

---

## **GENERAL INFORMATION NOTICE CONCERNING THE PROCESSING OF PERSONAL DATA**

*Version 1.0*

*Lastly amended on May 25, 2018*

In this document we explain to you how the Electrica group of companies (collectively, **Electrica, we**) processes and protects your personal data, according to the relevant applicable laws, including the Regulation (EU) 2016/679 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 (**GDPR**).

This notice applies in connection with the data processing carried out by Electrica. This document is relevant for you regardless of your position: customer, partner - natural person, representative of a partner - legal person, requesting an offer, or a person contacting us for other purposes (e.g., in relation with requests or complaints), visitor of one of our establishments or business facilities, former/current/possible employee, intern, visitor of our website, etc.

This notice addresses the following topics in the order below:

- (a) The categories of personal data processed by us;
- (b) The purposes of the processing of such personal data;
- (c) The grounds justifying our processing;
- (d) The persons to whom we disclose the data;
- (e) The period for which we store the data;
- (f) The consequences of the refusal to provide us with the personal data related to you;
- (g) Your rights and information concerning the exercise thereof;
- (h) Our contact details; and
- (i) the cases where this information notice and the amendments thereof shall apply.

### **1. CATEGORIES OF DATA. PURPOSE. GROUND.**

#### **1.1 Current or possible customers of Electrica**

We may process personal data related to you in order to:

- (i) **Provide our services.** We will use your data for the purpose of sending you an offer (at your request), concluding and performing the contract with you, and ensuring that we provide you with the services requested. In this case, we shall base the processing operations on the need to conclude and/or to perform the contract with you.

We shall mainly process your identification data (last name, first name, other data from the identity document) and, if we have a contractual relationship with you, the data included in the contract with you (such as the consumption place) or in the invoices issued (such as the quantity of electricity consumed).

- (ii) **Handle your requests.** We will use your data for the purpose of replying to the possible requests, requirements, complaints or any other questions addressed by you in the framework of the relationship with you.

In this case, the ground for processing shall be the performance of the contract with you or, as the case may be, your consent.

We shall mainly use your last name, first name, your contact details (email address, telephone number) and information included in the request sent to us by you.

- (iii) **For marketing communication.** The processing of your personal data is necessary in order to send you communications and offers concerning our products, services and promotions (at our initiative). In this case, the data processing shall be based on your consent.

We shall mainly process the following data related to you: last name, first name, email address, telephone number, postal address, history of energy consumption.

### 1.2 **Members (employees, collaborators etc.) of our contractual partners - legal persons**

We may process your data for the purpose of:

- (i) **Maintaining the contractual relationship with the companies of which you are part.** In order to be able to collaborate with the company which you are part of (also, in order to communicate with you for the purpose of solving the possible problems faced by your company or Electrica in relation to the contract between them), we shall process personal data related to you. In this case, we shall base our processing operations on our legitimate interests to be able to perform the contracts concluded by us with other companies and to ensure that the other companies perform, in turn, such contracts.

We shall mainly process the following data related to you: last name, first name, position, employer, telephone number, email address

- (ii) **For marketing communication.** It is necessary to process your personal data in order to send you communications and offers concerning our products, services and promotions. In this case, the processing of your data shall be based on your consent to receive such communications from us or, as the case may be, on our legitimate interests, where, on the basis of our analysis, we reached the conclusion that our legitimate interests prevailed.

We shall mainly process the following data related to you: last name, first name, telephone number, email address, postal address, history of energy consumption.

### 1.3 **Our contractual partners - natural persons (business partners, not customers)**

Then, we may process your personal data for the following purposes:

- (i) **In order to be able to engage in business relationships with you.** It is necessary to process certain information related to you in order to be able to start and maintain the collaboration with you.

In this case, we will base the processing of data related to you on the need to conclude/perform the contract between you and us.

We shall mainly process the following data related to you: last name, first name, data from the identity document.

- (ii) **Handling your requests.** We will use your data for the purpose of replying to possible requests, requirements, complaints or any other questions addressed by you in the framework of the relationship with you.

In this case, the ground for processing shall be the performance of the contract with you or, as the case may be, your consent.

We shall mainly use your last name, first name, your contact details (email address, telephone number) and the information included in the request sent to us by you.

- (iii) **For marketing communication.** It is necessary to process your personal data in order to send you communications and offers concerning our products, services and promotions. In this case, the processing of your data shall be based on your consent to receive such communications from us or, as the case may be, on our legitimate interests, where, on the basis of our analysis, we reached the conclusion that our legitimate interests prevailed.

We shall mainly process the following data related to you: last name, first name, telephone number, email address, postal address, history of energy consumption.

