



REGULATIONS OF THE INTERNATIONAL COMPETITION CHEF CULINARY CUP

EDITION 2019

under the patronage of Jerzy Pasikowski

(POLAND, CZECH REPUBLIC, SLOVAKIA, HUNGARY)

1. General provisions

- 1.1 The Organiser of the CHEF Culinary Cup Competition (the “Competition”) is NESTLÉ Polska S.A., with its seat in Warszawa, ul. Domaniewska 32, 02-672 Warszawa, entered into the Register of Entrepreneurs held by the District Court for the Capital City of Warszawa in Warszawa, 13th Business Division of the National Court Register under the KRS [National Court Register] no. 0000025166, NIP [VAT] no. 527-020-39-68, with the fully-paid share capital of PLN 48.378.300, WEEE Public Register 000016180 (the “Organiser”).
- 1.2 The Competition is held under the patronage of Jerzy Pasikowski, who is the President of the Competition Jury.
- 1.3 The Competition shall last from the day of its announcement until the day of its termination on **27 March 2019**.

2. Participants and application forms

- 2.1 In order to be admitted to the Competition, chefs have to meet the following requirements:
 - a) be adult;
 - b) possess any level in the professional hierarchy;
 - c) work in any eating place, in a hotel or independent restaurant, in the territory of Poland, Czech Republic, Slovakia or Hungary, performing their duties in consistency with their professional qualifications;
 - d) be able to communicate in English.
- 2.2 In order to participate in the Competition, a person who meets the requirements referred to in section 2.1 shall send an application form to the address: jerzy.pasikowski@pl.nestle.com by **25 February 2019** at the latest.
- 2.3 The application form shall include:
 - a) application sheet with personal data of the applicant, the consent to publish first and last name of the applicant on the fan page “Profesjonaliści od kuchni” (www.facebook.com/profesjonalisciodkuchni/) as a result of qualification to the second stage of the Competition (to the main or reserve list) and, at the second stage of the Competition, the consent to the use of the image and competition work of the applicant, stored by the Organiser or the entity designated by the

Organiser; the Participant shall have the right to withdraw any such consent, with effect for the future (i.e. withdrawal of consent does not affect the lawfulness of data processing for the purpose covered by the consent), however, withdrawal of consent before the end of the Competition, to the extent that it makes it impossible to conduct the Competition in accordance with the rules specified in these Regulations, shall be treated as resignation of the Participant from participation in the Competition; the application sheet shall be prepared in accordance with the template in **Appendix no. 1** hereto.

- a. Entry form including a recipe for seven portions of the main dish which shall relate in its nature to a country/state selected by the Participant and which shall contain one of the products from the CHEF line determined in section 4.9 of the Regulations or a self-prepared equivalent of one of these products. The recipe shall be prepared by the person applying to the Competition; furthermore, the applicant shall prepare the recipe and indicate which CHEF product or its equivalent was used in the recipe. The form shall be prepared according to the template in Appendix no. 2 hereto.
 - b) Photo of the dish prepared according to the recipe included in the above-mentioned form, made by the applicant (the photo shall not include any persons).
- 2.4. The application form shall contain true and clear information in the English language.
- 2.5 The Organiser reserves its right to verify the data included in the application form.
- 2.6 Application forms sent by persons who do not meet the requirements referred to in the Regulations, inconsistent with requirements set out in the Regulations, sent after the time limit or containing information which cannot be verified, or did not successfully pass the verification process, shall not be considered.

