

**INFORMATION CLAUSE  
OF ORLEN Energia sp. z o.o.**

Due to Regulation 2016/679 of 27 April 2016 of the European Parliament and of the Council of Europe (EU) on the protection of individuals with regard to the processing of personal data and on the free movement of such data and the repeal of Directive 95/46 /EC (General Data Protection Regulation - hereinafter referred to as **GDPR**), ORLEN Energia sp. z o.o. informing you that:

1. The administrator of your personal data, which are processed in accordance with GDPR, is the **ORLEN Energia sp. z o.o.** a company organized and existing under the laws of Poland, having its registered office in Warsaw, 00-609, at 26 Armii Ludowej Avenue, registered in the Register of Entrepreneurs of the National Court Register kept by the District Court for the Capital City of Warsaw in Warsaw, 13th Commercial Division of the National Court Register under the number KRS 0000897346, Taxpayer Identification Number (NIP) 525-28-60-549, with share capital in the amount of 200 000 000,00 złotych.
2. ORLEN Energia sp. z o.o. has appointed a Data Protection Supervisor, which you can contact via e-mail: [iod.oenergia@energia.pl](mailto:iod.oenergia@energia.pl) or by correspondence to the address ORLEN Energia sp. z o.o. (1);
3. **PURPOSES AND BASIS FOR PROCESSING PERSONAL DATA** - Depending on the relationship we have with you and your role, your data will be processed:
  - a) If you are a natural person entered in the national court register (member of an organisation, proxy) or an attorney representing a bidder/contractor or a client cooperating with us - your data will be processed for the following purposes:
    - to fulfill our legal obligations resulting from regulations, including among others: tax law provisions, the Accounting Act in connection with the settlement of the Agreement, provisions for the protection of the environment, human life and health, the Act on counteracting money laundering and financing terrorism, construction law provisions, which is in accordance with Article (1)(c) of the GDPR;
    - to implement the legally justified interest of the Administrator, i.e. the need to ensure proper verification of the contractor's/client's representatives and proxies, effective communication with its, activities related to the conclusion and performance of the Agreement concluded by the client/contractor, maintain the rules of confidentiality, service, reporting and archiving documentation, investigation and defense in the event of mutual claims in accordance with Article 6 (1)(f) of the GDPR;
  - b) if you are a natural person, including a person conducting business activity subject to entry into CEIDG and/or a partner in a civil law partnership, personal data will be processed for the following purposes:
    - to take the necessary actions to conclude and perform the Agreement to which you are a party and to maintain contact in connection with the implementation of this Agreement, which is in accordance with Article 6 (1)(b) of the GDPR;
    - to fulfill legal obligations resulting from the provisions of among others: tax and accounting law in connection with the settlement of the Agreement, provisions for the protection of the environment, human life and health, the Act on counteracting money laundering and financing terrorism, construction law provisions, which is pursuant to Article 6 (1) (c) of the GDPR;
    - to maintain the rules of confidentiality, service, reporting and archiving documentation, investigation and defense in the event of mutual claims, which are implemented based on the Administrator's legitimate interests pursuant to Article 6 (1)(f) of the GDPR;
  - c) If you are a member of the staff of contractors or clients cooperating with us (the person indicated for contact or performance of the Agreement), then personal data will be processed for the following purpose:
    - performance of obligations arising from the Agreement concluded with us, in particular: verification of statements made by the Party to the Agreement, including confirmation of the qualifications of persons indicated for the implementation of the Agreement; ensuring contact during the performance of the Agreement, exchange of correspondence, issuing powers of attorney to represent (if necessary); maintaining the rules of confidentiality, handling, reporting and archiving documentation, investigation and defense in the event of mutual claims, which are implemented on the basis of the Administrator's legitimate interests pursuant to Article 6 (1)(f) of the GDPR.
4. We have obtained Your personal data directly from You or from your employer or contractor/subcontractor.
5. Providing personal data is voluntary, but necessary depending on the type of cooperation for the conclusion and implementation of the Agreement or representation of a legal person, contact, confirmation of entitlement or experience, and in the field of implementation of the law is mandatory.

