

## **RULES FOR PHOTOGRAPHY COMPETITION**

**“WARSAW AND ITS LEGACY”** (“WARSZAWA I JEJ DZIEDZICTWO”)

(hereinafter referred to as the **“Rules”**)

### **1. General provisions**

- 1.1.** The Organizer of the “Warsaw and its Legacy” Competition, hereinafter referred to as the **“Competition”**, is: Golub GetHouse Sp. z o.o. with its registered office in Warsaw at: Emilii Plater 53, 00-113 Warsaw, entered into the Register of Entrepreneurs of the National Court Register kept by the District Court for the Capital City of Warsaw, XII Commercial Division of the National Court Register KRS 0000345746, NIP 7010217182, REGON: 142209508, hereinafter referred to as the **“Organizer”**.
- 1.2.** The Founder of Prizes in the Competition is the Organizer, respectively referred to as the **“Founder”**.
- 1.3.** The competition consists in choosing the most interesting Pictures taken by the Participants and awarding prizes to the authors of the most interesting Pictures.
- 1.4.** These Rules specify the principles, procedure and eligibility conditions regarding the Competition.
- 1.5.** The Competition will be organized between 3 and 17 September 2018 subject to the schedule in item 7 of these Rules.
- 1.6.** The Competition is a game of chance under the Gambling Law of 19 November 2009 (Journal of Laws of 2009 No. 201 item 1540, as amended).
- 1.7.** The Competition shall be organized on the territory of the Republic of Poland.

### **2. Prizes**

- 2.1.** The following prizes shall be awarded in the Competition:

2 main prizes:

3-day photography workshops in Chicago\* conducted by photographer Sebastian Deptuła.

*\*The founder covers the costs of airplane tickets from Warsaw to Chicago on dates selected by the Founder, costs of standard accommodation in Chicago in an economic class hotel selected by the Founder, costs of standard tourist insurance, as well as costs of the photography workshops. The airplane transport and accommodation shall be organized and provided by the Organizer.*

*\*As a part of the prize, the Founder shall provide the winner with the allowance of USD 150/day (i.e. USD 450 in total) to cover the costs of transport and meals at the location, as well as all other costs related to the workshop trip. The Participant shall not have the right to the reimbursement of costs over the abovementioned sum of allowance.*

*\*The Participant shall have all documents necessary for the trip to the USA, particularly visas and passport.*

*\*In case the participant is not granted the visa or passport due to another situation regarding the Participant preventing them from the participation in the photography workshops in Chicago, the Participant shall not have the possibility to shift the date of the workshops or receive compensation from the Organizer on this account. In such a situation, the Organizer does not envisage choosing another Competition winner*

10 additional prizes:

10 final works will be exhibited at the opening ceremony of Mennica Legacy Tower in 2019 (hereinafter jointly referred to as the **"Prizes"** or separately as the **"Prize"**).

- 2.2. Participants do not have the right to exchange the Prize for another prize or cash equivalent.
- 2.3. To each main prize, the Organizer shall award to the winner the additional cash prize in the equivalent of 11,11% of the value of the main prize awarded, whereas, the additional cash prize shall be rounded to full zloty. At the moment of issuing the main prize the Organizer shall charge from the total value of the main and additional cash prize the lump sum tax from prizes in competitions described in article 30 section 1 item 2 of the Personal Income Tax Act of 26 July 1991. The tax sum (equal to the sum of the additional cash prize) shall be charged by the Organizer and paid to the competent Tax Office. Therefore, the additional cash prize shall not be given to the Competition winner.
- 2.4. The value of the main prize and the additional cash prize depends on the trip date chosen by the Organizer. The Participant shall be informed of the abovementioned values in the prize acceptance protocol that the Participant shall sign up at the time the main prize is executed.
- 2.5. Additional prizes (exhibition of works) are of symbolic nature and cannot be valued.
- 2.6. The departure date, as a part of the main prize, will be agreed with the winner according to the schedule in item 7 of the Rules.