3. Stages of the Competition

- 3.1 The Competition consists of two stages.
- 3.2 **The first stage** includes all persons who submitted application forms as specified in these Regulations, subject to section 2.6 of these Regulations.
- 3.3 In the first stage, the Organiser awards prizes, as referred to in section 6.1.a) of the Regulations. Prizes may be awarded to a maximum of 12 persons from among those referred to in section 3.2 of the Regulations, whose recipes included in the application forms will be subjectively considered most interesting by the Organiser. The Organiser shall select 12 winners and 3 reserve winners who may receive the prizes, and shall notify them of their eligibility for the prize, pursuant to section 3.4 of the Regulations.
- 3.4 **On 28 February 2019**, the Organiser shall inform the first stage winners, by email sent to the address indicated in the application form, about the prize they are entitled to and the right to participate in the second stage (excluding reserve winners). The winners shall be obliged to confirm their participation in the second stage by **4 March 2019** at the latest, by e-mail sent as a reply to the above-mentioned notification. In case of refusal to participate in the second stage or failure to confirm the participation in the term set out above, the first stage winner shall lose the right to receive the first stage prize and participate in the second stage. This right shall be assigned to a reserve winner (first on the list). The Organiser shall notify the reserve winner of the right to receive the first stage prize and participate in the second stage by mail sent to the address indicated in the application form on **5 March 2019**. The reserve winner shall be obliged to confirm the participation in the second stage by **6 March 2019** at the latest by mail sent as a reply to the above-mentioned notification. In case of refusal to participate in the second stage or failure to confirm the participation in the term set out above, the reserve winner shall lose the right to receive the first stage prize and participate in the second stage. This right shall be assigned to the following reserve winner (second on the list), etc., until there is no one left on the list. The above provisions shall apply if the following reserve winner loses the right to receive the prize and participate in the second stage, as specified above. In such a

- case, the participation in the second stage shall be confirmed within 24 hours from the notification.
- 3.5 All persons applying to take part in the Competition purchase the products necessary for them to prepare the recipe included in the application to take part in the Competition.
 - 3.6 The Organiser shall not return the submitted applications to the persons who did not qualify for the second stage, and shall be entitled to destroy the applications submitted by those persons. The Organiser shall not be obliged to inform such persons of the results of the first stage. The above provisions shall also apply to the persons who lost the right to participate in the second stage.
 - 3.7 The second stage shall include only the persons who were awarded the first stage prizes and did not lose that right.
 - 3.8 In the second stage, the following prizes shall be awarded:
 - a) One of the prizes referred to in section 6.1.b. (first sub-section) of the Regulations – the decision as to whether the prize should be awarded is made by the Competition Jury. The prizes may be awarded to 3 persons – from among those referred to in section 3.7 of the Regulations – with the entries highest rated by the Competition Jury according to the scale referred to in section 5.4 of the Regulations. In the case where more than one person entitled to receive one of the prizes has the same evaluation grade, the prize shall be awarded to the person whose entry is higher rated, based on the criteria b and c (skills and talent) indicated in section 5.4. If this rule is insufficient to select the winner, the Competition Jury shall choose the entry it considers most interesting at its discretion.
 - b) One prize referred to in section 6.1.b (second sub-section) of the Regulations – the decision as to whether the prize should be awarded is made by Internet users. The prize may be awarded to 1 person – from among those referred to in section 3.7 of the Regulations – with the entry highest rated by Internet users in the voting conducted on the fan page “Profesjoniści od kuchni” (www.facebook.com/profesjonalisciodkuchni/), i.e. with the entry which will receive the highest number of “likes;” any Internet user who subscribed to the fan page before the voting started is allowed to vote; the voting shall take place on 21 March 2018, starting from the moment when all photos of second stage dishes/works are published by the Organiser, and is closed at 7.30 p.m. the same day; votes are given by clicking the button “Like” under the photo of a dish/work which, in the opinion of the Internet user, is most interesting in terms of form and appearance.

