

GENERAL INFORMATION NOTE ON PROCESSING BY UTA ROMANIA OF THE PERSONAL DATA

I. WHO ARE WE?

UTA ROMANIA SRL (hereinafter referred to as the “**Company**”), with the registered office in Calea Serban Voda 133, District 4, Bucharest, Romania, registered with the Office of the Trade Register under no. J40/7658/2016, CUI RO 36148840, having the contact data below, processes personal data pursuant to the REGULATION (UE) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 (the Regulation) and to the other legal provisions applicable to personal data processing.

This information note describes why and how we process your personal data, and provides information about your rights.

II. HOW CAN YOU CONTACT THE COMPANY AND THE DATA PROTECTION OFFICER?

You can contact us using the following contact data:

Email: contact.romania@uta.com

Address: Calea Serban Voda 133, District 4, Bucharest, Romania

We have a Data Protection Officer who can be contacted using the contact data above.

III. PERSONAL DATA WE PROCESS AS CONTROLLER

Personal data means any information relating to an identified or identifiable natural person.

The processing operations performed by the COMPANY usually concern **personal data/data categories** such as:

- a) Identification data, such as name, first name
- b) Data written on the identity documents, such as ID series and number, date and place of birth, citizenship, domicile address, etc.
- c) Contact data, such as email, phone number, domicile/residence address
- d) Data about profession, the capacity of representative of a legal entity, the position held
- e) Data collected via the video surveillance system and/or the system controlling the access to the premises and spaces operated by the COMPANY
- f) Data obtained further to your online accessing of the Company's platforms (such as the online identifier of the persons who access the Company's Website processed for the purposes reference is made to in the Cookie Policy (for more information, please access <http://www.uta-romania.ro>)), potential data received via the social networks
- g) Furthermore, the data on the terminals entrusted/made available to you by the Company, if any, is or may also be processed
- h) Data required for the risk assessment of the natural person representatives/guarantors in connection with corporate customers
- i) Personal data mandatorily requested by the affiliated partner/system operator, and required to facilitate operation by you of the road toll payment systems, and for issuance of service cards by these
- j) Similarly, processing also regards the signature and other personal data the COMPANY can come into contact with in performance of the various legal relations

IV. THE SOURCE THE PERSONAL DATA ORIGINATE FROM, AND IF APPLICABLE, WHETHER IT CAME FROM PUBLICLY ACCESSIBLE SOURCES

In general we collect your personal data.

We can receive personal data also from other sources, such as:

- from our corporate customers and partners (in connection with data belonging to their representatives),
- from collaborators of the Company in various projects and activities,
- from other companies of the group,
- public sources (such as the portal of the National Office of the Trade Register, the website of the National Fiscal Administration Agencies, the social networks),
- credit registers.

V. TYPES OF PROCESSING

The COMPANY usually processes personal data for the purposes listed in this information note, and for each of such purposes, one or more data processing operation can be applied, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

The COMPANY can create or analyse profiles using the personal data collected in the risk assessment of the natural person representatives/guarantors in connection with corporate customers, but there is no fully-automated rating system put in place in this respect. Additionally, as a matter of principle, the envisaged consequences do not concern the natural person in question, but can consist in (non-automated) decisions regarding the corporate customers of the Company (such as decisions whether to accept the respective customer or not, the credit limit granted to them, etc.).

VI. THE PURPOSES OF PERSONAL DATA PROCESSING

The COMPANY processes personal data for multiple purposes, and the means of collection, legal grounds of processing, use, disclosure, retention periods, etc. may differ, depending on each type of data and purpose. As a matter of principle, we can use the personal data for one or more of the purposes described in this information note. Where the COMPANY shall further process the personal data for a purpose other than those you have already been informed of and which is not compatible with the purposes for which the personal data was initially collected/which have been brought to your knowledge, we shall provide information about the respective secondary purpose, as well as any other relevant additional information.