### 3. Competition task

- 3.1. As a part of the Competition, Participants shall take pictures showing their own interpretation of the capital city's legacy - e.g. places, symbols, sculptures, element of architecture. Considering personal data protection, the foreground of the picture must not contain any people (hereinafter referred to as the **"Picture"**).
- 3.2. Criteria for sending Pictures:
  - The Picture should be in the JPG format.
  - The longer side of the picture should be no less than 3,000px.
  - At the first stage, Participants shall send pictures in the reduced size, max. 10mb. After the Jury chooses the 10 final pictures, the selected Participants will be asked to send the Pictures with the original parameters.
  - The Picture should have intact, unchanged, full EXIF data.
  - It is unacceptable to use photomontage techniques (e.g. combining elements of different picture files or changing the original composition of the Picture).
  - The Picture must not violate the rights of third persons, including personal rights or copyrights of third persons, as well as generally acceptable social norms.
  - The Picture may be taken using any technique, either with a mobile phone or a camera. The Picture must not be earlier displayed in any manner by the Participant. In particular, it must not be published on the Internet.
  - The Picture must not be submitted in another competition or event of similar nature.

- 3.3.** The Picture must be taken in Warsaw during the term of the Competition, i.e. in the period of time indicated in item 1.5 hereinabove. If the picture is dated on a day beyond the period indicated in item 1.5 hereinabove, the Application shall be deemed invalid.
- 3.4.** The Organizer has the right to disqualify an Application and a Participant who submits a work that does not fulfill the requirements in items 3.1 - 3.3 hereinabove, including the refusal of the right to the Prize. In case a deficiency is found after the issue of the Prize, the Organizer has the right to demand from the Participant the return of the Prize value, which is not applicable to the situation when the Organizer issued the Prize although they knew about the defect of the Picture.

#### **4. Eligibility conditions**

- 4.1.** Competition Participants may include every adult person who physically lives on the territory of the Republic of Poland with full legal capacity, hereinafter referred to as the **“Participant”**.
- 4.2.** The prerequisite to participate in the Competition is to:
- have the status of the Participant;
  - submit an Application to participate in the Competition in the manner indicated in item 5.1 during the Competition term and attaching the following elements:
    - Picture; and
    - Signed up scan of the statement on the date and place where the Picture was taken, title of the Picture; and
    - Signed up scan of the consent to process personal data; and
    - Signed up scan of the statement on the Participant's data, including contact data; and
    - Signed up scan of the statement of personal copyrights to the Picture (further referred to as the **“Application”**).
- 4.3.** The participation in the Competition is voluntary and free of charge.
- 4.4.** Participants in the Competition must not include the Organizer's family members and other entities involved in the implementation of the Competition.
- 4.5.** Each Participant may submit only one Application.

#### **5. Method for submitting Applications**

- 5.1.** Application to participate in the Competition shall be collected during the Competition term - indicated in item 1.5 hereinabove - at the following e-mail address:  
[konkurs@mennicalegacytower.pl](mailto:konkurs@mennicalegacytower.pl)
- 5.2.** The Application shall be sent at the e-mail address indicated in item 5.1 hereinabove, the e-mail subject should be: „Konkurs – Warszawa i jej dziedzictwo”. In case the abovementioned form of Application is not kept, the Application shall be deemed incomplete.
- 5.3.** Requests delivered after the deadline or deemed to be incomplete shall not be taken into consideration. Participants have the right to collect Applications in the manner specified in item 10.7 of the Rules.
- 5.4.** Competition Participants shall bear all cover related to the preparation and submission of the Application. The Organizer shall not reimburse those costs.

**5.5.** The Organizer has the right to contact the Participant (at the e-mail address from which the application was sent) to indicate deficiencies or ask questions related to the Application. However, the Organizer shall not be obliged to contact and verify the correctness of all Applications before the expiry of the deadline for submitting Applications.