4. Rules of the second stage

- 4.1 Second stage shall start on **26 March 2019** and end on **27 March 2019**.
- 4.2 Winners of the first stage who confirmed their participation in the second stage shall be entitled and obliged to appear:
 - a) in the Organiser’s premises, i.e. **NESTLE HOUSE building, ul. Domaniewska 32, Warszawa**, on 26 March 2019, at the time indicated in the notification referred to in section 3.4 of the Regulations (briefing before the main part of the second stage);
 - b) in Ptak Warsaw Expo – International Exhibition & Congress Centre** at **Aleja Katowicka 62, Nadrzyn next to Warszawa**, on **27 March 2019**, where the 23rd EUROGASTRO Fairs will take place, at the time determined at the briefing referred to in item a) above (the main part of the Competition during which the works will be prepared).
- 4.3 In the second stage, participants will prepare their works, i.e. 7 portions of a dish based on the recipe presented in the application form (a modification of that recipe which consists

- in replacing the self-prepared ingredient with one of the products from the CHEF line referred to in section 4.9 shall be possible).
- 4.4 Participants of the second stage shall prepare their works based on the random order determined at the briefing referred to in section 4.2 a) of the Regulations and at the time determined during the briefing, subject to section 4.5 of the Regulations.
 - 4.5 Works shall be prepared by participants within 60 minutes plus: 10 minutes to arrange small appliances and products, 10 minutes to clean up the workplace and 10 minutes to present the work before the Competition Jury. **Each Participant shall be obliged to describe their work in English before the Competition Jury (with regard to the method of preparation of a dish, the origin of products used for its preparation, its regional or national character, and the reason why the dish has been chosen, e.g. specifying a story or event which was a source of inspiration).**
 - 4.6 Out of the 7 portions of the dish, 2 shall be given to the photographer and cameraman; 1 out of which shall be displayed; the rest shall be for the Competition Jury to taste.
 - 4.7 Each Participant shall bear travel costs to move to the respective places of the second stage, costs of products used for the preparation of the dish, excluding the products from the CHEF range referred to in section 4.9 of the Regulations, which shall be provided by the Organiser.
 - 4.8 Each Participant shall provide equipment, utensils and other accessories necessary for the preparation of the dish, excluding equipment, utensils and other accessories referred to in section 4.10 of the Regulations, which shall be provided by the Organiser.
 - 4.9 The Organiser shall provide the Participants of the second stage with the following products from three CHEF ranges, based on the information specified in the submitted application forms:
 - a. Liquid broths (demi-glace, poultry, veal, shellfish)
 - b. Pasta broths (dark veal, lamb, fish, poultry)
 - c. Broths' concentrates (meat, shellfish)
 - d. Broths' liquid concentrates (vegetable, beef, poultry, Asian, mushroom).
 - 4.10 The Organiser shall provide the Participants of the second stage of the Competition with the following:
 - a) A workplace for each Participant equipped with: combi-steam oven, induction double cooktop or two single induction cooktops; working table with a sink and the side table, and 1-meter long working table, vacuum sealer and Sous-Vide circulator for cooking in low temperatures; besides, a fridge in the backstage will be available for all Participants;
 - b) Chef uniforms – paper chef hats, a sweatshirt with **Nestlé Professional** logo, **CHEF** trademark and name and surname of the Participant, black trousers with **Nestlé Professional** logo, and a mid-apron. All Participants shall be obliged to wear the aforementioned uniforms during the main part of the second stage of the Competition; failure to comply with this obligation may result in excluding the Participant from the Competition and depriving it of the right to receive the prize.
 - 4.11 Due to the 23rd EUROGASTRO Fairs, the main part of the Competition shall be an open event.

5. Rules of selection of second stage winners

- 5.1 Winners of the prizes referred to in section 6.1.b (first sub-section) of the Regulations shall be selected by the Competition Jury in the second stage. The Competition Jury is comprised of Jerzy Pasikowski, the President of the Competition Jury, and four other professional chefs indicated by the Organiser. The winner of the prize referred to in section 6.1.b (second sub-section) of the Regulations shall be selected by Internet users in the second stage.
- 5.2 The rules of selection of first stage winners are described in section 3.3 of the Regulations.