#### **1.4 Members of public authorities?**

In this case, we will use your personal data for the purpose of **fulfilling our legal obligations**, such as the reply to the requests of some authorities, the keeping of ledgers provided for by the law and the like.

For example, we must keep the last name, the first name, the authority of which you are part and your signature in the control ledgers that the law requires us to keep. Also, if you send us a request for information on behalf of the authority- your employer, we shall process the data (last name, first name, title, employer) in order to reply.

#### **1.5 Applicants for positions/internships within Electrica**

In this case, it is possible to process your personal data for the purpose of the **recruitment process**.

In order to be able to examine your application, it is necessary to process the data included in it. This data shall usually include your last name, first name, contact details (telephone number and email address), your professional experience, the studies and any other information listed in the CV and in other documents that we might request from you or that you send us voluntarily,

In these cases, we shall base the processing of your data on the conclusion/the performance of the employment contract, internship etc with you.

If we ask you to arrange that some letters of recommendation are sent to us, we shall process personal data concerning the opinions related you of the authors of such recommendations. In this case, the source of your personal data shall be such persons. Also, in this case we shall process the personal data concerning the authors of such letters (on the basis of their consent) and concerning other identified or identifiable persons mentioned in such documents (on the basis of our legitimate interests).

## 1.6 If you are a visitor of our establishment, business facilities or other premises

In this case, it is possible to use your personal data in order to ensure **the security of persons and objects**.

In order to ensure the security of our employees, of other persons found in such rooms and of our assets, we have installed closed circuit television (CCTV) in some of our premises. Thus, we shall process images (video recordings) with you (and, possibly, your voice). In all cases, we have indicated the location of these cameras on information plates, according to the law. The processing of data for such purpose is based on our legitimate interest to ensure the security of persons and objects within our premises.

Also, at the time of reception, we shall process your personal data included in a valid identity document, and information concerning the purpose of the visit, also in order to ensure the security of the persons and objects within our premises, on the basis of our legitimate interests.

## 1.7 If you are a visitor of our websites or you interacted with any of our pages on the social networks

In this case, it is possible to use your personal data for the following purposes:

- (i) **Improving the experience on our website.** In order to be able to take into account the preferences expressed in the previous browsing sessions, to adapt our website to the device used by you, to solve the problems that you might face at the time of access, we shall process data such as: the IP address; the cookies identifiers; other online identifiers; the unique device identifier (unique universal ID - UUID); the date and the time of accessing the website; the history of visits; the web request; the date and the time of the request/the date and the time of accessing the website; the device from which you access the website; the type of Internet browser and the browser language; the information concerning the events occurred on your device (for example, the errors); the information concerning the hardware settings of your device; information concerning your location at the time of accessing our website.

For more information concerning the way in which we use the cookies technologies and similar technologies, please access your policy concerning the use of cookies at the link <https://www.electrica.ro/politica-de-cookies/>

The ground for processing shall often be your consent or our legitimate interest.

- (ii) **Knowing the opinions communicated to us by you.** Also, when you publish a comment under one of our posts on social networks, press the *Like* button, share our post or send us a message on one of our pages, we shall mainly process your data sent by you (username, profile photo, action undertaken - *like*/ other reaction or the comment of your comment).

In this case, we shall base the processing on your consent.

- (iii) **Managing our communication and IT systems and the protection thereof.** We may process your data for: managing our communication systems; managing our IT security; performing the security audits of our IT networks; protecting our data and systems against the virtual attacks and similar actions in the virtual environment.

For this purpose, we shall mainly process data such as: the IP address; other online identifiers; the unique device identifier (unique universal ID - UUID); the date and the time of accessing the website; the visit history; the device from which you access the website; the type of Internet browser and the browser language.

In this case, we shall base the processing on our legitimate interests or, as the case may be, on the fulfilment of our legal obligations.

## 1.8 Generally, regardless of your position

We may also process your data for the following purposes:

- (i) **Handling your requests.** We will use your data for the purpose of replying to the possible requests, requirements, complaints or any other questions addressed by you.

We shall mainly use your last name, first name, your contact details (email address, telephone number) and information included in the request sent to us by you.

In this case, the base for processing shall be the performance of the contract with you (if any) or, as the case may be, your consent.

