

GDPR INFORMATION FOR COUNTERPARTIES OF WĘGLOKOKS S.A., THEIR WORKERS, COWORKERS AND ATTORNEYS

I [Data Controller]

WĘGLOKOKS S.A. with a registered seat in Katowice (40-085) at ul. Mickiewicza 29, entered into the Register of Entrepreneurs kept by the District Court Katowice-Wschód in Katowice, VIII Commercial Division under the KRS no. 0000095342, hereinafter referred to as the "Controller."

You can contact the Controller:

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

II

[Workers/coworkers/attorneys of WĘGLOKOKS Counterparty]

- 1. Type of personal data** – in the event that you are a worker or a coworker or an attorney of the Counterparty of WĘGLOKOKS, we will process the following personal data:
 - 1) identification data (e.g. name and surname, PESEL [Personal Id. No.], identity document number);
 - 2) contact details (e.g. telephone number, electronic mail address);
 - 3) data on your profession or business activity, your participation in a civil law partnership, employment with the Counterparty of WĘGLOKOKS or cooperation with the Counterparty of WĘGLOKOKS (e.g. name of the employing entity, official position, information confirming the ability to work, qualifications or authorisations, data contained in the power of attorney);
 - 4) other data provided by you, related to the performance of the contract (e.g. signature).
- 2. Source of data** – your personal data has been provided to us by your employer or the company with which you cooperate (hereinafter the Counterparty of WĘGLOKOKS) in connection with the conclusion of the contract with us, including the WĘGLOKOKS Counterparty's participation in the process of collecting offers or other mode of concluding contracts or selecting counterparties, as well as the performance by WĘGLOKOKS Counterparty (also as a subcontractor) of the contract concluded with us (hereinafter jointly as: the Contract). Personal data may also be provided directly by you, depending on the nature of the cooperation and activities undertaken as part of the performance of tasks for WĘGLOKOKS.
- 3. Purposes, legal bases and data retention period** – your personal data will be processed for the purpose of:
 - 1) conclusion, performance and monitoring of the performance of the Contract with WĘGLOKOKS Counterparty, in particular for the purpose of identifying persons authorised to perform the tasks specified in the Contract, including contact persons, attorneys, persons having access to confidential information of WĘGLOKOKS or other persons acting on behalf of WĘGLOKOKS Counterparty – in order to implement the legitimate interest of the controller consisting in activities related to determining the conditions of concluding the Contract, facilitating communication related to its

implementation, as well as determining the persons responsible for the implementation and for contact under the performance of the Contract and ensuring the security of facilities and confidential information (business secrets) based on art. 6, section 1, letter f of the GDPR – for the period necessary to perform and settle the Contract, and then your data will be stored for the time necessary to document the activities with your participation, as well as the time resulting from the confidentiality obligation period (if such a declaration has been signed);

- 2) archiving to the extent necessary to perform legal obligations, in particular tax regulations, accounting regulations – in order to fulfill the obligation imposed by the provisions of law (art. 6, section 1, letter c of the GDPR) – for the period resulting from these provisions;
- 3) pursuing claims or defending against claims – in order to implement the legitimate interest of the controller consisting in pursuing its property or non-property rights or protection against claims against the controller, in accordance with general provisions, in particular the Civil Code (art. 6, section 1, letter f of the GDPR) – for the duration of the proceedings and the period of limitation of claims;
- 4) analytical and statistical – in order to implement the legitimate interest of the controller consisting in the analysis of the results of business activities, developing strategies and forecasts and testing the satisfaction of counterparties (art. 6, section 1, letter f of the GDPR) – for a period not longer than indicated in items 2 and 3.

III

[WĘGŁOKOKS Counterparty – a physical person running business activity and/or a partner in a civil law partnership]

1. Purposes, legal bases and data retention period – your personal data will be processed for the purpose of:

- 1) Conclusion of the contract, including taking actions before the conclusion of the contract, such as collecting offers, as well as the performance and monitoring of the performance of the Contract that you concluded with us – for the period preceding the conclusion of the Contract and the period of performance of the Contract – legal basis for processing art. 6, section 1, letter b of the GDPR;
- 2) fulfillment of accounting obligations – in order to fulfill the obligations arising from the Accounting Act (art. 6, section 1, letter c of the GDPR) – for the period resulting from these provisions;
- 3) fulfillment of tax obligations – in order to fulfill obligations resulting from tax regulations, in particular the Tax Ordinance, the act on corporate tax, the act on tax on goods and services (art. 6 section 1 letter c of the GDPR) – for the period resulting from these provisions;
- 4) pursuing claims or defending against claims – in order to implement the legitimate interest of the controller consisting in pursuing its property or non-property rights or protection against claims against the controller, in accordance with general provisions, in particular the Civil Code (art. 6, section 1, letter f of the GDPR) – for the duration of the proceedings and the period of limitation of claims;
- 5) verification of the counterparty's credibility, i.e. implementation of the necessary actions in the form of risk assessment (legal, financial, image and reputation) before concluding

