



## FESTIVAL PASS SALES REGULATIONS

### MASTERCARD OFF CAMERA 2023

1. The present Regulations set out the rules for the sale of Festival Passes (hereinafter referred to as the “**Pass**”) for the 16<sup>th</sup> edition of the Mastercard OFF CAMERA International Festival of Independent Cinema, held in Krakow between 28<sup>th</sup> April and 7<sup>th</sup> May 2023 (hereinafter referred to as the “**Festival**”).
2. The Organizer of the sale is the OFF CAMERA Foundation with its registered office in Krakow, ul. Karmelicka 55/7, 31-128 Krakow, entered into the Register of Entrepreneurs and the Register of associations, other social and professional organizations, foundations and public healthcare institutions kept by the District Court for Kraków-Śródmieście in Kraków, 11<sup>th</sup> Commercial Division of the National Court Register under KRS number 0000428063, NIP 677-237-04-09, REGON 122633050 (hereinafter referred to as the “**Organizer**”).
3. The Organizer distinguishes two types of Passes:
  - a) Festival Pass Open – entitling its holder to participate in unlimited number of film screenings held during the Festival, subject to availability of seats in the screening room and only with prior reservation for the screening – to the extent and in accordance with the principles set out in paragraph 8 of the present Regulations;
  - b) Festival Pass 10 – entitling its holder to participate in up to 10 (in words: ten) film screenings held during the Festival, subject to availability of seats in the screening room and only with prior reservation for the screening – to the extent and in accordance with the principles set out in paragraph 8 of the present Regulations;

- each Pass purchased during the Festival, entitles its holder to take part also in other Festival events, i.e.:

  - a) to participate in film screenings held within the open-air cinema program (the exact dates and venues to be found in the Festival program), and
  - b) to enter the film village located in Szczepański Square in Krakow.

Further, each Pass purchased during the Festival entitles its holder to collect, free of charge, an invitation to the events included in the program of SerialCon – the number of entries is limited, therefore invitations will be offered until the limit is reached. Detailed information on the events have been provided in the corresponding regulations.
4. All types of Passes can be purchased:
  - i) in pre-sale from 1<sup>st</sup> December 2022 by placing an order (hereinafter referred as the “**Order**”) through the website [www.offcamera.pl](http://www.offcamera.pl) (hereinafter referred to as the “**OFF STORE**”) until 6<sup>th</sup> May 2023 or until the pool of passes is sold out;
  - ii) or during the Festival in the Festival Center (hereinafter referred to as the “**Festival Center**”).
5. Prices of Passes differ depending on their type and respectively amount to:
  - a) PLN 385.00 (in words: three hundred eighty five zlotys) for the Festival Pass Open;
  - b) PLN 165.00 (in words: one hundred sixty five zlotys) for the Festival Pass 10;

all the above-mentioned prices are gross prices per one Pass, including the goods and services tax.
6. The Organizer reserves the right to do sales promotion, during the online sales, on terms specified in the Promotion Rules, subject to paragraph 7 below. Individuals who had purchased a Pass before the promotion was announced are not entitled to demand any full or partial refund of the price they paid. The Organizer indicates that each time a sales promotion is defined, the rules thereof shall be specified in Appendices to the Regulations.

7. If payment is made with Mastercard, the Organizer provides for a 20% discount on the regular price of a Pass, specified in paragraph 5 hereof, or on the price of a Pass specified in accordance with the sales promotion carried out pursuant to paragraph 6 hereinabove.
8. Conditions for the participation in film screenings:
  - 8.1 Admission to film screenings is possible only after presentation of a Pass with an active reservation for a given screening.
  - 8.2 A Pass entitles its holder to participate in the number of film screenings specified in accordance with paragraph 3 hereof, held during the Festival, and only with prior reservation for a particular film event (hereinafter referred to as the "**Reservation**"). At the same time, it has been agreed that:
    - a) Reservations can be made the day before or on the day of the screening: (i) in person, having presented the Pass in the Festival Center located in the Pałac Potockich, Rynek 20, Krakow (hereinafter referred to as the "**Festival Center**"), (ii) in festival cinemas the day before or on the day of the screening held in a given cinema, (iii) via the Pass holder's profile in the OFF STORE;
    - b) Pass holders who have an active profile in the OFF STORE can make reservations on their own via the OFF STORE, as follows:
      - the day before or on the day of the screening, a Pass holder, using the application available in the OFF STORE, chooses a film screening for which he or she wants to make a reservation; the moment the Pass holder confirms the selected screening in the said application is considered the time of Reservation for the screening;
  - 8.3 A Reservation can be cancelled via a Pass holder's profile in the OFF STORE, no later than 15 minutes before the start of the screening for which the Reservation was made;
  - 8.4 With a reservation made for a given screening, it is not possible to make a Reservation for another screening held at the same time (even partially);
  - 8.5 For Reservations to be made by Pass holders, the Organizer provides a limited, proportional number of seats for each screening, available until the last of such seats is sold out; Reservations for a given screening can be made until the limit is reached; seats in festival cinemas are not numbered;
  - 8.6 The latecomers must be prepared that all seats will be already taken and that as a consequence they may be refused entrance to the screening;
  - 8.7 A Pass holder can view the status of active Reservations and available points via his or her profile in the OFF STORE;
  - 8.8 A Pass does not entitle its holder to participate in the Opening and Closing Galas of the Festival or other galas held during the Festival.
9. The number of Passes is limited – Orders will be accepted only if passes held for sale are available. The Organizer reserves the right to terminate the sale of Passes at any time without providing reasons.
10. To purchase a Pass in the OFF STORE it is necessary to place an Order using the web form (hereinafter referred to as the "**Form**") available at [www.offcamera.pl](http://www.offcamera.pl). To place an Order, the following cumulative conditions must be fulfilled:
  - a) the Orderer completes all fields in the Form by inserting only true and correct personal details, encloses the Pass holder's photo in which the person can be easily identified (hereinafter referred to as the "**Photo**") for the Organizer to place the Photo on the Pass, and sends the completed Form to the Organizer (via online system); the Organizer reserves the right to refuse to issue a Pass, if the Photo is not clear;