## **6. Jury**

- 6.1.** The Competition Jury shall comprise 5 members. Those will be: representatives of Golub GetHouse sp. z o.o., Mennica Polska S.A., photographers and representatives of the media patron – Eurobuild CEE (hereinafter referred to as the “**Jury**”).
- 6.2.** Pictures shall be evaluated by the Jury in terms of their compliance with the subject of the Competition and artistic value, instead of the technical aspects related to photography.

## **7. Competition Schedule**

- 7.1.** Start of the Competition: 3 September 2018;
- 7.2.** Period for submitting Applications: from 3 September 2018 (from 00:00) to 17 September 2018 (by 23:59);
- 7.3.** Announcement of results 8 October 2018;
- 7.4.** Provision of the main prize: trip to Chicago: date to be agreed with winners after the announcement of the results;
- 7.5.** Exhibition of final works: during the opening ceremony of Mennica Legacy Tower (Autumn 2019).

## **8. Decision regarding the Competition**

- 8.1.** The correct course of the Competition shall be supervised by the Jury.
- 8.2.** The Jury shall make the decision about the final Competition result and the award of Prizes.
- 8.3.** The evaluation of Pictures shall be made in terms of their compliance with the requirements in the Rules and the evaluation criteria of the competition works. Applications that do not fulfill the requirements in the Rules shall not be evaluated.
- 8.4.** The Jury shall settle the Competition and choose the best pictures. In particular, the Jury shall indicate pictures that should be awarded along with the type of the Prize. They may also indicate the withdrawal from awarding a specific Prize(s) in a situation when the Picture does not fulfill the requirements in the Rules.
- 8.5.** The Jury shall prepare a protocol with the Competition results by the date indicated in item 7.3 and shall publish it on the following website: [www.mennicalegacytower.pl](http://www.mennicalegacytower.pl).
- 8.6.** Competition Participants who were awarded prizes will be informed of this fact by phone or e-mail subject to the data provided in the Application. The notification of the prize shall be sent by 8 October 2018.
- 8.7.** Having received the notification of the award in the Competition, winners shall provide the Organizer with their data required for the Prize to be handed in, i.e. name, contact data (e-mail address, phone number, place of residence and registration), as well as passport and visa data. They should also set the date for the meeting to hand in the Prize.
- 8.8.** In case the Prize winner is a person who does not fulfill any of the requirements specified herein, such a person shall lose their right to the Prize. If the fact is revealed after handing in the prize, the person shall return the prize in an intact condition. If it is impossible, they shall return its equivalent value.

**8.9.** The Organizer is not responsible for any incorrect or false information provided by the Participant, which prevents or delays the award of the Prize by the Organizer in relation to the Competition.

## **9. PROTECTION OF PERSONAL DATA**

**9.1.** The Controller of personal data processed as a part of the Competition (hereinafter: „Data”) is Golub GetHouse Sp. z o. o., registered office in Warsaw at: ul. Emilii Plater 53, 00-113 Warsaw, entered into the Register of Entrepreneurs of the National Court Register kept by the District Court for the Capital City XII Commercial Division of the National Court Register KRS 0000345746, NIP 7010217182, REGON: 142209508 (hereinafter referred to as: “**Controller**”).

**9.2.** The Controller will process Data in the scope necessary for the preparation and implementation of the Competition subject to these Rules, i.e. to accept the application to participate in the Competition, agree on Competition results, issue prizes and publish results of the Competition and examine complaints.

**9.3.** For the purpose of the Competition, the following Data of the Participant shall be transferred:

- for the purpose of accepting the Application to participate in the Competition and agree on Competition results - the following data: name of the Participant and contact data (e-mail address, phone number),
- for the purpose of issuing and handing in the Prize - the following data: name of the Participant and contact data (e-mail address, phone number, place of residence or registration), passport and visa data,
- for the purpose of announcing the Competition results - the following data: name of the Participant,
- for the purpose of displaying photographs during the opening ceremony of the Mennica Legacy Tower - the following data: name of the Participant,
- for the purpose of complaints - the following data: name of the Participant, correspondence address, data in the complaint.

