



DATA PROTECTION POLICY

INTRODUCTION

The right to personal data protection is a fundamental human right, set out in article 8 of the European Union Charter of Fundamental Rights.

AQUAVIA SRL protects the personal data belonging to all its customers / potential customers/ partners/ collaborators, regardless of the natural persons' nationality, political opinion, religion, philosophical beliefs, race, ethnicity, sexual orientation or residence.

Therefore, we define and implement high standards in the field of data processing and protection, which truly serve both the company's aims and the fundamental rights and freedoms of the natural persons whose personal data are processed.

Purpose

The purpose of this document is to define the general action framework establishing and implementing the data processing principles and rules that ensure the compliance with the requirements of the legal provisions applicable in the personal data field and a regulated organizational environment to manage the risks related to the personal data security breach incidents.

This policy defines:

- a) the minimum standards, along with AQUAVIA SRL responsibilities required in order to ensure an adequate personal data protection;
- b) the principles based on which AQUAVIA SRL processes personal data.

Definitions and abbreviations

Definitions (in alphabetical order)

Consent - any freely given, specific, informed and unambiguous indication of the data subject's wishes by which that person, by a statement or by a clear action, agrees to the processing of personal data relating to him or her.

Personal data (data) – any information relating to an identified or identifiable person (data subject). Under the law, such data may be: surname and forename, localization data, domicile or residence address, email address, telephone number, account number, image, voice, trade union membership etc.





Personal data having an identification or a general applicability function – the numbers which are used to identify a person in certain record-keeping systems, and which have a general applicability, such as: personal number code, series and number of the identity document, passport number, driving license number, social insurance or health insurance number.

Biometric data - personal data resulting from specific processing techniques relating to the physical, physiological or behavioural characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as voice, facial images or dactyloscopic data

Recipient - a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with the European Union or the national law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

Controller - the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by EU or national law, the controller or the specific criteria for its nomination may be provided for by EU or national law.

Third party - a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

Person authorized to process data (authorized person) – the controller or the processor or the persons who, under the controller's or processor's direct authority, are authorized to process data

Person authorized by the operator (processor) - a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

Data subject - an identifiable natural person 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 elements specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. At AQUAVIA SRL, the personal data being processed are from the following categories of data subjects, including, but not limited to:

Customers / potential customers / former customers / damaged third parties etc) – for the data processed in order to deliver distribution services;

Employees and collaborators of AQUAVIA SRL

Customers / potential customers / visitors / employees – for the data processed for monitoring / ensuring the security of people, premises and / or public / private assets;

Natural persons, representatives of legal entities with whom AQUAVIA SRL comes into contact as a customer or in order to enter into future partnerships, agreements, contracts.

Personal data processing (processing) - 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.

Processing of specific categories of personal data - processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Cross-border processing - means:

- a) either the processing of personal data which takes place in the context of the activities of establishments in more than one Member State of a controller or processor in the European Union if the controller or processor is established in more than one Member State; or
- b) the processing of personal data which takes place in the context of the activities of a single establishment of a controller or processor in the European Union but which substantially affects or is likely to substantially affect data subjects in more than one Member State





Pseudonymisation - the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

Data protection officer (DPO) – under the legal context of Regulation (EU) 2016/679, it means the key person whose role – at company level – is:

a) to monitor compliance with the regulation, with other European Union or national data protection legal provisions and with the policies of the controller or processor in relation to the protection of personal data,

b) to propose the assignment of responsibilities, and carry out the actions of awareness-raising and training of the staff involved in processing operations, as well as the related audits.

Restriction of processing – the marking of stored personal data with the aim of limiting their processing in the future.

Personal data processing standard – the set of concepts, guiding principles, rules that describe the fundamental requirements to be met both by AQUAVIA SRL as controller, and by its employees, with regard to personal data processing and protection.

Abbreviations (in an alphabetical order)

ANSPDCP – The National Authority for the Supervision of Personal Data Processing

CNP – personal number code

CUI – tax identification code

DPO – data protection officer (this abbreviation is in English)

GDPR - Regulation (EU) 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 (this is the English abbreviation of the General Data Protection Regulation)





Regulatory Framework

This policy is governed by the following regulations:

Regulation (EU) 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;

Law 129/2018 amending and supplementing Law No. 102/2005 regarding the incorporation, organization and operation of the National Authority for the Supervision of Personal Data Processing, and repealing Law no. 677/2001 for persons's protection with regard to personal data processing and the free movement of such data;

Law no. 190/2018 on the measures implementing Regulation (EU) 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 (General Data Protection Regulation);

Law no. 506/2004 regarding the processing of personal data and the protection of privacy in the electronic communications sector;

Decisions of ANSPDCP;

ISO 27001:2018 Standard.