the Contract, after its conclusion, during the performance of the contract or extending its scope. By implementing the objective in question, we can additionally obtain your data from economic information registers, business intelligence agencies and other publicly available information sources. The personal data referred to in the preceding sentence will relate to the payment of your obligations and your business activities for the period necessary to make such an assessment – legal basis: art. 6, section 1, letter f of the GDPR – implementation of the legitimate interest of the Controller;

- 6) analytical and statistical – in order to implement the legitimate interest of the controller consisting in the analysis of the results of business activities, developing strategies and forecasts and testing the satisfaction of counterparties (art. 6, section 1, letter f of the GDPR) – for a period not longer than indicated in items 2, 3 and 4.

IV

[Rights of data subjects]

1. In connection with the processing of your personal data, you have the following rights:
 - 1) **the right to access personal data** – obtain confirmation from the controller whether or not their personal data is being processed. If data about a person is processed, s/he is entitled to access them and obtain the following information: about the purposes of processing, categories of personal data, information about recipients or categories of recipients to whom the data has been or will be disclosed, about the period of data storage or the criteria for determining them, on the right to request rectification, deletion or limitation of the processing of personal data due to the data subject whom the data concern, and to object to such processing (art. 15 of the GDPR);
 - 2) **the right to 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 charge a reasonable fee for subsequent copies, resulting from administrative costs (art. 15, section 3 of the GDPR);
 - 3) **the right to rectify** – request for rectification of incorrect personal data concerning them or supplementing incomplete data (art. 16 of the GDPR);
 - 4) **the right to delete data** – request to delete their personal data, if the controller no longer has a legal basis for its processing or the data is no longer necessary for the purposes of processing (art. 17 of the GDPR);
 - 5) **the right to limit processing** – requests to limit the processing of personal data (art. 18 of the GDPR), in the event that:
 - a) the accuracy of the personal data is contested by the data subject – for a period enabling the controller to verify the accuracy of the data
 - b) the processing is unlawful and the data subject opposes its removal, requesting the restriction of its use;
 - c) the controller no longer needs this data, but it is needed by the data subject to establish, assert or defend claims;
 - d) the data subject has objected to processing – until the verification whether the legitimate grounds of the controller override those of the data subject;
 - 6) **the right to transfer data** – to receive in a structured, commonly used, machine-readable format personal data concerning them which they have provided to the controller, and to request that the data be sent to another controller, if the data is

processed on the basis of the consent of the data subject or an agreement concluded with them and if the data is processed in an automated manner (art. 20 of the GDPR);

- 7) **the right to object** – to object to the processing of their personal data for the legitimate purposes of the controller, for reasons related to their particular situation, including profiling. Then the controller assesses the existence of valid, legitimate grounds for processing that override the interests, rights and freedoms of data subjects, or the grounds for establishing, pursuing or defending claims. If, according to the assessment, the interests of the data subject are more important than those of the controller, the controller will be obliged to stop processing the data for these purposes (art. 21 of the GDPR).
2. In order to exercise the above-mentioned rights, the data subject should contact the Controller using the contact details provided and inform it about which right and to what extent they want to exercise.

V

[The 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 consider that the processing of their personal data violates the provisions of the GDPR.

VI

[Data recipients]

1. The controller provides your personal data in the following cases:
 - 1) when such an obligation results from the provisions of applicable law, including court bailiffs, other state authorities;
 - 2) postal operators, courier companies;
 - 3) legal advisers and attorneys providing legal services to the Controller.
2. In addition, your personal data may be disclosed to processors processing the same upon order and on behalf of the controller, on the basis of the concluded contract for entrusting the processing of personal data, in order to provide services specified in the contract, e.g.
 - 1) ICT services such as: hosting, delivery or maintenance of IT systems;
 - 2) accounting services;
 - 3) traditional mail service, reception;
 - 4) advisory services.

VII

[Information on the requirement to provide data]

Providing personal data is a prerequisite for the performance of the Contract or taking actions prior to the conclusion of the Contract. In the event of failure to provide personal data, it will not be possible to conclude and implement the Contract or take actions prior to the conclusion of the Contract, including those aimed at its conclusion.

VIII

[Glossary of terms]

WEĞLOKOKS Counterparty – means the employer with whom you are employed or the person (company) with whom you cooperate or your company if you run a business as a physical person.

GDPR – Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (Journal of Laws UE L 2016 No. 119, p. 1).