**9.4.** The data of Competition Participants that were not the Prize-winners shall be deleted or anonymized no later than 30 days as of the announcement of the Competition results. The Controller informs that the expiry of the abovementioned deadline does not eliminate the right to file a complaint or claims in another manner. In such a case, the person filing the complaint shall independently demonstrate all circumstances that are the ground for the complaint.

**9.5.** The data of Competition winners shall be deleted or anonymized subject to the previous item - except for Data that will be necessary to fulfill the legal obligation of the Controller (tax regulations, as well as for the purpose of awarding and providing the Prize subject to the Rules).

**9.6.** The data of Competition winners can be processed for a longer time than indicated in the previous item, if it is required for the purpose of examining the complaints or another form of claims filed by the Participant, as well as for the purpose of potential court or administrative proceedings.

**9.7.** For the purpose of the Competition, Data shall be shared with the following categories of entities:

- 9.7.1.** Travel agency or another entity of similar nature in order to organize the stay and purchase airplane tickets,

- 9.7.2. Owners/managers of Mennica Legacy Tower to perform marketing and PR actions,
- 9.7.3. PR agencies, creative agencies and social media agencies to perform marketing and PR actions.
- 9.8. The basis for Data processing as a result of the participation in the Competition is the consent - Article 6 section 1 item a) of the General Data Protection Regulation of 27 April 2016, GDPR. As far as the Data processing results from mandatory legal regulations (e.g. tax regulations), the basis for Data is processing is Article 6 section 1 item c) of the GDPR.
- 9.9. Participants have the right to:
  - obtain information about Data processing (right to access Data), including categories of processed data and potential Data users.
  - request the correction of incorrect Data or complementation of incomplete Data,
  - request the deletion or limitation of Data processing - whereas the request will be fulfilled, provided that legal requirements about such a request are fulfilled,
  - transfer Data - through receiving Data from the Controller in the format enabling its transfer to a selected third entity.
  - file a complaint to a supervisory authority - President of the Personal Data Protection Office: ul. Stawki 2, 00 - 193 Warsaw, in case it is found out that Data is processed illegally.
- 9.10. All applications, questions and requests related to Data processing should be sent at: [konkurs@mennicalegacytower.pl](mailto:konkurs@mennicalegacytower.pl)

## 10. Copyright

- 10.1. As a part of the Competition task, the Participant may submit only Pictures that the Participant took themselves or has the exclusive and unlimited copyright. The Participant shall submit a statement in this respect as referred to in item 4.2 of the Rules.
- 10.2. Prize-winners shall transfer the copyright (to the Project) to the Organizer and Founder free of charge (i.e. in return for the issuing the prize) with regard to the following fields of use: right to record, replicate, present, share in public, display and circulate (in the form of information promotional materials) competition works in full or in part, include them in the post-competition publication and other publications - for purposes related to the scope and subject matter of the Competition - without remuneration to other authors subject to Articles 46 and 49 of the Act on Copyright and Related Rights of 4 February 1994 (consolidated text: Journal of Laws of 2017 item 880 as amended), in particular:
  - 10.2.1. Recording and replicating with the polygraphic or another technique, as well as plastic, photographic, audiovisual, digital, magnetic recording, regardless of the standard, system and format;
  - 10.2.2. Introducing into computer memory,
  - 10.2.3. Replicating through recording it on compact disks, diskettes, hard disk drives, flash memories and other data carriers and file hosting;



