

Information Clause

for contractors who are natural persons, including those conducting business activity or being partners in a civil law partnership, members of statutory bodies, proxies, as well as for employees and associates who are persons designated to take action prior to the conclusion of a contract and to perform it.

1. DATA CONTROLLER

ORLEN Kolej sp. z o.o. with its registered office in Gdańsk, ul. Michałki 25, informs that its the controller of your personal data. Contact phone number to the controller: (58) 308 77 35.

2. DATA PROTECTION OFFICER

You can contact the Data Protection Officer in ORLEN Kolej sp. z o.o. (further: ORLEN Kolej) by e-mail to: iod.kolej@orlen.pl. You can also contact the Data Protection Officer in writing to the address of the registered office of ORLEN Kolej, indicated in item 1, with additional information "Inspektor ochrony danych" (Data Protection Officer).

3. SOURCE OF PERSONAL DATA

We have received your personal data directly from you or your employer/entity you represent. Depending on the type of cooperation, your personal data consists of data necessary to represent a legal entity, contact details, data contained in your documents confirming your qualifications or experience, and is necessary for us to take steps to conclude and perform the Agreement.

4. PURPOSES AND LEGAL BASIS FOR THE PROCESSING OF PERSONAL DATA

Depending on the relationship between us and the function you perform, we will process your data:

1) **If you are a NATURAL PERSON LISTED IN THE NATIONAL COURT REGISTER (MEMBER OF THE BODY, PROXY) OR A REPRESENTATIVE OF A CONTRACTOR OR CLIENT COOPERATING WITH US:** We will process your data:

- a) in order to fulfil legal obligations in accordance with (Article 6 (1) (c) of GDPR¹), including tax and accounting law in connection with the settlement of the contract, the obligations of the obligated institution, arising from the Act on Counteracting Money Laundering and Terrorist Financing,
- b) based on our legitimate interest (in accordance with Article 6 (1) (f) of GDPR), which is:
 - o taking steps to conclude and perform the Agreement, including, among others: verifying statements made when concluding the Agreement, ensuring contact, maintaining confidentiality and occupational health and safety, obtaining feedback on the level of our services through customer satisfaction surveys and service, investigation and defence in the event of mutual claims,
 - o assessing the legal, financial and sanction credibility of Contractors in order to protect the economic and legal interests of the Controller, including ensuring the security of economic transactions and compliance with applicable sanction regulations, as well as by assessing the risk of cooperation.

2) **If you are a NATURAL PERSON, INCLUDING ONE CONDUCTING BUSINESS ACTIVITY SUBJECT TO REGISTRATION IN THE CENTRAL REGISTRATION AND INFORMATION ON BUSINESS (CEIDG), AND/OR A PARTNER IN A CIVIL LAW PARTNERSHIP -** We will process your data for the purpose of:

- a) taking steps to conclude and perform the Agreement (in accordance with Article 6 (1) (b) of GDPR) to which you are a Party,
- b) fulfilling legal obligations (in accordance with Article 6 (1) (c) of GDPR) under tax and accounting laws in connection with the settlement of the contract, the obligations of the obligated institution, arising from the Act on Counteracting Money Laundering and Terrorist Financing,
- c) based on our legitimate interest (in accordance with Article 6 (1) (f) of GDPR), which is:
 - o taking steps to conclude and perform the Agreement, including, among others: verifying statements made when concluding the Agreement, ensuring contact, maintaining confidentiality and occupational health and safety, obtaining feedback on the level of our services through customer satisfaction surveys and service, investigation and defence in the event of mutual claims,
 - o assessing the legal, financial and sanction credibility of Contractors in order to protect the economic and legal interests of the Controller, including ensuring the security of economic

¹ GDPR – 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.

transactions and compliance with applicable sanction regulations, as well as by assessing the risk of cooperation.

3) **If you are a MEMBER OF THE STAFF OF CONTRACTORS OR CUSTOMERS COOPERATING WITH US (A PERSON DESIGNATED FOR CONTACT OR PERFORMANCE OF THE AGREEMENT)** - We will process your data based on our legitimate interest (in accordance with Article 6 (1) (f) of GDPR), which is:

- taking action to fulfil the obligations arising from the agreement with us, in particular to: verify statements made by the Party to the Agreement, including confirmation of the qualifications of the persons designated to perform the Agreement; ensure contact during the performance of the Agreement, exchange correspondence, issue powers of attorney to represent (if necessary); maintain confidentiality and occupational health and safety rules, and for the purpose of servicing, investigating and defending in the event of mutual claims,
- assessing the legal, financial and sanction credibility of Contractors in order to protect the economic and legal interests of the Controller, including ensuring the security of economic transactions and compliance with applicable sanction regulations, as well as by assessing the risk of cooperation.

5. DATA RECIPIENTS

Your personal data may be disclosed to entities cooperating in the performance of the agreement, entities cooperating with us - in particular entities providing IT services, delivery of correspondence and parcels, consulting, legal, archiving services, ORLEN Group companies and entities authorised to receive such data under applicable law.

6. DATA RETENTION PERIOD

Your personal data will be processed for the duration of the Agreement and thereafter for the period specified by law, or until the expiry of claims, and in the case of processing based on a legitimate interest – until its implementation or effective objection.

7. RIGHTS RELATED TO THE PROCESSING OF PERSONAL DATA

In connection with our processing of personal data, you have the following rights: the right to access your data, rectify it, delete it or restrict its processing, transfer it, and the right to object on grounds relating to your particular situation - in cases where we process data on the basis of our legitimate interest.

To exercise the above rights, please contact us or our Data Protection Officer (contact details in sections 1 and/or 2).

You also have the right to lodge a complaint with the President of the Data Protection Office.