

**GENERAL INFORMATION NOTE
ON THE PROCESSING
OF PERSONAL DATA BY UTA ROMÂNIA**

I. ABOUT US

UTA ROMANIA SRL (hereinafter referred to as "**Company**"), with registered office at Calea Șerban Vodă 133, Sector 4, Bucharest, Romania, registered with the Trade Register Office under no. J40/7658/2016, Sole Reg. Code RO 36148840, having contact details mentioned below, processes personal data according to the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (Regulation) and of other applicable legal provisions on the matter of personal data processing.

This information note describes the reasons and manner in which we process personal data and provides information about your rights.

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

You can contact us at the following contact details:

Email: contact.romania@uta.com

Address: Calea Șerban Vodă 133, Sector 4, Bucharest, Romania

Our Data Protection Officer can be contacted at the following email address: uta@tgdpr.ro

III. PERSONAL DATA PROCESSED AS CONTROLLER

Personal data means any information regarding a natural person, which identifies that person or can lead to the identification of that person.

Processing operations carried out by the Company usually regard **personal data / data categories** such as:

- a) Identification data, such as first and last name
- b) Data from identity documents, such as ID series and number, date and place of birth, nationality, domicile address, etc.
- c) Contact details, such as email, phone numbers, domicile / residence address
- d) Data related to the profession, capacity as representative of a legal entity, position occupied
- e) Data collected through the video and/or access surveillance system in the locations and spaces used by the Company
- f) Data obtained following your online accessing of the Company's platforms (like online identifier of persons who access the Company's Website processed for the purposes specified in the Cookie Policy (for more information access www.uta-romania.ro), potential data received through social networks platforms
- g) At the same time, data is or can be processed from terminals entrusted/made available to you by the Company, if applicable
- h) Data necessary for risk assessment related to natural persons who are representatives/guarantors in relation to legal entities clients
- i) personal data requested as imperative by the affiliated partner/system operator, necessary for the facilitation of use by you of the road toll payment systems or for issuing service cards by them
- j) At the same time, the processing regards the signature and other personal data which the Company can come in contact with within the performance of various legal actions

IV. SOURCE WHERE PERSONAL DATA COMES FROM AND, IF APPLICABLE, IF IT COMES FROM PUBLIC AVAILABLE SOURCES

Generally, we collect personal data from you.

We may receive personal data from other sources, such as:

- from our legal entities clients and partners (in relation to data pertaining to their representatives),
- from some collaborators of the Company within various projects and activities
- from other companies in the group
- public sources (like Trade Register Office portal, NAFA website, social networks websites)
- credit offices

V. PROCESSING TYPES

The Company processes personal data usually for the purpose mentioned in this information note, and for each purpose, one or several data processing operations can be used, such as collection, registering, organising, structuring, storage, adaptation or amendment, extraction, consulting, use, disclosure by transmission, dissemination or making available in any other way, aligning or combining, restricting, erasure or destruction. The Company can create or analyse profiles by using the personal data collected within the risk assessment related to natural persons who are representatives / guarantors in relation to legal entities clients, nevertheless, a completely automated rating is not created. In addition, in principle, the consequences estimated do not target the natural person, but they can consist of decisions (unauthorised) regarding the Company's legal entities clients (such as decisions regarding the acceptance of that client, the credit limit granted, etc).

VI. PURPOSES FOR WHICH PERSONAL DATA IS PROCESSED

The Company processes personal data for multiple purposes, and the means of collecting, the processing legal basis, the use, disclosure, periods of storage, etc. can be different depending on each type of data and purpose.

We can use personal data, in principle, for one or several of the purposes described in this information note. If the Company shall further process personal data for another purpose than the ones of which you have already been informed and which is not compatible with the purposes for which the data has been initially collected / that were notified to you, we shall provide information regarding the secondary purpose and any relevant additional information.