- 5.3 The rules of selection of second stage winners are described in section 3.8 of the Regulations and in the below provisions.
- 5.4 To select second stage winners to be awarded with the prizes referred to in section 6.1.b (first sub-section), the Competition Jury shall rate the works based on the following criteria and the related scale:
- b. **Ingredients:** appropriate choice of products based on the knowledge of the regional/national offer with regard to the highest quality, uniqueness and freshness
from 0 to 10 points
 - c. **Skills:** in-depth culinary knowledge and excellent skills in the processing of products used for the preparation of the dish, as well as professional presentation with respect to the regional/national cuisine, its history and original recipe/origin
from 0 to 10 points
 - d. **Talent:** inspirations supported by knowledge and unique skills in creation and identification of own style and contemporary culinary culture while ensuring an ideal balance and harmony of tastes, forms and aromas
from 0 to 10 points
 - e. **Visual perfection:** visual perfection of the dish accounting for its extraordinary and unique appearance
from 0 to 10 points
 - f. **Message:** clear personal message/opinion about the dish through the work and personal vision for creation of the dish in the context of regional/national cuisine
from 0 to 10 points
- 5.5 The Organiser shall determine, based on the data collected on the fan page “Profesjoniści od kuchni” (www.facebook.com/profesjonalisciodkuchni/), which dish/work received the highest number of Likes from Internet users. In the case where more than one dish/work have received the same number of Likes from Internet users, the final choice of the work to be awarded shall be made by the Competition Jury by the majority of votes.
- 5.6 Each Participant of the second stage may receive the maximum of 50 points from one Jury member, and 250 points from all Jury members.
- 5.7 The decision of the Organiser, Competition Jury and Internet users, respectively, in relation to the points awarded and the selected winners of the first and second stage shall be ultimate and binding for all participants of the Competition, subject to the last sentence of section 5.5 of the Regulations.

6. Prizes, announcing of the results

- 6.1 The prizes in the Competition are the following:
- a) For first stage winners: each winner shall receive a package of benefits of the total value of PLN 1,000 including: invitation for a dinner during the briefing on 26 March 2019, a chef uniform, one pair of trousers and a mid-apron, accommodation from 26 March to 28 March 2019, entrance ticket to the 23rd EUROGASTRO Fairs on 27 March 2019 and an additional monetary benefit of 11.11% of the value of the aforementioned prize on account of the flat-rate personal income tax,
 - b) For second stage winners:
 - For the three winners selected by the Competition Jury who received the highest ratings for their works, in the order based on the number of points received:
 - Third place – a statuette, financial prize in the amount of PLN 5,000, and additional monetary benefit of 11.11% of the value of the prize on account of the flat-rate personal income tax.

- Second place – a statuette, financial prize in the amount of PLN 7,500, and additional monetary benefit of 11.11% of the value of the prize on account of the flat-rate personal income tax.
 - First place – a statuette, financial prize in the amount of PLN 10,000, and additional monetary benefit of 11.11% of the value of the prize on account of the flat-rate personal income tax.
 - For the winner selected by Internet users – a statuette and additional monetary benefit of 11.11% of the value of the prize on account of the flat-rate personal income tax.
- 6.2 All Participants of the second stage shall receive from the Organiser diplomas, small gifts and additional monetary benefit of 11.11% of the value of prize on account of the flat-rate personal income tax.
- 6.3 Results of the Competition shall be announced by the Organiser on 27 March 2019 after the end of the Competition and the Final Gala of the Competition. The time of announcing the results shall be specified by the Organiser during the briefing on 26 March 2019. Along with the announcement of the results, the Participants shall receive statuettes, diplomas, small gifts and other non-cash benefits, according to the rules referred to in sections 6.1–6.2 of the Regulations.
- 6.4 Financial prizes referred to in section 6.1b) (first sub-section) of the Regulations shall be transferred to bank accounts of the entitled Participants within 90 days as of the day when the Organiser received from the Participants all the data necessary for the transfer. The data shall be sent to the Organiser in writing to the address indicated in section 1.1 of the Regulations, with the note “CHEF CULINARY CUP 2018 Competition” or by e-mail to jerzy.pasikowski@pl.nestle.com.
- 6.5 The revenue obtained from the prizes referred to in sections 6.1. and 6.2 of the Regulations shall be subject to a flat-rate tax amounting to 10% of the value of the prizes, pursuant to Art. 30 section 1 item 2 of the Act on the personal income tax of 26 July 1991 (Dz.U. [Journal of Laws] of 1991, No. 80, item 350 as amended).
- 6.6 The additional monetary benefit of 11.11% of the awarded prizes shall be, pursuant to Art. 41 sections 4 and 7 of the Act of 26 July 1991 on the personal income tax, deducted by the Organiser, who is a payer of flat-rate income tax on prizes, and paid to the relevant tax office, to which Participants give their consent.