- (ii) **Replies to the requests of authorities or the data processing in other cases provided for by the law.** It is possible that sometimes we are legally bound to communicate your data to certain authorities, to store your data for a certain period or to process the data in other way. In this case, the ground for processing shall be the fulfilment of one of our legal obligations.
- (iii) **The performance of certain transactions, restructuring and other operations.** In the context of certain transactions, it is possible to disclose your data to possible purchasers or consultants thereof or authorities, although we will try to reduce this as much as possible. In this case, the processing shall take place on the basis of our legitimate interests or of fulfilling certain legal obligations.
- (iv) **The defence of our rights and interests or of other persons.** It is possible to process your data in order to find, exercise or defend our rights or interests or of other persons before the courts, bailiffs, notaries public, other public authorities, arbitration courts, mediators or other public or private bodies settling disputes, of our lawyers, consultants (such as auditors, experts or specialists) or of other natural or legal persons, public or private, who are involved in these disputes. In this case, we will process your personal data, as the case may be, on the ground of fulfilling our legal obligations or of our legitimate interests.
- (v) **Fraud prevention.** We want that our activity is carried out legally. This is why we may process your data (such as by transmitting this data to our consultants in various fields - auditors, lawyers etc. or by consulting this data). In these cases, the processing shall be justified by our legitimate interests to prevent the frauds and other illegalities in our activity or, as the case may be, by our legal obligations to ensure the legality of our operations (such as the obligations imposed by the money laundering legislation).

## **1.9 On third party data**

If you send us personal data related to other persons (for example, your representatives, your family members, your dependants etc.), you must ensure that you have informed them in this respect and that you have directed them towards this notice concerning the way Electrica processes the personal data.

We will inform such persons accordingly on how we process the data, where appropriate.

## **2. TO WHOM WE DISCLOSE THE PERSONAL DATA RELATED TO YOU**

Usually, we will not disclose your data to other natural or legal persons.

We try to limit the access to data of the persons outside the company within the Electrica Group which processes your personal data (for example, the company to which you provided the personal data related to you). However, in certain cases it is possible to be necessary to disclose your data, according to the provisions below.

We may disclose your data to other companies or natural persons, such as: other companies within the Electrica Group, natural or legal persons acting as persons authorised for us or for other companies within the Electrica Group in various fields (such as the archiving of documents, the destruction of documents or the storage of data, payment services, various services that we may outsource, like in the field of human resources), other persons, courts, authorities. In these cases, we will disclose the data for legitimate reasons connected to our activity, such as to make possible to ensure the safety of documents, the reduction of our activity, the finding, the defence and the exercise of our rights or interests or of other persons.

Also, as we mentioned above, in certain cases it is possible to be legally bound to disclose the data to public authorities or to other natural or legal persons.

In all these cases, we will make sure that the recipients of personal data related to you process it under conditions of security and confidentiality, according to the purpose for which we have transmitted it and in compliance with your rights.

## **3. UNDER WHAT CONDITIONS WE MIGHT TRANSFER YOUR DATA TO THIRD PARTY STATES OR INTERNATIONAL ORGANIZATIONS**

At this time, we do not transfer and do not intend to transfer your personal data or part of it to other companies, organizations or persons from third party states or to other international organizations.

If it is necessary to transfer the data to any of the destinations above, we will inform you in advance on our decisions, and we will give you the time necessary to exercise your rights related to the transfer of your data.

#### 4. **HOW LONG WE WILL STORE YOUR DATA**

We will store your data according to our policy concerning the storage of personal data, which assigns a storage period depending on the purpose of the storage and the category of data processed.

The periods in question are based on the legal provisions (especially those concerning the protection of personal data), also considering the obligations to store certain data, the applicable statutes of limitations, the relevant practices recommended and the purposes of our activity.

#### 5. **WHAT MIGHT HAPPEN IF YOU DO NOT PROVIDE US WITH THE DATA**

In most cases, we have no obligation to provide us with your personal data.

However, if you do not provide us with the requested data, we will not be able, for example, to conclude or to negotiate a contract with you, to sell your products or to provide our services to you, to allow your access to all options on our website, to reply to complaints or requests or to send you communications concerning our products, services or promotions which might interest you.

#### 6. **THE ABSENCE OF AN AUTOMATIC DECISION-MAKING PROCESS**

We do not take decisions based exclusively on the automatic processing of your data (including the profiling) which produce legal effects in relation to you or which significantly affect you similarly.

#### 7. **YOUR RIGHTS AND HOW TO EXERCISE THEM**

##### **Your rights**

You shall have the following rights:

- **Right of access to data.** You are entitled to obtain access to the data related to you that we process or control or to copies thereof; you are also entitled to obtain new information from us concerning the nature, the processing and the disclosure of such data.
- **Right to rectification of data.** You are entitled to obtain the rectification of the inaccuracies of the data related to you that we process or control.
- **Right to erasure ('right to be forgotten')** You are entitled to obtain from us the erasure of data related to you that we process or control.
- **Right to restriction of data processing.** You are entitled to restrict the processing of data related to you that we process or control.
- **Right to object** You are entitled to object to the processing of data related to you by us or on our behalf.
- **Right to portability of data.** You are entitled to obtain the transfer to another controller of the data related to you that we process or control.