We process personal data mainly for the following **purposes**:

- The performance of the Company's object of activity, the provisions of assets and services to beneficiaries who are public and/or private legal persons, especially in connection with the activities of issuing fuel cards, road tolls settlement, toll recovery, various road services and other related activities. We offer a diverse range of services and products which you can find here (*please access this address for additional information about our products* <http://www.uta-romania.ro/>)
- The management of our relationships with clients, providers, partners and professionals from our area of activity, managing correspondence, negotiations, contracts, etc
- We process personal data for the purpose of fulfilling the contractual obligations and engagements we assume
- Management of risks related to our activity, credit management, economic risk assessment, for which we take security measures to protect personal data, that entail the detection, investigation and solving of security threats. Personal data can be processed as part of monitoring physical security (video data processing) or at the level of the IT apps that we use. Moreover, we can carry out inspections regarding natural persons who act as representatives and/or guarantors of some clients or partners, legal entities
- According to the applicable law, we use the contact details of our clients, partners and collaborators in order to directly or indirectly provide information which we consider are of interest for them, for event organisation and similar promotional activities for the products and services sold, newsletters
- During the visit on our websites or on our social networks pages, we may process certain information about the visitor's online identifier or other personal data potentially received through these platforms
- The observance of a legal and/or regulation requirement, such as for fiscal reasons or those requested by special legislative acts that regulate our object of activity or, if applicable, for archiving.
- Economic, financial and administrative management, internal monitoring for the purpose of managing the commercial relation
- Finding, exercising or defending a right in court
- Internal statistics, client segmentation

VII. LEGAL BASIS AND LAWFULNESS CONDITIONS ON WHICH THE PROCESSING IS BASED

Legal basis of processing (processing lawfulness) takes into account the provisions of the Regulation and the legislative acts on the processing of personal data adopted in Romania, the applicable law on the matter of public and sectorial purchase, the provisions applicable on the matter of public investments, works-constructions, engineering, technical support and consulting, Fiscal Code and related laws in the fiscal field, etc.

The processing is based on at least one of the following **lawfulness conditions**:

- the processing can be necessary for the conclusion of a legal relation/ contract and/or for its execution;
- the processing can be necessary for the fulfilment of a legal obligation incumbent on the Company (e.g.: the ones regarding the management of supporting documents from a fiscal standpoint);
- the processing is necessary for the fulfilment of a task that serves a public interest or which results from the exercise of public authority which the Company is invested with (such as those regarding archiving operations);
- processing is necessary for the purpose of the legitimate interests of the Company or of a third party, such

as:

- for the performance and management of our activity
 - for the management of risks related to our activity
 - for the management of our relationships with potential clients and actual clients or business partners, including but without limitation to the sending of communications containing information on our services and/or products, as well as those of our partners, according to the law, etc
 - management of notifications/complaints related to our services and products, in order to be able to solve eventual aspects notified, respectively to improve our products and/or services, to find, exercise or defend a right in court
- Processing can be based on your consent for the situations in which the Regulation requires the requesting of consent or this is not based on another lawfulness condition

VIII. HOW LONG DO WE STORE PERSONAL DATA?

We store the personal data we process only as long as it is necessary for the purpose for which it has been collected (*including according to the law or applicable regulations*), such as:

- i. During the performance of the contract / legal relations for the personal data necessary for its execution, including personal data with which the Company can be in conflict with within the performance of the legal relation, as well as after the termination of the legal relation if there are provisions that survive the termination during their survival period
- ii. Until the expiration of the prescription term, with regard to cases in which the Company would have a legitimate interest in keeping certain personal data in connection with a potential dispute that may occur between the parties
- iii. During the term provided by the law, in the situations where there are applicable rules for this purpose (e.g. in case of mandatory accounting records and supporting documents that represent the basis of registrations in financial accounting, etc)
- iv. During the terms of managing the relationship with potential clients/clients/beneficiaries of our services and products/partners of the Company and their representatives, respectively until the exercise of the right to opt out, for the transmission of communications containing information regarding our services and/or products, commercial communications, event invitations, such as presentations, etc;
- v. Until the withdrawal of the consent for personal data processing exclusively based on consent
- vi. For 30 days, for data from the surveillance and/or access system to spaces used by the Company, if applicable,
- vii. During the period of archiving for public interest provided by the law or within the Company's applicable policies, if applicable, for data contained in documents for which the law or Company have provided the archiving

In any other cases or in the absence of legal, regulation or specific contractual requirements, our reference period for storing personal data is of minimum 3 years from the date of terminating the relationships / last contract between the Company and the data subject.

Any data can be stored by the Company, by exception from the previous provisions, if applicable, until the expiration of the prescription term, with regard to the situations in which the Company has a legitimate interest to store certain personal data related to a potential dispute that may occur between the parties, for example in the context of the possible engaging of legal liability of the Company or of the processing data subject.

In any case, within the limits imposed, and except for the cases provided by the applicable law, we erase your data when you require us to. Applicable exceptional situations shall be communicated to the applicant by an answer sent to it by our company in relation to the request of data erasure.