7. Copyrights

- 7.1 Participants of the Competition shall guarantee that they have proprietary copyrights to the recipes included in their application forms, photos and dishes (the “Works”).
- 7.2 The awarded Participants of the Competition shall be obliged to assign to the Organiser, upon its request and under the pain of losing the right to the prize, under a separate agreement made in writing, and to receive the prize in return, the proprietary copyrights to the created Works, for the purposes specified below, in the country and abroad:
- a) digitalisation, saving in the computer memory, publishing via computer networks, including the Internet, intranet and extranet, social media, and fan pages,
 - b) recording,
 - c) reproduction by means of print, film, sound recording, electronic medium, digital medium, casting, injection, implementation in glass, plastic or other raw material,
 - d) placing on the market, use in commercial or non-commercial trade as a company symbol, trademark or other distinctive symbol of the company, product or service,
 - e) exhibiting and displaying, as well as broadcasting the vision or audio (wired or wireless) through a ground-based station or satellite,
 - f) sale, rental, lease, making the copies of the Works available to third persons, whether for a consideration or free of charge, including making offers in this scope,
 - g) developing or commissioning the development of the Works to third persons, including modifications and adaptations of the Works,

- h) registration, in Poland or abroad, in the Patent and Trademark Office or other competent authority as a trade mark, industrial design, design or invention.
- 7.3 Participants of the Competition, upon the Organiser's request, shall undertake, as the authors of the Works, to exercise their moral rights to the Works for the Organiser or its successors in title, including:
- a) the right to decide whether to mark the Works with their surname or pseudonym, or publish the anonymously,
 - b) the right to the preservation of integrity of the content and form of the Works,
 - c) the right to decide on the first publishing of the Works to an unlimited audience,
 - d) the right to the author's supervision related to the distribution of the Works and their use,
 - e) the right to dispose of and use the developments of the Works and the exclusive power to exercise derivative copyrights.
- 7.4 The Participants of the Competition shall be liable towards the Organiser for the damages if a third person raises justified claims against the Organiser in relation to the use of the Works by the Organiser, the rights to which it acquired from the Participants of the Competition, in the scope of acquired rights. In case of disclosure of any claim from a third party, the Participants of the Competition, after notification by the Organiser, shall not evade the immediate clarification of the case and shall appeal against such claims on their own risk and expense, and shall satisfy all reasonable claims. If the claims are awarded against the Organiser, the Participants shall also refund to the Organiser the entirety of the fulfilled claims on the recourse basis and all related expenses and charges, including legal expenses incurred by the Organiser.

8. Personal Data

8.1 The Controller of the Participants' personal data obtained in connection with the organisation and conduct of the Competition is the Organiser: **Nestlé Polska S.A. with its registered office in Warszawa, ul. Domaniewska 32, 02-672 Warszawa**. Any requests, and questions concerning the Participants' personal data processed by the Organiser Nespresso or related rights should be sent in writing to the following address: **Nestlé Polska S.A., ul. Domaniewska 32, 02-672 Warszawa or by e-mail to the following address: data.privacy@pl.nestle.com**. Contact details of the Data Protection Officer: **DataProtectionOffice@nestle.com**.

