinafter referred to as **“Data Controller/we”**.

3. What personal data do we process?

3.1. We will retain only the personal data (described below) that are necessary for the purposes set out in Point 4. All other existing customer personal data unnecessary for these purposes will be erased from our database.

3.2. If you were a subscriber of the Showmax service in Poland (for example if you purchased a subscription or had access to the Showmax service in Poland on the basis of a voucher code or agreement with a telecommunications operator), we retain the following categories of your personal data in our archive after 31 January 2019:

- 3.2.1. your email address;
- 3.2.2. your cell phone number if your cell phone number was used for the purpose of Showmax Poland service access and/or billing;
- 3.2.3. any history of our correspondence with you;
- 3.2.4. information about your transaction history, including payments, refunds and payment methods;
- 3.2.5. records indicating the times and dates you viewed content on the Showmax Platform;
- 3.2.6. any account change requests (i.e. password reset, data subject rights requests).

We collected this personal data from you in the course of your usage of the Showmax service in Poland and your interactions with our customer care.

- 3.3. If you only set up a Polish Showmax service account but you were not a subscriber your personal data will be erased until 15 February 2019.

4. For what purposes do we process this personal data?

- 4.1. We are required to retain the personal data referred to in Point 3.2 for the following reasons:
 - 4.1.1. to comply with legal obligations resulting from financial and tax regulations, and
 - 4.1.2. for the purpose of establishment, exercise or defense of legal claims.
- 4.2. The legal authorisation for the data processing described above is on the basis of the legitimate interests pursued by the data controller, as described in Article 6 (f) of the EU General Data Protection Regulation (“GDPR”).
- 4.3. The data processing described above does not involve any automated individual decision-making or profiling, as described in Article 22 of the GDPR.

5. Who are the recipients of personal data?

- 5.1. Generally, we will process your personal data in an archiving mode in our systems and solely for the purposes stated in this Notice.
- 5.2. However, we might need to disclose your personal data to the following categories of recipients:
 - 5.2.1. trusted service providers retained by us, acting at our instruction, including hosting services providers, support and security services providers, payment and reconciliation services providers;
 - 5.2.2. financial and tax institutions, as well as governmental bodies, courts or bodies of similar nature, as may be required by applicable law.
- 5.3. Our archive is stored within the European Economic Area (EEA). If it is necessary to transfer personal data outside the EEA for any of the purposes described above, we will take all legally required steps consistent with applicable European data protection legislation to ensure that the personal data is adequately protected in each such third jurisdiction that does not have the same level of protection as the

EEA, in particular by relying on EU model clause agreements, as appropriate.

6. What are your data subject rights?

6.1. You have the following rights with respect to your personal data processed by the Data Controller:

6.1.1. **Access:** You have the right to access your personal data. Note that you can find all information about your data processing, including details about the purposes, categories of data, recipients and other information related to processing of your personal data in this Notice.

6.1.2. **Rectification:** You can ask us to have inaccurate personal data amended.

6.1.3. **Erasure:** You can ask us to erase personal data. Note we keep only personal data that are necessary for us to comply with financial and tax regulations and for the establishment, exercise or defense of legal claims. All other data were erased by us as mentioned in Point 3 above. Consequently, we have valid legal grounds for processing of personal data referred to in this Notice (as envisaged by Article 17 paragraph 3 of the GDPR) and on that basis we will not be in a position to erase such personal data.

6.1.4. **Objection to processing:** You can object to processing of your personal data based on the legitimate interest of the Data Controller. Note we keep only personal data that are necessary for us to comply with financial and tax regulations and for the establishment, exercise or defense of legal claims. All other data were erased by us as mentioned in paragraph 3 above. Consequently, we have valid legal grounds for processing of personal data referred to in this Notice (as envisaged by Article 21 paragraph 1 of the GDPR) and on that basis we will not be in a position to erase such personal data.

6.1.5. **Portability:** You can ask us to receive the personal data that you provided to us, in machine-readable format, to enable you to easily port it to a third party.

6.1.6. **Restriction:** We may be required to have your data restricted for processing in certain circumstances as defined in Article 18 of the GDPR.

6.2. **Exercise of your rights.** You can exercise your rights and lodge requests to the Data Controller using these e-mail addresses, as appropriate:

- pomoc@showmax.com (until the end of March 2019)
- showmax.pl@naspers.com (from 1 April 2019)

Please note that we ask you to contact us from the email address that was registered at Showmax service in Poland so that we can authenticate your identity and ensure that you are authorised to gain access to this personal data via this mechanism. To protect the subscribers of the Showmax service in Poland, we might ask you to provide information about the payment method that was used to pay for Showmax, your cell phone number if your cell phone number was used for the purpose of Showmax Poland service access and/or billing, and/or some additional information about you to confirm your identity. Should none of the above authentication information be available, we may not be in a position to connect you with personal data in our database.

6.3. **Complaints:** You can raise a complaint about processing of personal data by the Data Controller with the data protection authority in your jurisdiction. If you find it difficult to contact the data protection authority, we will help you get in touch with them.

7. How long do we store data?

7.1. **Data Retention Principles:** We keep your personal data no longer than necessary for the purposes for which we are permitted and/or required to do so, including compliance with legal obligations resulting from tax and financial laws as well as establishment, exercise or defense of legal claims. By reference to Polish and to Dutch laws, this means we will retain the data in our archive for up to 10 years.

8. Security

8.1. Maintaining the security and integrity of your personal data is a high priority and we endeavor to maintain appropriate technical and organisational measures to secure the integrity of information, using accepted technological standards to prevent unauthorized access to or disclosure of your

personal data and to protect them from misuse, loss, alteration or destruction. In particular, personal data will be stored in an archiving mode with restricted access to data to selected people who have a business need to access it.

- 8.2. Where appropriate we will segregate information so that we may make use of it in a manner that avoids unnecessary identification, in the interest of protecting your privacy and enhancing security practices.

9. Changes to Notice and final provisions

- 9.1. We may change this Notice from time to time, as necessary, to keep you updated on our work. If we do so, we will post the revised Notice under the same URL as the current Notice.
- 9.2. The Showmax Privacy Policy Poland that governed the processing of personal data by Showmax Poland B.V. i.l. before 1 February 2019 can be provided on request.