PRIVACY TERMS OF ORLEN EESTI OÜ

Last updated: 22 August 2023

These privacy terms of ORLEN Eesti OÜ (**"Privacy Terms"**) describe how ORLEN Eesti collects and processes the personal data of those data subjects who sign a contract themselves or as a representative to purchase products and/or services offered by us, use the website www.orlen.ee and with whom we have any we communicate in another way. The privacy terms describe, among other things, what personal data we collect, for what purposes we process the corresponding data and who has access to the personal data.

For the purposes of the Privacy Terms, "**personal data**" means any data about an identified or identifiable natural person (i.e. data subject). The data subject is primarily a customer who is about to enter or has entered into a contractual relationship with ORLEN Eesti OÜ, or a representative of the customer, if the other party to the contract is a legal entity.

Privacy Terms have been drawn up and the personal data is processed in accordance with the General Regulation on Personal Data Protection (EU) 2016/679 and the Personal Data Protection Act of the Republic of Estonia. We kindly ask you to read the Privacy Terms carefully, as it contains, among other things, important information about your rights as a data subject.

Data Controller

The data controller of your personal data within the meaning of the applicable personal data protection legislation is ORLEN Eesti OÜ, registration code 10960209, address: Pärnu mnt 22, 10141 Tallinn, Estonia (hereinafter "**we**"). You can contact us at the e-mail address info@orlen.ee or by phone +372 5770 3559.

1. WHAT DATA DO WE COLLECT AND HOW DO WE USE IT?

1.1. Information related to concluded and to be concluded contractual relationship

If you place an order for the purchase of products and/or services offered by us, we may process the name, personal identification number, nationality and other data indicated on identity documents, telephone number, address and e-mail address of the data subject (including the representative of a legal entity or other authorized data subject). In the case of customers who are legal entities, we can also process data about the data subject's position, general information and contact details of the company related to him and the existence of authorization (right of representation).

If a credit limit is applied within the contractual relationship, we may additionally process the customer's financial data, such as audited (or unaudited) reports on the customer's financial status, profit (or loss) reports. For the mutual fulfillment of the contract and obligations arising from the contract, we may additionally process data, such as the time, place and method of fulfilling the contractual obligations (including the registration number of the vehicle used for the delivery of the purchased goods).

The legal basis for the collection of information related to the contractual relationship is to take the necessary measures for the conclusion of a contract between you and us and/or the fulfillment of the concluded contract. In the case of customers who are legal entities, the legal basis for the processing of personal data for the aforementioned purposes is our legitimate interest in enabling to take necessary measures for the conclusion of a contract and/or the fullfillment of the contract concluded with the customer.

1.2. Transaction data in relation to the contractual relationship

If you submit an order to ORLEN Eesti OÜ to purchase products and/or services for the purpose of establishing a contractual relationship, we may process data about your payments and transactions and other information related to the transaction, such as payment method, current account number and owner, bank name and other relevant information. The legal basis for the collection of transaction data is the fulfillment of the contract between us and you, in the case of a legal entity, is our legitimate interest to perform the contract concluded with the customer.

In addition, we process the collected personal data in order to fulfill our obligations arising from the applicable accounting and tax legislation. In this case, the processing of personal data is based on the provisions of legislation that oblige us to process the corresponding personal data.

1.3. Information about the reliability and risk profile of the contractual party

If you submit an order to ORLEN Eesti OÜ for the purpose of establishing a contractual relationship, we may process information related to the data subject (and/or the legal entity represented by him), which is found, among other things, in public sources. The aforementioned processing operation may include, for example, checking international sanctions lists, analyzing profit and financial statements, in order to assess the potential of solvency and the risk profile of a potential contractual partner.The legal basis for the collection of related data is our legitimate interest in verifying the reliability of our (potential) contractual partner.

1.4. Information related to business and contractual partners

For the management of business and contractual relationships, including in connection with the management of databases of our business partners and customers, and during the negotiations necessary to enter into a contractual relationship, we may process your personal data and/or contact data of the company you represent, and related communications based on our legitimate interest for the aforementioned purposes.

1.5. Inquiries and other communications

If you send us an inquiry or communicate with us in any other way, we will process your contact details and the content of the inquiry or other communication in order to respond to it. Depending on the nature of the communication and the identity of the person who entered into a contract with us, the legal basis for data processing is either the fulfillment of the contract concluded with you or our legitimate interest, including ensuring smooth customer service.

1.6 Data related to legal requirements

If we have a need to do so, we may process personal data to comply with our legitimate interest to present, process or defend legal claims arising from a contract between us and you (or a company you represent).