8.2 Personal data of the Participants obtained in connection with the organisation and conduct of the Competition, in particular the data contained in the application form, shall be processed by the Organiser for the following purposes and on the following basis of processing:

- a) **in order to perform the agreement** entered into with the Organiser (if such an agreement is entered into, e.g. an agreement concerning the transfer of economic copyrights to the Works);
- b) **in order to fulfil the legal obligations incumbent on the Organiser** (settlement of tax on prizes awarded in the Competition);
- c) **in order to publish the name and surname of the Competition Participants on the Fan Page "Profesjoniści od Kuchni" – www.facebook.com/profesjonalisciodkuchni/ and on the website www.nestleprofessional.pl**, in connection with **their qualification to the second stage of the Competition** on the basis of the granted consent (if the Participant gives such a consent);
- d) **in order to use the image of the Competition Participant, recorded by the Organiser or on its request (on photographs and videos) during the second stage of the Competition for the purposes of conducting the Competition and promoting the idea of the Competition and the CHEF and Nestle Professional brand** on the basis of the granted consent (if the Participant gives such a consent);

e) **for purposes arising from the Organiser's legitimate interests**, such as: (i) organisation and conduct of the Competitions, (ii) determining, asserting claims or defending rights.

8.3 The **Participants** shall have right to demand from the Organiser **access** to their personal data **and receive a copy of the data and correct (amend)**; in cases where the law provides so - the **right to demand removal or limitation of the processing** of their data and the right to **withdraw consent** at any time, the right to **object to the processing** for direct marketing purposes or, for reasons related to their specific situation to the processing necessary for purposes resulting from the legitimate interests of the Organiser, unless the law provides otherwise, the right to transfer **data, the right to file a complaint to the President of the Personal Data Protection Office.**

8.4 Providing the data necessary to settle the tax on prizes in the Competition is obligatory and results from the legal regulations specifying the legal obligations incumbent on the Organiser. In other cases, providing the data is voluntary, however, without them it will not be possible to participate in the Competition or contact the Organiser.

8.5 Personal data provided in the application sheet as well as other data that will be collected from the Participants during their contacts with the Organiser, may be transferred or accessed by: (i) the Organiser's service providers with the help of which the Organiser performs the above mentioned purposes of processing (**categories of such data recipients:** entities providing hotel, catering, postal, courier, marketing services (organisation of the Competition), customer service, IT/IS support services, including maintenance and development of websites and databases, payment services, legal, debt collection, accounting and archiving companies, (ii) entities belonging to the capital group of the Organiser or (iii) entities, to which the Organiser is obliged to disclose such data, in particular public authorities and authorities appointed to control compliance and enforcement of the law.

8.6 In the event that the processing of data will involve the **transfer of data outside the European Economic Area**, it shall be carried out using standard contractual clauses approved by the European Commission, in order to ensure an adequate level of data protection required by law or on the basis of the consent given by the Participant, if its obtaining by the Organizer will be permitted under the applicable law.

8.7 The Participants' personal data shall be processed only for the duration of the applicable statute of limitations for tax claims/liabilities related to the purpose of the processing of personal data plus a period of 15 months calculated as of the end of the year in which the applicable statute of limitations has expired. This additional period is in the case of claims just before the expiration of the limitation period and serves to define a single period within which personal data will be deleted, destroyed or anonymised.

9. Final Provisions

9.1 The Organiser and other entities cooperating with the Organiser in the organisation of the Competition shall not bear responsibility for errors and infringements of the participants of the Competition or third parties, nor for any delays or irregularities in the Competition procedure resulting therefrom.

9.2 Any questions regarding the organisation of the Competition shall be submitted by e-mail to jerzy.pasikowski@pl.nestle.com or in written form to: Nestlé Polska S.A. ul. Domaniewska 32, 02-672 Warszawa, with the note: NESTLE Professional – „CHEF CULINARY CUP Competition.”

9.3 The Organiser reserves its right to amend the Regulations as long as they do not violate the basic rules of the Competition or rights acquired by the participants of the Competition.

- 9.4 In any matters not regulated in these Regulations, the Civil Code and other provisions of Polish law shall apply. Polish courts relevant for the seat of the Organiser shall have the jurisdiction.
- 9.5 The Regulations were drawn up in Polish and English, and the appendices in English only.

Appendices

1. Application sheet
2. Entry form