In principle, we process personal data for the following **purposes**:

- Performance of the Company's core business, supply of goods and provision of services to beneficiaries which are persons under the public and/or private law, in particular in connection with fuel card issuance, settlement of road tolls, recovery of charges, various road services, and other related activities. We provide a wide range of services and products you can find here (*for additional information about our products, please access <http://www.uta-romania.ro/>*)
- Management of our relations with customers, vendors, partners and professionals in our field of business, mail management, negotiations, contracts/agreements, etc.
- We process personal data to carry out our contractual duties and commitments
- Management of the risks related to our business, credit management, assessment of the economic risk, for which purpose we take security measures to protect the personal data, including detection, investigation and addressing of the security threats. Personal data can be processed as part of monitoring of physical security (video data processing), or of the IT applications we use. Furthermore, we can also run checks regarding the natural persons who act as representatives and/or guarantors of corporate customers or partners.
- In accordance with the applicable law, we use the contact data of our customers, partners and collaborators to provide them directly or indirectly with the information we consider as being of interest to them, to organize events and similar advertising activities for the products and services sold, to send newsletters
- When our websites or pages are visited from the social networks, we might process some information about the online ID of the visitor, or other personal data we can receive via such platforms
- Compliance with legal and/or regulatory requirements, such as tax requirements or those laid down under special items of legislation regulating our business or, as applicable, archiving requirements.
- Economic, financial and administrative management, internal monitoring for management of the business relations
- Establishment, exercise or defence of legal claims
- Internal statistics, customer segmentation

VII. LEGAL GROUNDS AND LAWFULNESS CONDITIONS OF PROCESSING

The legal grounds of processing (lawfulness of processing) consider the provisions of the REGULATION and the items of law concerning processing of personal data, as adopted in Romania, the public and sectoral procurement legislation, the provisions applicable to public investments, construction works, engineering, technical assistance and consultancy, the Tax Code and related tax legislation, etc.

Processing relies on at least one of the following **lawfulness conditions**:

- processing is necessary to execute a legal relation/contract, and/or for performance thereof;
- processing is necessary for compliance with a legal obligation to which the Company is subject (for instance, those regarding tax management of supporting documents);
- processing is necessary for the performance of a task carried out in the public interest or in the exercise

- of official authority vested in the Company (such as those concerning the archiving operations);
- processing is necessary for the purposes of the legitimate interests pursued by the Company or a third party, such as:
 - to carry out and manage our business
 - to manage the risks in connection with our business
 - to manage our relations with potential or existing customers or business partners, including, but without limitation to sending of notices with information about our services and/or products, as well as those of our partners, in observance of the law, etc.
 - to manage the complaints/reports in connection with our services and products, to address the potential aspects raised and, respectively, to improve our products and services, and to establish, exercise or defend legal claims
- processing can be based on your consent in the instances when the Regulation requires that such consent is sought and obtained, or this does not rely on another lawfulness condition

VIII. FOR HOW LONG DO WE RETAIN PERSONAL DATA?

We retain the personal data we process only for how long this is necessary for the purpose for which it was collected (*including pursuant to the law or the applicable regulations*), such as:

- i. During the performance term of the contract/legal relation, for the personal data required by such performance, including the personal data the Company can come into contact with during such legal relation, as well as after the end of the legal relation, when there are provisions which survive the end thereof, during such survival period
- ii. Until the expiry of the limitation period, when the Company would have a legitimate interest to retain certain personal data in connection with a potential dispute which could occur between the parties
- iii. During the period set out under the law, where there are items of legislation applicable in this respect (for instance, in case of the mandatory accounting ledgers and the supporting documents which underlie the financial accounting records, etc.)
- iv. During the time when the relation with the potential customers/customers/beneficiaries of our products and services/partners of the Company and their representatives are managed, respectively until the right to opt-out is exercised, to send communications containing information about our services and/or products, commercial communications, invitations to events, such as presentations, etc.;
- v. Until the consent to processing of personal data relying exclusively on consent is withdrawn;
- vi. For 30 days, for data in the surveillance system and/or the system controlling the access to the spaces used by the Company, as applicable;
- vii. For the period of archiving in the public interest indicated under the law or the policies applicable to the Company, as applicable, for the data contained in the documents the law or the Company provided for such archiving;

In any other instances or in absence of specific legal, regulatory or contractual requirements, the reference personal data retention period is of at least 3 years of coming to an end of the relations/last contact between the Company and the data subject.

Any data can be stored by the Company by way of exception from the previous provisions, if applicable, until the expiry of the limitation period, as regards the situations when the Company would have a legitimate interest to keep certain personal data in connection with a potential dispute which might occur between the parties, for instance in the context of the potential legal liability of the Company or of the data subject affected by processing.

