

Ezpada Group Privacy Notice

Last update: 23 January 2020

Under this privacy notice (hereinafter the “**Notice**”), an **Ezpada Group entity** (hereinafter “**We**” or “**Us**” or “**Our**”) informs its suppliers, business partners and counterparties (“**You**” or “**Your**” or “**Yourself**”) what personal data we process about You, why We process the personal data about You, how and in what location We process Your personal data and what are Your rights. You can find the list of Ezpada Group entities in the Schedule 1 below.

1. Definitions

“**Data Protection Legislation**” means (a) the GDPR, (b) Swiss Federal Data Protection Act (“**SFDPA**”), (c) national laws implementing the Directive on Privacy and Electronic Communications (2002/58/EC), (d) any other similar national privacy law.

“**GDPR**” or “**General Data Protection Regulation**” means the Regulation (EU) No. 2016/679 of the European Parliament and of the Council of 27 April 2016, 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.

“**Personal Data**” means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly.

“**Processing**”, means any operation or 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.

2. What Personal Data We process

We Process Personal Data that We obtained from You or Personal Data related to Your contractual relationship with Us. These include

- Personal Data contained in Your identity document (such as name, middle name, surname, gender, birth date, etc.)
- Business contact details (name, surname, work or residing address, work e-mail address and telephone number, function, department, company, IP address),
- voice recordings shall You have a call with Ezpada’s employees whose calls are recorded for regulatory purposes,
- personal financial transaction numbers e.g. bank account or credit/debit card numbers,
- CCTV images and other information We collect when You access Our premises (the specific and customized information on this Personal Data Processing is available in the respective Ezpada premise if applicable),
- Personal Data provided in connection with the execution of Your rights in accordance with this Privacy Notice.

We do not Process 'sensitive' or 'special categories' of Personal Data about You as defined in applicable Data Protection Legislation.

3. Purpose, Categories of Personal Data, Legal Basis and Retention

3.1. Categories of Your Personal Data and purposes of Our processing

We process the following categories of your Personal Data for the following purposes:

For the following business relationship purposes:

- (1) Your basic identification data (e.g. name, middle name, surname) and basic business contact details (e.g. business telephone number, dial-in data, business email address, position, function, department, company) for day-to-day business communication, general contract administration, financial accounting (invoicing), statistics; for protecting our rights and legitimate interests, or addressing requests and communications from competent authorities;
- (2) Personal Data of You (in particular your name and surname, data in Your identity document, residing address, mail address, phone number, mobile number, signature etc.) which are necessary for the purposes of fulfilment of a contract with You and related legal/regulatory obligations (e.g. prevention of money laundering);
- (3) Your business contact details for the purposes of setting up and executing electronic payments with business partners and/or suppliers (e.g. names, account numbers) as well as for the purposes of accounting / finance;
- (4) Your business contact details (name, email address, function, company) for the purposes of development of business opportunities.

For the following security purposes:

- (5) Personal Data collected via Our video surveillance systems and/or other access controls for the purposes of preventing unauthorized third parties from accessing Our sites and protection of You and Your and Our property.

3.2. Legal basis for Our processing of your Personal Data

Our Processing of Your Personal Data is compliant with law. We Process Your Personal Data only when the Processing is necessary in the following cases:

- to perform the business contract we have with You personally;
- for compliance with a legal obligation we are subject to;
- for the purposes of our legitimate interest which might be:
 - to execute and fulfil contracts with our suppliers, business partners or counterparties,
 - to protect our business interests (perform our contracts and conduct our business activities - trading in wholesale commodities and commodity derivatives, emission allowances and derivatives thereof),
 - to protect You and Your and Our property.

- to ensure that the complaints or requests delivered to Us are properly addressed.

- When we receive Your consent to Processing in cases not referred above.

3.3. Do We make automated decisions on You?

We do not make any automated decisions solely on automatic processing which produces legal effects concerning You or similarly significantly affects You.