- 10.2.4.** Recording on devices intended for multiple playback using image and data carriers, also digital and/or optic carriers, including replication, distribution and display of the Project, as well as other forms of use subject to the provisions in these Rules;
- 10.2.5.** Circulating, distributing and leasing, renting, lending, selling, sharing electronic copies on request, including the use of the multimedia technique, Internet, mobile network and other networks of this kind or similar networks;
- 10.2.6.** Broadcasting, transferring, playing and transmitting in auditions in the mass media, including recording it on image carriers;
- 10.2.7.** Broadcasting, sending or sharing with wireless or wired vision using any technical means, wireless or wired re-broadcasting with any technical means, including satellites, regardless of the standard, format and norm;
- 10.2.8.** Using for marketing or promotional purposes, including advertisements, sponsoring, product placements, public relations, promotion of the Organizer or the Mennica Legacy Tower investment;
- 10.2.9.** Displaying in public at all kinds of open and closed events, including exhibitions;
- 10.2.10.** Other forms of work distribution, including showing or displaying pictures and their records in public, other forms of public playback, including LED screens in any place, sharing and sending it;
- 10.2.11.** Making Picture analyses, including the right to edit it digitally and introduce changes and modifications, particularly due to technical requirements related to the abovementioned distribution and public distribution of the work, as well as such analyses and granting permits to use the analyses;
- 10.2.12.** Making analyses, changes, adaptations, modifications of Pictures to enable the use of the Pictures in the fields of use indicated in items 10.2.1-10.2.11.
- 10.3.** The transfer of copyrights as referred to in item 10.2 of the Rules takes place at the moment of the Competition settlement.
- 10.4.** Prize-winners shall also refrain from using their personal copyrights to the Pictures, i.e. the right to designate the work with their names or nicknames, right to the integrity of the work or the right to author's supervisions. Participant also authorize the Organizer to use the Pictures without marking them with the Participants' names or nicknames.
- 10.5.** The transfer of property copyrights and granting consents to distribute the image is free of charge and the prize awarded to the Competition winner is the equivalent of the remuneration.
- 10.6.** By requesting to participate in the Competition, the Participant declares that they are not a member of any organization of collective copyright management and they have not concluded any agreement with such an organization, which would enable buying copyright to the Picture or obtain any rights to manage those rights.
- 10.7.** Pictures that do not receive the Prize shall remain the property of the authors.

## 11. Complaint procedure

- 11.1. All complaints regarding the organization of the Competition shall be filed in writing at the Organizer's registered office or e-mail address: [konkurs@mennicalegacytower.pl](mailto:konkurs@mennicalegacytower.pl)
- 11.2. The deadline for filing the complaint is 14 (fourteen) days after the end of the Competition. After the expiry of the deadline, the complaint shall not be examined.
- 11.3. Written complaints shall include the name and exact address of the Participant as well as detailed description and justification of the complaint.
- 11.4. Complaints shall be examined by the Organizer no later than 14 (fourteen) days after they are delivered.
- 11.5. The Participant will be informed of the results of the examination with a registered letter at the address provided in the complaint no later than 14 (fourteen) days after the examination of the complaint.
- 11.6. Complaints that do not fulfill items 11.1-11.5 hereinabove shall not be examined.
- 11.7. Using the complaint procedure does not eliminate the Participant's right to file claims in court subject to applicable regulations.

## 12. Final provisions

- 12.1. The Rules are available at the registered office of the Organizer where the **Prizes** in the Competition shall be issued and on the following website: [www.mennicalegacytower.pl](http://www.mennicalegacytower.pl).
- 12.2. The Organizer reserves the right to introduce changes in these Rules at any time, without justification. Any changes in the Rules must not violated the rights acquired by Participants.
- 12.3. These Rules may be changed during the Competition term due to important organizational and legal reasons. However, the changes shall not influence the rights acquired by Competition Participants.