In any case, within the limits of and except for the situations provided by the applicable legislation, we shall erase your data when you ask us to do so. Any applicable exclusions shall be disclosed to the applicant in the reply sent thereto by our Company in connection with the data erasure request.

IX. YOUR RIGHTS AND THE MEANS OF EXERCISING THEM

Our Company is responsible to facilitate the exercise of any of your rights listed below.

Any of these rights may be exercised by sending an email to contact.romania@uta.com or via the website, under the "Contact" section, or by sending a written request to the registered office of the Company or by delivering in person such a request to the office in Bucharest, Calea Serban Voda 133, District 4, Romania.

For protection of your data, in order to prevent abuses of ill-intended persons who might want to

access your data, our Company could ask you to undergo some prior identification steps, in order to make sure that you are the person who exercises the rights listed below through a request. When we receive a request from you regarding the exercise of any of the rights above, we can ask you for additional information to check your identify before acting upon such request.

Where the data subject submits a request as to the exercise of their rights in electronic format, the information shall be provided by our Company also by electronic means where possible, unless otherwise requested by the data subject.

We shall attempt to answer promptly any request received from you and, in any case, meeting the terms expressly set out under the applicable legal provisions (usually, within 30 days of receiving the respective request). In certain instances which are expressly provided by the applicable legislation, we can charge an access request considering the administrative costs we need to incur to act upon it.

In the assumption that, further to application of certain legal provisions, our Company cannot act, in full or in part, on a request of a data subject, then any applicable exclusions shall be disclosed to the applicant in the reply sent thereto by our Company in connection with the respective request.

<p><i>Right of access</i></p>	<p>You have the right to obtain from the Company confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to the personal data and the following information: (a) the purposes of the processing; (b) the categories of personal data concerned; (c) the recipients or categories of recipient to whom the personal data has been or will be disclosed, in particular recipients in third countries or international organizations; (d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period; (e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing; (f) the right to lodge a complaint with a supervisory authority; (g) where the personal data is not collected from the data subject, any available information as to their source; (h) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject..</p> <p>Where personal data is transferred to a third country or to an international organization, you shall have the right to be informed of the appropriate safeguards pursuant to Article 46 of the Regulation relating to such transfer.</p> <p>At your request, the Company shall provide a copy of the personal data undergoing processing.</p>
<p><i>Right to rectification</i></p>	<p>You shall have the right to obtain from the Company without undue delay the rectification of inaccurate personal data concerning you. Taking into account the purposes of the processing, you shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.</p> <p>When possible or necessary, we shall make corrections (as applicable) on the basis of the updated information, and we shall inform you thereof, where appropriate.</p>
<p><i>Right to erasure</i></p>	<p>You shall have the right to obtain from the Company the erasure of personal data concerning you without undue delay, except for certain instances provided in the Regulation, where one of the following grounds applies:</p> <ul style="list-style-type: none"> a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; b) you withdraw your consent on which the processing is based, insofar as processing is exclusively based on consent, and there is no other legal ground for the processing; c) you object to the processing for the purpose of a public interest or the legitimate interests pursued by the Company or a third party, and there are no legitimate grounds for the processing which override your interests/rights and fundamental