DATA PROTECTION

The objectives pursued by AQUAVIA SRL with regard to personal data protection are to:

Ensure the proven compliance with the general data protection regulation and the responsibility of AQUAVIA SRL with regard to personal data protection, particularly in respect of the implementation of the appropriate technical and organizational measures;

Fully comply with the partners' applicable personal data protection requirements;

Increase the awareness of the importance of personal data protection among employees;

Provide plans and resources in the situations resulting from data security breaches;





Provide efficient channels for notifying ANSPDCP and the data subjects with regard to the data protection security incidents.

Strengthen customers' trust in the services provided by AQUAVIA SRL;

Enhance service competitiveness by using high performance technologies and equipment for the personal data protection activity;

Develop the employees' professional skills with regard to personal data protection;

Identify, analyse and realistically assess personal data-related risks;

Mitigate the negative impact which certain potential personal data protection-related risks might have on the company's activity;

Principles

To ensure an appropriate level of personal data protection and consistently and uniformly apply the rules in the field, AQUAVIA SRL shall give consideration to the following:

Processing the personal data of potential customers, customers, its employees, the data subjects as defined in the personal data protection legislation, in accordance with the legal provisions;

Complying with the data protection principles whilst carrying out the companies' operational activities;

Transparency with regard to the categories of personal data processed within the company, as well as with regard to the purposes of the processing activities, the personal data recipients;

Data subjects' rights: right to being informed, right of access, right to rectification, right to erasure, right to restriction of processing, right to data portability, right to object, right of not being subject to individual decision-making, based on automated processing only, right to lodge a complaint with a supervisory authority and right to initiate court proceedings;

Implementing certain technical and organizational measures meant to guarantee the natural persons' rights and freedoms;

Designating a Data Protection Officer (DPO) and setting up a current support structure for the DPO;





Establishing the roles and responsibilities of the company's employee with regard to the personal data processing activities and operations;

Defining data processing and protection standards aligned to the requirements of the applicable legal provisions in the field;

Requirements of ISO 27001 standard on information security.

DPO

The personal data protection officer - DPO – within AQUAVIA SRL:

- a) Has a key role in building and promoting an organizational culture in the field of data protection.
- b) Is an autonomous unit providing information and advice on personal data protection to AQUAVIA, the company's processors, as well as the employees in charge with data processing, with regard to the obligations they have under the applicable legal regulations.
- c) Supports and brings its expertise to the implementation of the key elements required in order to ensure the compliance with the applicable legislation on personal data protection;
- d) A discussion partner – in all the works/ projects / activities that require or cover personal data processing – with all the company structures and across all the company levels;
- e) A contact point with ANSPDCP and the data subjects.

Personal data users

The personal data users have the following responsibilities:

- a) To strictly comply with both the applicable legal provisions, and the internal rules of AQUAVIA governing personal data processing and protection;
- b) To report to DPO any situation which represents or might lead to a deficiency, non-compliance or incident relating to a personal data security breach.

General processing rules

Lawfulness of processing

AQUAVIA SRL aims to carry out data processing by complying with following lawfulness conditions, as applicable:





- a) Consent - the data subject has given consent to the processing of his or her personal data for one or more specific purposes.
- b) Performance/Entering into a contract - processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract.
- c) Legal obligation - processing is necessary for compliance with a legal obligation to which the controller is subject.
- d) Legitimate interests – processing is necessary for the purposes of the legitimate interests pursued by AQUAVIA SRL or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject.
- e) Vital interest - processing is necessary in order to protect the vital interests of the data subject or of another natural person.
- f) Public interest - processing is necessary for the performance of a task carried out in the public interest or arising from the exercise of the public authority vested in the controller.

Processing of special categories of personal data

The processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning sex life or sexual orientation shall be prohibited.