- b) the Orderer shall effect payment for the ordered Pass using one of the options available in the e-payments service, to which the transaction will be re-directed from the OFF STORE when placing the Order.
- 11.** In order to purchase a Pass in the OFF STORE, the following technical conditions must be fulfilled:
- a) the device used by the Orderer needs an internet connection and a web browser;
  - b) the device should have JAVA-like software installed;
  - c) the Orderer must have a valid e-mail address.
- 12.** In the course of the provision of service, in order to ensure the proper functioning of the system, cookie files are saved on the device via which the Orderer gets access to the OFF STORE. Detailed information on the management of cookies can be found in the Privacy Policy of the [www.offcamera.pl](http://www.offcamera.pl) website.
- 13.** At the same time, it has been agreed that:
- a) a Pass is sold the moment the payment for it is made; if the payment for a given Pass has not been received in the amount and in the manner consistent with the present Regulations, the Order will be cancelled and considered not placed; the OFF STORE payment system allows for payment within 20 minutes after placing an order. After that time, the Order is cancelled and considered not placed;
  - b) a Pass is issued to the holder's name – it includes first name and surname, and a Photo (allowing for clear identification) of the person exclusively entitled to use a given Pass (purchaser);
  - c) a Pass cannot be transferred to another person;
  - d) duplicates of Passes will not be issued;
  - e) if the entire Festival is cancelled by the Organizer, Pass holders will be reimbursed for the passes they purchased;
  - f) access to screenings and other festival events is recorded and verified electronically – if the Organizer states that a Pass was made available to another person, the Pass will be immediately cancelled without a refund;
  - g) the purchaser who acquired a Pass via the OFF STORE does not have the right to withdraw from the agreement pursuant to Article 38(12) of the Act of 30 May 2014 on Consumer Rights (Dz.U. [*Journal of Laws*] of 2017, item 683).
- 14.** Ordered Passes will be given out in the Festival Center exclusively. The exact days and hours for the collection of Passes will be provided by the Organizer at [www.offcamera.pl](http://www.offcamera.pl). At the same time, it has been agreed that:
- a) a Pass will be given out only upon presentation of a valid ID card of the purchaser specified on the Pass;
  - b) the Organizer shall make no refund for Passes which have not been collected and/or given out through no fault of the Organizer or beyond the Organizer's control (including in particular, in the case of failure to meet the above-mentioned conditions for a Pass to be given out).
- 15.** The Organizer shall bear no liability for any errors that might occur in the process of placing and/or executing an Order, following from defective operation and/or hardware configuration, and/or software (including browsers) used in the process of placing an Order, and/or any other errors on the part of the internet service provider.
- 16.** To purchase a Pass in the Festival Centre, the Pass holder needs to be present in person, so that the Organizer can take a photo of him or her, and place it on the Pass for identification purposes.