**Attachment No. 1 to the Rules**

**Statement about the data and place where the Picture was taken and specification of the Picture title to conduct Photography Competition "Warsaw and Its Legacy" ("Warszawa i jej dziedzictwo")**

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(Information about the participant)

**Golub GetHouse Sp. z o.o.**

ul. Emilii Plater 53, 00-113 Warsaw

PICTURE TITLE	
PLACE WHERE THE PICTURE WAS TAKEN:	
CONTENT OF THE PICTURE:	
DATE AND PLACE WHERE THE PICTURE WAS TAKEN:	

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*(date, place, signature)*

**Attachment No. 2 to the Rules**

**Consent for personal data processing**

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(information about the participant)

**Golub GetHouse Sp. z o.o.**

ul. Emilii Plater 53, 00-113 Warsaw

I give my consent for my personal data to be processed by the data controller: Golub GetHouse Sp. z o. o., registered office in Warsaw at: ul. Emilii Plater 53, 00-113 Warsaw, entered into the Register of Entrepreneurs of the National Court Register kept by the District Court for the Capital City of Warsaw, XII Commercial Division of the National Court Register, KRS 0000345746, NIP 7010217182, REGON: 142209508, for the purpose and in the scope necessary for conducting Photography Competition "Warsaw and its Legacy", as specified in the Rules (available on the website: [www.mennicallegacytower.pl](http://www.mennicallegacytower.pl)), including for the purpose of choosing winners, publish results and issue prizes in the Competition.

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*(date, place, signature)*

**Attachment No. 3 to the Rules**

**Statement about the data of the Participant, including contact data,  
for the purpose and in the scope necessary to conduct  
Photography Competition "Warsaw and Its Legacy" ("Warszawa i jej  
dziedzictwo")**

PARTICIPANT'S NAME:	
PLACE OF RESIDENCE:	
CORRESPONDENCE ADDRESS:	
CONTACT PHONE:	
E-MAIL:	

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*(date, place, signature)*

**Attachment No. 4 to the Rules**

**Statement of personal copyrights to the Picture**

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(information about the participant)

**Golub GetHouse Sp. z o.o.**

ul. Emilii Plater 53, 00-113 Warsaw

I represent that:

- 1) I am the author of the picture entitled: „\_\_\_\_\_” that  
\_\_\_\_\_ that  
I submitted to Photography Competition “Warsaw and It Legacy”; and
- 2) I have the exclusive and unlimited personal and property copyrights to the abovementioned Picture, which allows me to dispose of the Picture for the purpose of the Competition, as specified in the Rules (available on the website: [www.mennicalegacytower.pl](http://www.mennicalegacytower.pl)), and
- 3) I have all consents, permits and other licenses of this kind to expose elements of Warsaw legacy in the abovementioned Picture (including buildings, sculptures, places, architectural elements, symbols etc.) and its distribution.

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*(date, place, signature)*

## Attachment No. 5 to the Rules

### Main prize acceptance protocol

Name of Competition "Warsaw and Its Legacy" ("Warszawa i jej dziedzictwo")

Competition Organizer Golub GetHouse sp. z o.o., ul. Emilii Plater 53, 00-113 Warsaw

Prize award date \_\_\_\_\_

PRIZE	WINNER	PRIZE VALUE <sup>1</sup>			PRIZE RECEIPT CONFIRMATION
		PRIZE VALUE	ADDITIONAL CASH PRIZE IN THE AMOUNT OF 11,11% OF THE MAIN PRIZE VALUE <sup>2</sup>	TOTAL VALUE OF THE PRIZE AND THE CASH PRIZE	

ORGANIZER

WINNER:

\_\_\_\_\_  
(date, place, signature)

\_\_\_\_\_  
(date, place signature)

<sup>1</sup> The lump sum tax from prizes in competitions described in article 30 section 1 item 2 of the Personal Income Tax Act of 26 July 1991 shall be charged from the total prize value and the additional prize at the moment the prize is issued. The tax sum (equal to the sum of the additional cash prize) shall be charged by the Organizer and paid to the competent Tax Office. Therefore, the additional cash prize shall not be given to the Competition winner (compare with item 2.3 of the "Warsaw and Its Legacy" Competition Rules)

<sup>2</sup> To each main prize, the Organizer shall award to the winner an additional cash prize in the equivalent of 11,11% of the value of the main prize awarded, whereas the additional cash prize shall be rounded to full zloty (compare with item 2.3 of the "Warsaw and Its Legacy" Competition Rules)