Information to be provided to the data subject

Under all circumstances, AQUAVIA SRL shall inform the data subject about the following, at the time when it obtains the data:

- a) the identity of the controller and its representative, if applicable;
- b) the purpose of the data processing as well as the legal basis for the processing (if the processing is based on legitimate interests, reference shall be made to such interests);
- c) the existence of the right to withdraw consent when the processing is based on consent and there no longer is any other ground for processing;





- d) the recipients or categories of recipients;
- e) whether the provision of all the data is mandatory and the consequences of the refusal to provide such data;
- f) the existence of the data subject's rights provided by law, as well as the conditions under which such rights may be exercised;
- g) the intention to transfer the data outside the European Union or to an international organization, including a reference to the applicable safeguards;
- h) the period for which the data will be stored or the criteria used to determine that period;
- i) information about the existence of automated decision-making, if applicable, as well as useful information about the logic involved and the significance of such processing;
- j) any other information the provision of which is required under a decision of ANSPDCP, depending on the specific nature of the processing.

Data processing period

The processing duration is limited depending on the purpose envisaged by the respective processing. It may be expressed in time units (years/ months) or by reference to a future event (e.g.: end of contractual relations etc).

Special processing rules

Processing of customers' data for advertising / marketing / publicity purposes

- a) AQUAVIA SRL shall inform the data subject about the processing of his/her personal data and for the abovementioned purposes via specific documents, ensuring the data subject's right to opt for the processing of his/her personal data and for those purposes.
- b) AQUAVIA SRL processes personal data for advertising / marketing / publicity provided that the data subject gave his/her explicit and unequivocal consent (obtained by ticking the "Yes" option in a letter format or electronically) in order to receive communications from AQUAVIA SRL for such purposes.
- c) The data subject is entitled to object at any time, free of charge, and without having to give any reason, to his/her data being processed for direct marketing, by the operator or to them being sent to third parties (including from within GIVESC A/S group) for such a purpose.
- d) Before any processing of personal data for advertising / marketing / publicity purposes, AQUAVIA SRL shall check the existence of the data subject's valid consent for that matter, for the entire duration





of the processing / at the time of initiating any advertising, marketing, publicity action (e.g.: the possibility that the data subject had not exercised his/her right to object).

Processing of non-customers' data for advertising / marketing / publicity purposes

Besides the conditions set out in "Processing of customers' data for advertising/ marketing / publicity purposes" paragraph, when dealing with data belonging to non-customers:

- AQUAVIA SRL shall avoid the collection and processing of the data which are not required for advertising / marketing / publicity purposes, in order to minimize the data being processed.

- If AQUAVIA SRL does not obtain data directly from the data subject, the company has the obligation to provide the information set out in the "Providing information to the data subject" paragraph:

a) within a reasonable period after obtaining the data, but at the latest within one month, having regard to the specific circumstances in which the data are processed;

b) if the data are to be used for communication with the data subject, at the latest at the time of the first communication to that person;

c) if a data disclosure to another recipient is envisaged, at the latest when the data are first disclosed.

Before initiating any action the purpose of which is that AQUAVIA SRL collects certain data belonging to non-customers, the DPO shall be requested to give his/her approval about the lawfulness conditions of such data collections.

Processing of data belonging to third parties

For the operations carried out in collaboration with third parties (e.g. distribution), AQUAVIA shall get the third parties' consent / shall provide information about personal data processing, via specific clauses inserted in the documents used by the company for the operations carried out by this type of data subjects, prior to the initiation of any third parties' personal data processing.

Processing of the data with a general applicability identification function

The processing of this category of data (including their disclosure to third parties shall **only** be made **if** the information provision conditions set out in the "Providing information to the data subject" paragraph and at least one of the conditions below **are met – at the same time**:

a) The data subject explicitly gave his/her consent;

b) The processing is explicitly set out in a legal provision;





c) ANSPDCP gave its prior approval, and provided that adequate safeguards are put in place in order to protect the data subjects' rights (in cases other than those listed above).