17. We would like to inform that the Administrator of personal data is the OFF CAMERA Foundation with its registered office in Krakow ul. Karmelicka 55/7, 31-128 Krakow, entered into the Register of Entrepreneurs and the Register of associations, other social and professional organizations, foundations and public healthcare institutions kept by the District Court for Kraków-Śródmieście in Kraków, 11<sup>th</sup> Commercial Division of the National Court Register under KRS number 0000428063, NIP 677-237-04-09, REGON 122633050. Personal data will be processed for the purpose of purchasing Festival passes and effecting payments, complying with tax and accounting obligations, in relation to any possible pursuit of claims or defense against claims. Detailed information on the processing of personal data in the OFF CAMERA Foundation can be found at [www.offcamera.pl](http://www.offcamera.pl) in the GDPR tab.
18. In connection with the Organizer's provision of service consisting in the sale of Passes, the Orderer is forbidden to provide any content of unlawful or offensive nature.
19. The Organizer indicates that the current recommendations and procedures related to SARS-CoV-2 pandemic (developed based on the applicable epidemic regulations) which concern participation in film screenings and other festival events, have been specified at [www.offcamera.pl](http://www.offcamera.pl) and each participant of film screenings and other festival events is obliged to comply with them. If a participant of a film screening or other festival event fails to comply with the procedures related to the pandemic, the event or cinema staff members are entitled to exclude such a person from further participation in the event or screening, and the person will not be entitled to any refund in relation to the fact of not being admitted thereto.
20. The Organizer declares that during festival events, film screenings and also in cinemas and other festival locations (i) audio-visual materials can be recorded, (ii) photo reports can be made, etc. Each participant buying a Pass hereby declares to agree that his or image and/or voice – in whole or in any part, are used, free of charge, in any programs or other transmissions made and/or disseminated by the Organizer or other entities cooperating with or transmitting the Festival and the events related thereto, including but not limited to the so-called Festival Television, Festival Newsreel, social media of the Festival and the Organizer, in form and time defined by them, as well as in any promotional or commercial materials prepared by the entities. Permission, referred to hereinabove refers to multiple and unlimited in number, time and territory, free of charge use of the participant's image, voice and statements in all known fields of exploitation, in particular those specified in Article 50 of the Act of 4 February 1994 on Copyright and Related Rights (Dz.U. [*Journal of Laws*] of 2021 item 1062 as amended). Dissemination of image and/or voice shall thus not entail the obligation to pay any remuneration or compensation in relation thereto to a given participant, neither by the Organizer nor any other third party.
21. Any complaints related to the online sale of Passes should be sent by email to: [bilety.karnety@offcamera.pl](mailto:bilety.karnety@offcamera.pl).
22. Any disputes arising from the application of these Regulations the Parties will try to settle amicably. If an amicable settlement of a dispute is not possible, it will be settled by a competent common court.
23. In matters not regulated herein, the provisions of Polish law will apply.

## **Appendix No 1 to the Regulations – Pass Sales Promotion Rules**

### **Pool I**

From 1<sup>st</sup> December 2022 to 31<sup>st</sup> January 2023 (or until the pool of passes is sold out)

#### Pass prices:

- Festival Pass Open – PLN 300.00

- Festival PASS 10 – PLN 125.00

20% off with Mastercard, as referred in paragraph 7 of the Regulations.

From 1<sup>st</sup> December 2022 to 15<sup>th</sup> December 2022 – it will be possible to buy vouchers with a code, to be exchanged for the Festival Pass Open and Festival Pass 10 in PDF format (sent within 24 hours) or in paper form (+ delivery cost) sent to the provided address within 3 business days.

The number of promotional vouchers is limited. The Organizer reserves the right to end the promotion earlier, without giving cause.

Vouchers with codes can be redeemed via the website or in the Festival Centre during the Festival. Voucher codes are one-time codes, therefore a voucher can be used only once.

### **Pool II**

From 1<sup>st</sup> February 2023 to 31<sup>st</sup> March 2023 (or until the pool of passes is sold out)

#### Pass prices:

- Festival Pass Open – PLN 345.00

- Festival PASS 10 – PLN 145.00

20% off with Mastercard, referred in paragraph 7 of the Regulations.

### **Pool III**

From 1<sup>st</sup> April 2023 to 6<sup>th</sup> May 2023 (or until the pool of passes is sold out)

#### Pass prices:

- Festival Pass Open – PLN 385.00

- Festival PASS 10 – PLN 165.00

20% off with Mastercard, as referred in paragraph 7 of the Regulations.

To redeem a voucher for a Pass in the OFF STORE it is necessary to place an Order using the web form (hereinafter referred to as the “**Form**”) available at [www.offcamera.pl](http://www.offcamera.pl). To place an Order, the following cumulative conditions must be fulfilled:

a) the Orderer completes all fields in the Form by inserting only true and correct personal details, encloses the Pass holder’s photo in which the person can be easily identified (hereinafter referred to as the “**Photo**”) for the Organizer to place the Photo on the Pass and sends the Form to the Organizer (via online system); The Organizer reserves the right to refuse to issue a Pass, if the Photo is not clear;

b) the Orderer pays for the ordered Pass – entering the voucher code in the form

1. In the fields not covered by the Promotion Rules, the provisions of the Regulations shall apply.