IX. YOUR RIGHTS AND THEIR EXERCISING

Our Company is responsible for the facilitation of the exercise of any of your rights mentioned below.

Any of these rights can be exercised by sending an email to the address uta@tgdpr.ro or through the website in the "Contact" section, or you can send us a written request at the Company's registered office, or you can submit it in person at the registered office at Calea Șerban Vodă 133, Sector 4, Bucharest, Romania.

For your data protection, in order to prevent the abuse of malevolent persons that would monitor access to your data, it is possible that our company may require you to previously go through some identification steps, in order for us to be sure that you are the person who is exercising the below mentioned rights, by means of a

request. If we receive a request from you on the exercise of any of the above rights, we may ask you for additional information in order to verify your identity before acting based on the formulated request.

If the data subject sends an electronic request in order to exercise its rights, the information shall be provided by our company in electronic format where possible, except for the case when the data subject requests another format.

We shall try to promptly respond to any request coming from you and, in any case, within the time limits mentioned expressly by the applicable legal provisions (usually 30 days from the request registration). In certain express cases provided by the applicable law, we can charge a fee for an access request which shall take into account the administrative costs necessary for the fulfilment of the request.

In the case when, as a result of applying certain legal provisions, our company cannot solve, in full or in part, a request of the processing data subject, then the applicable exceptional situations shall be communicated to the applicant by the answer forwarded to it by our company related to that request.

Access right

You have the right to access, respectively to obtain from the Company a confirmation that it processes or not personal data about you and, if so, the following information: (a) purposes of processing; (b) personal data categories targeted; (c) recipients or categories of recipients to whom personal data were or shall be disclosed, especially recipients from third countries or international organisations; (d) where possible, the period for which it is estimated that the personal data shall be stored or, if this is not possible, the criteria used to establish this period; (e) the existence of the right to request the rectification or erasure of personal data or the restriction of personal data processing or of the right to oppose processing; (f) the right to submit a complaint before a supervision authority; (g) if the personal data is not collected from you, any information available regarding its source; (h) existence of an automated decision process including profiling, mentioned in article 22, paragraphs (1) and (4) of the Regulation, as well as, at least in those cases, pertinent information regarding the logic used and regarding the importance and estimated consequences of such processing for the data subject.

If the personal data is transferred to a third country or an international organisation, you have the right to be informed regarding the adequate warranties according to article 46 of the Regulation on data transfer.

At your request, the Company provides a copy of the personal data that is subject to the processing.

Right to data rectification

You have the right to obtain from the Company, without undue delays, the rectification of inexact personal data about you. Taking into account the purposes for which the data was processed, you have the right to obtain the completion of the personal data which is incomplete, including by providing an additional statement.

When it is possible or necessary, we shall make corrections (if applicable) based on the updated information and we shall inform you of these aspects, if necessary.

Right to data erasure

You have the right to obtain from the Company your personal data erasure, without undue delay, with the exception of certain cases provided by the Regulation, if one of the following reasons apply:

- a) personal data is no longer necessary for the fulfilment of the purposes for which it has been collected or processed;
- b) you withdraw your consent based on which the processing takes place, to the extent to which the processing is based exclusively on consent and there is no other legal basis for processing;
- c) you oppose the processing made for the purpose of a public interest or for the purpose of legitimate interests of the Company or of a third party, and there are no legitimate reasons which prevail over your fundamental interests/rights and freedoms with regard to processing, or you oppose the processing for direct marketing purposes
- d) personal data was illegally processed;
- e) personal data must be erased in order to comply with a legal obligation of the Company according to Union law or internal law to which this is subject;

- f) other situations provided by the Regulation, insofar as they are applicable

Right to restrict processing

You have the right to obtain the restriction of processing in the following cases:

- a) You contest the accuracy of data for a period which allows the Company to verify the accuracy of data;
- b) The processing is illegal, and you oppose the erasure of personal data, requesting in turn the restriction of its use;
- c) The Company no longer needs the personal data for the purpose of processing, but you request it for the finding, exercising or defending a right in court; or
- d) You opposed processing according to article 21, paragraph (1) of the Regulation, for the time interval in which it is verified if the legitimate rights of the controller prevail over those of the data subject.

Right to data portability

You have the right to receive the personal data which you provided to the Company, in a structured format, currently used and which can be automatically read, and to send data to another controller, without hindrances from the Company, if:

- (i) the processing is based on consent, subject to article 6, paragraph (1), letter (a) or of article 9, paragraph (2), letter (a) of the Regulation or on a contract according to article 6, paragraph (1), letter (b) of the Regulation; **and**
- (ii) the processing is made by automatic means.