	<p>freedoms as to processing , or you objects to the processing for direct marketing purposes;</p> <p>d) the personal data have been unlawfully processed;</p> <p>e) the personal data have to be erased for compliance with a legal obligation of the Company pursuant to the governing Union or Member State laws;</p> <p>f) other situations provided under the Regulation, if applicable.</p>
Right to restriction of processing	<p>You have the right to obtain restriction of processing in the following cases:</p> <p>a) the personal data is contested by you, for a period enabling the Company to verify the accuracy of the personal data;</p> <p>b) the processing is unlawful and you oppose the erasure of your personal data and request the restriction of its use instead;</p> <p>c) the Company no longer needs the personal data for the purposes of the processing, but it is required by you for the establishment, exercise or defence of legal claims; or</p> <p>d) you have objected to processing pursuant to Article 21(1) of the Regulation pending the verification whether the legitimate grounds of the controller override those of the data subject.</p>
Right to data portability	<p>You shall have the right to receive the personal data concerning you, which you have provided to the Company, in a structured, commonly used and machine-readable format and have the right to transmit this data to another controller without hindrance from the Company, where:</p> <p>(i) the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) of the Regulation or on a contract pursuant to point (b) of Article 6(1) of the Regulation; and</p> <p>(ii) the processing is carried out by automated means.</p> <p>In exercising the right to data portability, this can be transmitted directly from the Company to another controller expressly indicated by you, where technically feasible.</p>
Right to object to processing for the purposes of the legitimate interests pursued by the Company or a third party	<p>You shall have the right to object, on grounds relating to your particular situation, at any time to processing in the public interest or for the purposes of the legitimate interests pursued by the Company or a third party, including profiling. In this case, the Company shall no longer process your personal data unless it demonstrates compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.</p>
Right to object to processing for direct marketing purposes	<p>Where data is processed for direct marketing purposes, you shall have the right to object at any time to processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing.</p>
Right to withdraw consent	<p>When processing is based on your consent, you shall have the right to withdraw at any time such consent. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. The right to withdraw consent shall not apply when the ground for processing is not consent.</p>

X. RIGHT TO LODGE A COMPLAINT

If you want to complain about issues in connection with the use of your personal data, please send us an email with the details of your complaint to contact.romania@uta.com.

Similarly, you can also submit/deliver your request using the details below:

Calea Serban Voda 133, District 4, Bucharest, Romania
Or via the website, "Contact" section.

We shall review and reply to any complaint we receive within the statutory terms.

Similarly, you have the right to lodge a complaint with the National Supervisory Authority For Personal Data Processing (“ANSPDCP”).

XI. THE RECIPIENTS OR CATEGORIES OF RECIPIENTS OF THE PERSONAL DATA:

In principle, the Company can submit/grant access to/disclose your personal data to the following category of entities:

- public authorities and entities (such as tax authorities, etc.)
- services providers and/or processors which process the personal data on behalf of the Company, in accordance with the instructions received from us and abide by this information note, the data protection laws and any other appropriate confidentiality and security measures (such as providers of marketing, access and video monitoring, or IT services which can have access to personal data and the systems of the Company, call centers, breakdown assistance services, etc.).
- in case of a payment delay, we have the possibility to assign our claims to third persons, including debt recovery companies
- business partners (such as distribution partners, settlement services, etc.)
- external providers of services we use for services, such as: information about creditworthiness, records of the road toll, logistic services, repayment services, debt recovery procedures, settlement of the income related to the services rendered in the expense repayment procedures, etc.
- companies of the group (in particular UNION TANK Eckstein GmbH & Co. KG), considering that UTA Romania is part of a group of companies, so that certain policies, databases, applications, IT systems or similar can be established jointly or shared across the entire group

Usually, (no) transfers and disclosures are made to entities outside the European Union. In the event that we ask that your personal data is processed by a non-EU services provider, such processing shall only be take place if the European Commission confirms an appropriate level of data protection for that third country, or if there are other appropriate data protection safeguards, pursuant to the Regulation.

XII. CONSEQUENCES OF REFUSING TO PROVIDE PERSONAL DATA

Where your personal data is collected directly from you, we hereby inform you that, as a rule, your are under no obligation to supply your personal data to the Company, unless such supply is a legal or contractual obligation or an obligation required for execution of a contract. Thus, insofar as you enter into a legal relation with the Company, you are the representative of a customer, partner or vendor of the Company, you otherwise benefit of our services/products, etc., provision of the personal data is necessary in terms of the legal requirements and/or the legal relation with us because this information is necessary for the Company to carry out its duties towards you, or to deliver the products and/or render the services.

Thus, in certain instances, according to the data you refuse to provide:

- it might be impossible for our company to conclude the legal relation/contract, or continue the contractual relation with you
- it might be impossible for our company to carry out some/all of its duties, including towards you

If you think that the information contained herein is not clear or is ambiguous, you can ask us at any time to provide you with clarifications in this respect: <http://www.uta-romania.ro/contact>

With this Note, I have acknowledged the information supplied by the Company in the light of the Regulation, and I have been informed by **UTA ROMANIA** of the rights granted to me under the Regulation and the Romanian law on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.