3.4. Source from which We have obtained your Personal Data

Besides from Yourself, We may have obtained Your Personal Data set out in Section 3.1 above from the following sources: Your employer or a company engaging you; emails or email chains of business partners / suppliers / counterparties which may contain Personal Data of Yours, being sent from EU countries as well as non-EU countries depending on the business partners / suppliers / counterparties. These sources are not publicly accessible.

3.5. Retention periods

The retention periods for Personal Data depend on the respective purpose the Personal Data are Processed for and the respective tool such data are processed in. It is not possible to outline the various retention periods in a reasonably intelligible format under this notice. The criteria used to determine the applicable retention period are that We will retain Personal Data set out under Sec. 3.1 above for as long as (i) necessary for the respective purpose, (ii) necessary to carry out the business relationship with You, (iii) You have consented to, and/or (iv) required by applicable statutory retention laws.

3.6. Data security

We have established technological, physical, administrative and procedural safeguards in line with the industry accepted standards in order to protect and ensure the confidentiality, integrity or accessibility of all Personal Data Processed. We prevent the unauthorized use of or unauthorized access to the Personal Data as well as a personal data breach (security incident) in line with Ezpada's policies and Data Protection Legislation.

4. Recipients of Personal Data, Transfer of Personal Data

Your Personal Data may be disclosed / transferred to and Processed by the following recipients for the purposes indicated under Section 3:

4.1. Ezpada Group entities

You can find the list of Ezpada Group entities in the Schedule 1 below. Your Personal Data are accessible to our employees and co-workers authorized to Process them in relation to performing their working duties only to the extent allowed for the purposes and in accordance with the Data Protection Legislation.

4.2. Processors

Our approved administrative and IT service suppliers

We transfer Your Personal Data to our IT services and administrative suppliers:

Processors in the EU

- Data Force, s.r.o., Lužná 716/2, Vokovice, 160 00 Prague 6, CZ

- DTS–Praha, a.s., Kralupská 553/40, Ruzyně, 161 00 Prague 6, CZ
- LMC s.r.o., Jankovcova 1569/2c, 170 00 Prague 7, CZ
- Spades, s.r.o., Koreisova 888/8, Žebětín, 641 00 Brno, CZ

Processors outside the EU

- Asana, Inc., 1550 Bryant Street, Suite 200, San Francisco, CA 94103, USA
- Cloud9 Technologies LLC, 565 5th Avenue. New York, NY 10017, USA
- Microsoft Corporation, One Microsoft Way, Redmond, WA 98052, USA (data stored in Azure cloud – Office, OneNote, Teams, email)

5. Your rights

Under applicable Data Protection Legislation, you have the right

- to access your Personal Data, i.e. You may obtain confirmation from Us as to whether or not We Process Personal Data of Yours and, if so, obtain access to such data;
- to rectification of Your Personal Data, i.e. You may update and correct inaccurate Personal Data;
- to erasure Your Personal Data, i.e. You may demand Your Personal Data to be deleted in certain circumstances; e.g., where Processing of such data is no longer necessary for the purposes for which we collected or otherwise Processed them;
- to restrict the Processing of Your Personal Data, i.e. You may, in certain circumstances, demand the restriction of Your Personal Data; e.g., if You contest the accuracy of such data, Processing will be restricted for a period enabling Us to verify their accuracy;
- to demand, in some circumstances, certain of your Personal Data to be transferred to You or a third party; and
- not to be subject to a decision based solely on automated processing, including profiling, which produces effects concerning You or similarly significantly affects You.

Furthermore, **you may have the right to object** to Us Processing your Personal Data at any time on grounds relating to Your particular situation, in case We process your Personal Data for the purposes of Our legitimate interests. As to such purposes, you will find more information under Sections 3.1 and 3.2 above.

To the extent Our Processing of Your Personal Data is based on Your consent, You also have the right to withdraw Your consent at any time, without affecting the lawfulness of Our processing based on Your consent before its withdrawal. If you withdraw your consent, We will no longer Process your Personal Data for the purposes for which we obtained Your consent and delete the Personal Data without undue delay if there will be no other legal basis for their Processing other than the consent. Note that if you withdraw Your consent, Your Personal Data may continue to appear in publications or communications already in circulation that cannot be recalled.