6. The scope of personal data received and processed may include: name, surname, position or function, business phone number, fax number, business e-mail address, necessary identification data in the case of a power of attorney, data contained in your documents confirming your qualifications or experience, data on the profession, business activity, participation in a civil partnership, employment with the Employer / entity that you represent or on behalf of and for which the Agreement is performed.
7. The recipients of personal data may be:
  - entities of the ORLEN Group,
  - entities providing legal services,
  - entities providing correspondence,
  - entities providing IT services in the field of maintaining systems used by the Administrator, including e-mail,
  - entities providing service and technical support for devices used by the Administrator,
  - entities providing documentation archiving and destruction services,
  - public authorities or entities authorized to obtain data on the basis of applicable law, e.g. courts, law enforcement authorities, customs authorities, the Energy Regulatory Office, UOKiK, UKE or state institutions, when they make a request, based on an appropriate legal basis.
8. The Administrator may entrust personal data to suppliers of services or products acting on its behalf under a personal data processing agreement, requiring such entities to perform activities in accordance with the Administrator's orders and instructions, provided that confidentiality is maintained and privacy and security of personal data are ensured.
9. In certain situations, your personal data may be transferred to third countries (outside the European Economic Area, hereinafter referred to as the "EEA") or to international organizations tithing the meaning of the GDPR. The transfer of personal data will only take place if the receiving entities meet the requirements set out in GDPR and appropriate legal safeguards are applied, in particular standard contractual clauses approved by the European Commission, and in cases where the transfers concerns the United States - mechanism legalizing the transfer of personal data based on the rules of the EU – U.S. data protection framework, known as "the Privacy Framework". We have limited the locations where data is stored within the European Union, but due to the use of cloud-based solutions, in exceptional situations (e.g. incident response, repairs, or service support), your personal data may be transferred outside of the EEA. Additionally, Microsoft US may gain access to data storage locations we use for backup or technical support purposes. Data transfers may also occur when meeting participants are located in third countries. Data transfers may also occur during the organization of business trips outside the EEA.
10. Personal data will not be subject to automated decision-making, including profiling.
11. The period during which personal data will be processed for the purposes set out in point 3 will be determined based on the following criteria:
  - in the scope of performance of the Agreement: its validity period, after this time the data will be processed for the period required by law and archiving documentation or for the time necessary to establish, pursue or defend in the event of mutual claims;
  - in the scope of fulfilling the legal obligations incumbent on the Administrator, the data will be processed for the period of fulfilling these legal obligations, and after this period for the period resulting from the provisions of generally applicable law;
  - in the scope of the legitimate interests of the Administrator, the data will be processed for a period not longer than until the positive consideration of your objection to the processing of personal data.
12. In connection with the processing of your personal data you have the following rights:
  - access to personal data and request a copy thereof,
  - rectification (correction) of personal data,
  - requests to limit the processing of personal data,
  - deletion of personal data, if there are no exclusion grounds indicated in Article 17 (3) GDPR,
  - data transfer,
  - to object to the processing of personal data.
13. You can send a request regarding the implementation of the above-mentioned rights by writing to the address indicated in item 2 with additional information „Inspektor Ochrony Danych". To ensure that you are entitled to submit the request in the above-mentioned matters, we may ask you to provide additional information to authenticate your identity. The scope of each of these rights and the situations in which they can be exercised result from the provisions of law – GDPR. You can exercise your rights by contacting the ADO or the IOD in writing
14. You may file a complaint with the President of the Personal Data Protection Office, Stanisława Moniuszki 1A street, 00-014 Warszawa, tel. 22 531-03-00, working hours of the office: 8 a.m. – 4 p.m.