2. TRANSMISSION AND DISCLOSURE OF PERSONAL DATA

We do everything in our power to keep your personal data protected and require strict security and confidentiality from our employees and cooperation partners. Only our employees and cooperation partners have access to your personal data, to whom access is

necessary for the performance of their tasks. We may transfer your personal data to third parties in the following cases and ways:

- to our trusted service providers who provide services to us or you in accordance with our instructions, e.g. suppliers of IT systems used to manage our customer communications and providers of payment brokerage services. The use of your personal data, including using third-party service providers, is always under our control and we are responsible for it;
- to third parties, e.g. if we need to improve debt collection procedures or to process other legal claims; please note that we have the right to transfer personal data to debt collection companies in accordance with applicable law from the moment you have breached the obligations set out in the contract with us;
- to the authorities, if it is mandatory by law or if the authority submits a legitimate information request to us;
- in connection with our merger, acquisition or sale of our business or part thereof; and
- to international companies that belong to the same group as ORLEN Eesti OÜ (i.e. Orlen S.A.).

In general, we do not transfer your personal data outside the European Economic Area. When we do so, we will implement appropriate safeguards to ensure that such transmission is compliant with applicable law and secure. In connection with the transfer of personal data to countries that do not offer an adequate level of data protection, ORLEN Eesti OÜ uses appropriate protective measures when transferring personal data, for example using the European Commission's standard data protection clauses in personal data transfer agreements. You can familiarize yourself with the applicable protection measures by contacting us at info@orlen.ee

3. HOW LONG DO WE KEEP YOUR PERSONAL DATA?

We retain your personal data only as long as it is necessary to achieve the purposes described in the Privacy Terms or as required by applicable law. For example, we keep the original accounting documents (copies of purchase and sales contracts and invoices) for 7 years from the end of the relevant financial year, as required by applicable law. We may retain personal data related to the contract for up to 10 years from the end of the contract due to the maximum limitation period in the event of a willful violation.

If the storage of your personal data is no longer required by law or necessary to achieve the purpose of its storage, we will permanently delete your personal data or make them anonymous, unless you have given us instructions to the contrary and we have not entered into an agreement for longer-term data storage.

4. YOUR RIGHTS

You have the right to review your personal data that we process by requesting access to it. To the extent provided by legal acts, you have the right to familiarize yourself with the data, or correct, update, change or delete the data.

If personal data is deleted at your request, we will only keep copies of it if it is necessary to protect our and third parties' legitimate interests, to comply with the orders of the authorities, to resolve disputes or to ensure the fulfillment of contracts concluded with you. However, please note that certain data is absolutely necessary in order to achieve the goals described in the Privacy Terms or is required by law, as a result of which you may not be able to delete this data.

If the processing of personal data is based on your consent, you have the right to withdraw the consent given to the processing of personal data at any time. Withdrawal of consent does not affect the lawfulness of personal data processing that took place on the basis of consent prior to withdrawal.

In accordance with the conditions stipulated in the personal data protection legislation, in certain cases you have the right to request the restriction of the processing of personal data and also to object to the processing of certain personal data.

You have the right to data transfer under the conditions set out in the legislation on personal data protection, i.e. the right to receive your personal data in an organized form in a commonly used machine-readable format and to transmit them at your discretion to another data controller.

If the legal basis for the processing of personal data is our legitimate interest, you have the right to request access to the relevant legitimate interest discretionary decision to the extent specified by legislation.

Applications for exercising the above-mentioned rights should be sent to the e-mail address info@orlen.ee. If you find, that we are not processing your personal data properly, you have the right to file a complaint with your country's data protection authority. In Estonia, this is the Data Protection Inspectorate, whose contact details can be found on the website www.aki.ee.

5. SECURITY

We use appropriate organizational, technical and organizational security measures (including physical, electronic and administrative) to protect personal information from loss, destruction, misuse and unauthorized access or disclosure. For example, we provide access to your personal information only to authorized employees and contractors who need it to perform their duties.

Please note that although we try to protect the security of personal data with reasonable measures, no system can completely eliminate all possible security risks.

6. UPDATE OF PRIVACY TERMS

We may update the Privacy Terms from time to time. If we update the Privacy Terms, we will notify you via our website www.orlen.ee. In the event of significant changes, we will also notify you via the e-mail through which you have contacted us and/or which you have provided to us as part of entering into a contractual relationship.

The Privacy Terms were last updated on the "Last Updated" date indicated on above.