For the exercising of the right to personal data portability, it can be sent directly from the Company to another controller indicated expressly by you, where this is feasible from a technical standpoint.

The right to oppose the processing carried out for the purpose of legitimate interests of the Company or of a third party	At any time you have the right to oppose, due to reasons related to the particular situation in which you are in, to the processing made for the purpose of public interest or for the purpose of legitimate interests of the Company or of a third party, including profiling. In this case, the Company shall no longer process your personal data, except for the case where it proves that it has legitimate and imperious reasons that justify the processing, and which prevail over your interests, rights and freedoms or if the purpose is to find, exercise or defend a right in court.
The right to oppose the processing for direct marketing	When the processing has the purpose of direct marketing, you have the right to oppose, at any time, the processing of your personal data for this purpose, including for profiling, insofar as this is related to said direct marketing.

Right to withdraw consent If the processing is based on your consent you have the right to withdraw your consent at any time. Consent withdrawal does not affect the lawfulness of the processing made based on consent before its withdrawal. The case of consent withdrawal is not applicable if the consent is not the basis of processing

X. RIGHT TO SUBMIT A COMPLAINT OR A PETITION

If you wish to send a complaint about aspects which regard the use of your personal data, please send us an email with all the details of your complaint to uta@tgdpr.ro

Also, you can send/submit your request by using the below details:

Calea Șerban Vodă 133, Sector 4, Bucharest, Romania
or by means of the website in the "Contact" section.

We shall analyse and respond to any complaint we receive within the legal terms.

You also have the right to file a complaint with the National Authority for the Supervision of Personal Data Processing ("ANSPDCP").

XI. RECIPIENTS OR RECIPIENT CATEGORIES OF PERSONAL DATA

The Company can send/grant access/disclose personal data, in principle, to the following entity categories:

- public authorities and entities (such as fiscal authorities, etc)

- service providers and/or authorised persons who process personal data on behalf of the Company, according to the instructions received from us and which comply with this information note, the laws on data protection and any other adequate confidentiality and security measures (such as marketing services providers, access and video monitoring, IT field service providers that may have access to personal data and to the Company's systems, call centre, support services in case of defects, etc)
- in case of a payment delay, we have the possibility to transfer the debts to third persons, including debt recovery companies
- business partner (such as for distribution partnerships, settlement services, etc)
- external service providers, which we use for services such as: information regarding creditworthiness, registrations regarding road toll, logistical services, reimbursement services, debt recovery procedures, settlement of income associated to the services provided within the expense reimbursement procedure, etc
- group companies (especially UNION TANK Eckstein GmbH & Co. KG), taking into account that UTA Romania is part of a company group, so that certain policies, databases, apps, IT systems or other similar can be established or used, mutually, at the level of the entire group

Transfers and disclosures are (not) usually made to entities outside the European Union. If we request the processing of your data by a service provider outside the EU area, the processing shall be made only insofar as the European Commission confirmed an adequate level of data protection for the respective third state or if there are other adequate guarantees for data protection according to the Regulation.

XII. CONSEQUENCES OF THE REFUSAL TO PROVIDE PERSONAL DATA

If personal data is collected directly from you, we inform you that usually you are not bound to provide your personal data to the Company, except for cases where their provision represents a legal or contractual obligation or a necessary obligation for the conclusion of a contract. Thus, as long as you enter a legal relationship with the Company, you are a representative of a client, partner or provider of the Company, you benefit in another context from our services/products, etc. the provision of personal data represents a need from the view of legal requirements and/or the legal relationship with us, because this information is necessary for the fulfilling of the obligations undertaken by the Company in relation to you or for the provision of products and/or services.

Thus, in certain cases, depending on the data you refuse to provide, it is possible that:

- our company cannot conclude the legal relationship / contract or continue the contractual relationship with you
- our company cannot partially/fully fulfil the obligations it undertook, including to you

If you find that the information contained in this document is ambiguous or contains uncertainties, you may, at any time, request clarifications on this from us: www.uta-romania.ro/contact

By this Note, we have acknowledged the information made available by the Company in light of the Regulation and I was informed by **UTA ROMÂNIA** regarding the rights conferred by the Regulation and Romanian law on the protection of persons with regard to the processing of personal data and the free circulation of this data.