Adequate safeguards to ensure the respect of the data subjects' rights

The adequate safeguards to be put in place to ensure the respect of the data subjects' rights include, but are not limited, to the following:

- a) the purpose of the processing must be determined, explicit and legitimate;
- b) measures meant to ensure the exercise of the data subjects' rights are established and implemented;
- c) the data are stored for just as long as it is necessary in order to achieve the purpose, that is for the period when offers are being sent and accepted and AQUAVIA products are being sold, plus a period of no more than 30 days; after that period, the data are erased or destroyed, as applicable, except for the data which need to be maintained under the law;
- d) the methods of access to the record-keeping systems for data collection are established and used to set up and comply with appropriate technical and organizational measures;
- e) the data are used only within the limits of the purpose set;
- f) it is prohibited to disclose data to recipients other than AQUAVIA collaborators and partners, nominated by the company to carry out the distribution activity, and except when the data subject has given his/her consent for such disclosure or the disclosure is allowed by an explicit legal provision;
- g) an information security plan is set out including, mainly, the technical security in the IT area and the security of the premises where data are being processed, giving consideration to the minimal security requirements;
- h) the rights and obligations of the operator sending the data and of the operator receiving the data shall be established in writing.

Ensuring the security of the information system and of electronic communications at AQUAVIA SRL:

- a) Is meant to protect confidential information, information systems' security, prevent and/or detect frauds, prevent any leakage of information containing personal data, by excluding the unauthorized access to such data; to prevent personal data destruction, alteration, copying, unauthorized blocking in the telecommunication networks and the IT resources; comply with the regulatory framework of using information systems and personal data processing software; ensure the full, complete, accurate nature of the personal data in the telecommunication networks and the IT resources; maintain the possibilities of managing the process





- of personal data processing and storage, as well as protect the reputation of AQUAVIA SRL.
- b) Is meant to monitor the evolution of the threats related to IT systems, particularly logical risks (intrusion, blocking of services, etc.).
 - c) Processing only covers traffic data and access data / transmission of correspondence; Content data shall only be accessed / monitored under duly justified exceptional circumstances and in the cases resulting from the need to comply with certain legal provisions.
 - d) Employees are informed when being hired and whenever it is necessary, about how to use the internet and email connexion, as well as about the exceptions in place.

Duration of processing monitored data at AQUAVIA SRL

To achieve the abovementioned purposes, AQUAVIA SRL processes data throughout the relation with the data subject and for the duration required by legal provisions

After completing the data processing operations, for the purposes for which such data were collected, the data shall be archived by AQUAVIA for the time period set out in the internal regulatory documents, and after the storage period has expired, the data shall be destroyed as set out in the applicable procedure.

STANDARDS ON DATA PROCESSING AND PROTECTION

Defining the standards on personal data processing and protection requires drafting a set of concepts, rules that describe the key requirements to be met both by AQUAVIA SRL as controller, and by its employees, with regard to personal data processing and protection.

The standards of AQUAVIA SRL regarding the personal data processing and protection are structured into 3 categories:

- a) Ethical conduct standards;
- b) Data processing standards;
- c) Data audit standards.

After a time period of adjustment to the needs and requirements set out in the standards, the standards shall be reassessed and revised so as to meet an optimal level and, at the same time, be updated according to the latest additions and amendments made to the applicable legislation in the field of data processing and protection, and last but not least, to meet the requirements regarding the company's business strategic development.





FINAL PROVISIONS

This policy shall be revised and updated whenever necessary, however, it must be revised and updated at least once a year.

The provisions of this policy shall apply in conjunction with the information security policy, the IT security policy, the applicable legal regulations in the field of personal data processing and protection.

The compliance with the provisions of this policy is incumbent on all the staff members of AQUAVIA SRL.

CONTACT

To exercise their rights or for further information, the data subjects may contact the Data Protection Officer at AQUAVIA SRL., by: - email to dpo@aquavia.ro, - post, to the following address: AQUAVIA SRL., BD. Dimitrie Pompeiu, nr.5-7, cladirea A, Metrooffice, mezanin, sector 2 Bucuresti or – submitting in person a notification signed by hand, at AQUAVIA office in Bucharest

The contact details for lodging a complaint with the National Authority for the Supervision of Personal Data Processing are: Web site : <http://www.dataprotection.ro/> Email: anspdcpc@dataprotection.ro
Address: B-dul G-ral. Gheorghe Magheru 28-30, Sector 1, post code 010336 Bucuresti, Romania
Landline: +40.318.059.211,+40.318.059.212

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This personal data processing policy shall be subject to periodical reviews. To be up to date with any potential important changes that might impact the processing of your personal data, please regularly go to the company's web page www.aquavia.ro – “Protectia Datelor cu Caracter Personal” (Personal Data Protection) section.

This personal data processing policy was last updated in the month of June, 2022.