Exercising any of Your rights mentioned above is subject to the Data Protection Legislation applicable in the specific case (in particular, it depends whether the EU GDPR is applicable) and the legal prerequisites provided in that legislation and, in certain circumstances, your rights may be limited due to legal exceptions set out, in particular, in Art. 9 and Art. 15 para. 1

of the SFDPA in conjunction with Art. 28 para. 2 of the Swiss Civil Code. Should You have any questions relating to your rights or their limitations, please feel free to contact Our Data Protection Supervisor.

You can exercise all rights described here by sending an e-mail to: legal_dpt@ezpada.com or a written notice to Ezpada s.r.o., Jungmannova 745/24, 110 00 Prague 1, Czech Republic.

You can use these contacts for any questions related to Processing of your Personal Data by Us including the security safeguards when transferring the data outside of the EEA region.

You can also lodge a complaint about Our Processing of your Personal Data with a data protection authority, in particular, in the state of your habitual residence, place of work or of an alleged infringement of applicable data protection laws.

- In Switzerland the data protection authority is Federal Data Protection and Information Commissioner (FDPIC).
- In Czech Republic the data protection authority is Úřad pro ochranu osobních údajů.

Changes in this Notice

This Notice will be updated in order to provide You with up-to-date information how Ezpada processes your Personal Data. You are encouraged to check for the latest version from time to time.

Our Data Protection Supervisor is: Simona Danišová

E-mail: legal_dpt@ezpada.com

Schedule 1 List of Ezpada Group entities

We are:

Ezpada AG with registered seat at Baarerstrasse 139, 6300 Zug, Switzerland, Id. No.: CHE-110.624.390, registered in the Commercial Register of the Canton of Zug, represented by Mr. Igor Paholok, Mr. Chad Tschudi, Mr. Lyubomir Gunev, Mr. Guillaume de La Ville and Mr. Andreas Oberle, Members of the Board of Directors, Main Phone No.: +41 41 767 33 80. General Contact E-mail: info@ezpada.com;

Ezpada s.r.o. with registered seat at Jungmannova 745/24, 110 00 Prague 1, Czech Republic, Id. No.: 271 29 136, registered in the Commercial Register maintained by the Municipal Court in Prague, Section C, Insert 98461, represented by Mr. Lyubomir Tsvetanov Gunev, Executive Director, Main Phone No.: +420 221 088 811, General Contact E-mail: info@ezpada.com,

With respect to your Personal Data, Ezpada AG and Ezpada s.r.o. are Joint Controllers as defined in Article 26 of the GDPR as we jointly determine the purposes and means of the Personal Data Processing. We provide each other full cooperation and assistance in relation to any request or complaint of Yours regarding Processing of your Personal Data. We are committed to Processing of your Personal Data strictly in accordance with the EU General Data Protection Regulation (GDPR) and applicable Czech and Swiss regulation.

Ezpada d.o.o., Ulica grada Vukovara 284, 10000 Zagreb, Croatia

Ezpada d.o.o. Beograd, Vojvode Stepe 78, 11 000 Beograd, Serbia

Ezpada Commodities AG in Liquidation, Landstrasse 36, 9495 Triesen, Liechtenstein

Tasfiye Halinde Ezpada Elektrik Enerjisi Toptan Satış Limited Şirketi, Büyükdere Cad. Kirgülü Sokak No:4 Metrocity AVM D Blok Kat:4 No: 44, Levent - Şişli / Istanbul, Turkey

Ezpada DOOEL Skopje, Aminta Treti 37 vlez 1, kat 4/stan 13 Centar Skopje, Macedonia

Ezpada d.o.o. Mostar, Biskupa Cule b.b., 88000 Mostar, Bosnia and Herzegovina

Proenergy d.o.o., J. Marohnića 1 Zagreb, 10000, Croatia

Proenergybgd d.o.o., Skopljanska 27, Beograd – Surčin, Serbia

Proenergy d.o.o., Slovenska cesta 55b, 1000 Ljubljana, Slovenia