

INFORMATION CLAUSE GDPR ARTICLE 14

GDPR INFORMATION FOR REPRESENTATIVES, MEMBERS OF BODIES, PARTNERS, BENEFICIAL OWNERS OF CONTRACTORS AND POTENTIAL CONTRACTORS OF COMPANIES FROM THE WĘGŁOKOKS CAPITAL GROUP (SUBSIDIARIES OR AFFILIATED COMPANIES OF WĘGŁOKOKS S.A.)

In accordance with Article 14(1) and (2) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), hereinafter referred to as the GDPR, we inform you that:

I

[Data controller]

WĘGŁOKOKS S.A. with its registered office in Katowice (40-085) at 29 Mickiewicza Street, entered into the register of entrepreneurs maintained by the District Court Katowice-Wschód in Katowice, 8th Commercial Division, under the KRS number 0000095342, hereinafter referred to as the Controller.

The Controller can be contacted:

- 1) at the correspondence address: WĘGŁOKOKS S.A., ul. Mickiewicza 29, 40-085 Katowice;
- 2) at the e-mail address: rodo@weglokoks.com.pl

II

[Purposes, legal basis and data retention period]

Personal data of representatives, members of bodies, partners, beneficial owners of Contractors and potential Contractors of WĘGŁOKOKS Capital Group will be processed by WĘGŁOKOKS S.A. for the following purposes:

- 1) concluding and implementing a contract or taking action before concluding a contract – to the extent necessary to perform the contract (Article 6, paragraph 1, letter b of the GDPR) – for the duration of the cooperation;
- 2) obligations arising from the provisions of tax and accounting law, obligations related to counteracting abuses and irregularities related to anti-corruption provisions, as well as preventing abuses and conflicts of interest in business processes (Article 6, paragraph 1, letter c of the GDPR) – for the period specified in the above-mentioned provisions,
- 3) verifying the contractor's credibility, i.e. implementation of the necessary activities in the form of a risk assessment (legal, financial, image and reputation) before concluding the Agreement, after its conclusion, during the performance of the

Agreement or extension of its scope, and to maintain a register of reliable contractors of companies from the WĘGLOKOKS Capital Group. To achieve this purpose, we may additionally obtain your data from business information registers, business intelligence agencies, and other publicly available information sources. The personal data referred to in the preceding sentence will relate to the settlement of your obligations and the conduct of your business activities for the period necessary to make such an assessment (Article 6, paragraph 1, letter f of the GDPR) – for 18 months from the date of data acquisition.;

- 4) pursuing claims or defending against claims – in order to pursue the legitimate interest of the Controller, consisting in asserting its property or non-property rights or protecting against claims against the Controller, in accordance with general provisions, in particular the Civil Code (Article 6, paragraph 1, letter f of the GDPR) – for 3 years from the end of cooperation or the end of court proceedings;
- 5) communication between the Parties – to pursue the legitimate interest of the Controller consisting in ensuring communication between the Parties to the contract (Article 6, paragraph 1, letter f of the GDPR) – for the duration of the cooperation.

III

[Data recipients]

- 1) The Controller provides personal data of representatives, members of bodies, partners, beneficial owners of Contractors and potential Contractors of Companies from the WĘGLOKOKS Capital Group in the following cases:
 - 1) when such an obligation arises from applicable law,
 - 2) postal operators and courier companies,
 - 3) attorneys and/or legal counsels providing legal services.
- 2) In addition, personal data of representatives, members of bodies, partners, beneficial owners of Contractors and potential Contractors of Companies from the WĘGLOKOKS Capital Group may be disclosed to entities processing on behalf of and at the request of the Controller, on the basis of a concluded personal data processing agreement, to provide services specified in the agreement, e.g.:
 - 1) ICT services such as hosting, provision or maintenance of IT systems, cloud solutions;
 - 2) accounting services;
 - 3) traditional mail handling, reception;
 - 4) consulting services,
 - 5) companies from the WĘGLOKOKS Capital Group.

IV

[Categories of personal data concerned]

We will process the following categories of personal data of representatives, members of bodies, partners, beneficial owners of Contractors and potential Contractors of WĘGLOKOKS Capital Group.:

- 1) name and surname,
- 2) pesel number (Personal ID number),
- 3) role at the Contractor or function performed,
- 4) contact details,
- 5) information regarding debt,
- 6) professional position or public function held,
- 7) information about being subject to sanctions or cooperation with entities subject to sanctions.

V

[Data subject rights]

1. Every data subject has the right to:
 - 1) **access** – obtaining confirmation from the Controller, whether their personal data are being processed. If data about an individual are being processed, they are entitled to access them and obtain the following information: the purposes of processing, the categories of personal data, information about the recipients or categories of recipients to whom the data have been or will be disclosed, the data storage period or the criteria for determining them, the right to request rectification, erasure, or restriction of processing of personal data, and the right to object to such processing (Article 15 of the GDPR);
 - 2) **receive a copy of the data** – to obtain a copy of the data subject to processing, the first copy being free of charge, and the Controller may impose a reasonable fee for subsequent copies resulting from administrative costs (Article 15, paragraph 3 of the GDPR);
 - 3) **correction** – request the correction of personal data concerning you that are incorrect or the completion of incomplete data (Article 16 of the GDPR);
 - 4) **data deletion** – request the deletion of your personal data if the Controller no longer has a legal basis for their processing or the data are no longer necessary for the purposes of processing (Article 17 of the GDPR);
 - 5) **limit processing** – request to limit the processing of personal data (Article 18 of the GDPR), if:
 - a) the data subject questions the accuracy of the personal data – for a period enabling the Controller to check the accuracy of such data;
 - b) the processing is unlawful and the data subject opposes their deletion, requesting the restriction of their use;
 - c) The Controller no longer needs these data, but the data subject needs them to establish, pursue or defend legal claims;
 - d) the data subject has objected to the processing - until it is determined whether the legitimate grounds on the part of the Controller override the grounds for objection of the data subject;
 - 6) **data transfer** – to receive personal data concerning them, which they provided to the Controller, in a structured, commonly used and machine-

readable format, and to request the transmission of such data to another Controller, if the data are processed on the basis of the data subject's consent or a contract concluded with them, and if the data are processed by automated means (Article 20 of the GDPR);

- 7) **object** - to object to the processing of their personal data for the Controller's legitimate purposes, for reasons related to their situation, including profiling. The Controller then assesses whether there are compelling legitimate grounds for processing that override the interests, rights, and freedoms of the data subjects, or grounds for establishing, pursuing, or defending legal claims. If, according to the assessment, the interests of the data subject outweigh the Controller's interests, the Controller will be obliged to cease processing the data for these purposes (Article 21 of the GDPR).
2. To exercise the above-mentioned rights, the data subject should contact the Controller using the contact details provided and inform them which right and to what extent they wish to exercise.

VI

[President of the Personal Data Protection Office]

The data subject has the right to lodge a complaint with the President of the Personal Data Protection Office if they recognize the processing of his or their personal data as violating the provisions of the GDPR. The President of the Personal Data Protection Office can be contacted as stated on the Office's website www.uodo.gov.pl.

VII

Source of personal data]

Your personal data has been obtained directly from you or from the Contractor of which you are a representative, member of the bodies, partner, beneficial owner or from public or commercial registers containing data on business entities.