- **Right to withdrawal of consent.** If we process the data related to you on the basis of your consent, you have the right to withdraw your consent; you may do this at any moment, at least as easy as you have initially granted us your consent; the withdrawal of consent shall not affect the legality of the processing of data related to you that we have carried out before the withdrawal.
- **The right to lodge a complaint with the supervisory authority.** You are entitled to lodge a complaint concerning the processing of your data by us or on our behalf with the supervisory authority for the processing of personal data. In Romania, this authority is the National Supervisory Authority for Personal Data Processing (ANSPDCP).

#### **How you may exercise your rights**

In order to exercise one or more of these rights or to address any question concerning any of these rights or any provisions of this information notice or any other aspects of processing the data related to you by us, please use the contact details from the section OUR CONTACT DETAILS, below.

### **8. OUR CONTACT DETAILS**

You can contact us by using the data below.

#### **Our contact details**

Full name: **Societatea Energetică Electrica SA**

Address registered office (correspondence address):

**9 Grigore Alexandrescu St., sector 1, 010621, Bucharest**

Phone number: **0212085999** (available between the hours):

**08:00-17:00 from Monday to Thursday and**

**08:00-14:30 Friday**

Email address: **office@electrica.ro**

Website: **www.electrica.ro**

#### **Contact details of the personal data protection officer**

Correspondence address: **9 Grigore Alexandrescu St., sector 1, 010621, Bucharest**

Phone number: **0212085044** (available between the hours):

**08:00-17:00 from Monday to Thursday and**

**08:00-14:30 Friday**

Email address: **dpo@electrica.ro**

### **9. THE SCOPE OF THIS INFORMATION NOTICE**

This general information notice shall apply in relation to the processing of data related to you by the companies within the Electrica Group.

This information notice shall not apply in connection with services or products offered by other companies or natural persons, including those posted on our websites or in respect of which we inform you in other manner. Also, this information notice does not cover the activity of other companies or persons which advertise our products or services or which process the data in other manner through our websites or on the social networks in connection with our pages.

## 10. THE AMENDMENTS TO THIS INFORMATION NOTICE

It is possible to amend this notice. In such cases, we will inform you in advance, by posting it on the website **5 days** before its entry into force at the link <https://www.electrica.ro/nota-informare-gdpr-propunere/>.

We will also post this information notice on our website, at the link <https://www.electrica.ro/nota-informare-gdpr/> We will also keep all its previous versions at the link <https://www.electrica.ro/nota-informare-gdpr-versiuni/> in order to be consulted by the persons concerned.

This version shall entry into force on **May 25, 2018**.

## 11. THE MEANING OF THE TERMS USED IN THIS INFORMATION NOTICE

- **The supervisory authority for personal data processing:** an independent public authority which, according to the law, has duties concerning the compliance with the legislation on the personal data protection. In Romania, this supervisory authority for the processing of personal data is the National Supervisory Authority for Personal Data Processing (ANSPDCP).
- **Special categories of personal data (sensitive personal data/sensitive data):** personal data which: discloses the race or ethnic origin, the political opinions, the religious confessions or the philosophical convictions or the trade union membership; the genetic data; the biometric data for the unique identification of a natural persons; data concerning the health, the sexual life or the sexual orientation of a natural person.
- **Personal data:** any information relating to an identified or identifiable natural person ('data subject'); An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an *online* identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. Thus, for example, the notion of personal data includes the following: the last name and the first name; the domicile or the residence address; the email address; the phone number; the personal identification number (PIN); the medical services accessed (these are sensitive data); the diagnosis (this is sensitive data); genetic data (this is sensitive data); biometric data (this is sensitive data); geolocation data. The categories of personal data related to you that we process are listed above.
- **'Controller':** the natural or legal person, which determines why (for what purpose) and how (by which means) the personal data is processed. According to the law, the liability for the compliance with the legislation concerning the personal data lies mainly with the controller. In relation to you, we are the controller, and you are the data subject.
- **'Processor':** any natural or legal person which processes personal data on behalf of the controller, other than the controller's employees.

- **Data subject:** the natural person to which certain personal data refers to (to which “belong”). In relation to us (the controller), you are the data subject.
- **Processing of personal data:** any operation/set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction of such personal data/sets of personal data; These are just examples. Practically, processing means any operation concerning the personal data, whether it is carried out or not by automatic or manual means.
- **Third party state:** a state outside the European Union and the European Economic Area.