

INFORMATION CLAUSE REGARDING VIDEO SURVEILLANCE AND TRAFFIC OF INDIVIDUALS

pursuant to Article 13 of the Regulation of the European Parliament and of the Council (EU) 2016/679

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, I am informing you about your rights in regard to the processing of personal data

I. Information on:

a. the Personal Data Controller (also referred to as the Controller):

Name of the Personal Data Controller	Address	Contact details
NITROERG S.A.	Plac Alfreda Nobla 1, 43-150 Bieruń	Phone: (+48) 32 46 61 101 Fax. (+48) 32 46 61 357 e-mail: nitroerg@nitroerg.pl

b. Contact details of the Data Protection Officer:

Data Protection Officer	Address	Contact details
	Plac Alfreda Nobla 1, 43-150 Bieruń	Phone: (+48) 32 46 61 900 Fax. (+48) 32 46 61 357 e-mail: iod@nitroerg.pl

You can contact the Personal Data Controller at the abovementioned address in matters related to the protection, collection, processing, modification, and erasure of personal data.

II. Definitions:

The Controller informs that:

- Personal data:** Personal data / data means information on an identified or identifiable natural person ("data subject"); an identifiable natural person is a person, who can be directly or indirectly identified, in particular on the basis of an identifier such as first name and surname, identification number, location data, internet identifier or one or more specific factors, which determine physical, physiological, genetic, psychological, economic, cultural or social identity of a natural person.
- Data recipient:** it means a natural or legal person, public authority, agency or any other body to which personal data is disclosed, regardless of whether it is the other party; public authorities that may receive personal data under specific proceedings pursuant to the generally applicable law are not, however, deemed to be data recipients—the processing of data by these public authorities must be compliant with the provisions of law regarding the data protection respectively applicable to the purposes of the processing; and the "other party" means a natural or legal person, public authority, entity or body other than the data subject, the controller, the processor or the persons that—authorised by the Controller or the processor—may process personal data.
- Processor:** it means a natural or legal person, public authority, agency or any other body that processes personal data on behalf of the Controller.
- Processing:** it means an operation or a set of operations, which are performed on personal data or sets of personal data in an automated or non-automated manner, such as collecting, recording, organising, structuring, storing, adapting or modifying, downloading, browsing, using, disclosing through sending, distributing or sharing in any other way, alignment or combination, restriction, erasure or destruction.
- 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 (General Data Protection Regulation).
- Data erasure:** means a permanent destruction of personal data or such a modification thereof which will not allow for determining the identity of the data subject.

III. Information on the downloaded/collected data:

- Purpose of processing: **To ensure the protection of persons and property and the protection and security of NITROERG S.A.'s information, a video surveillance system has been implemented. Entrance to NITROERG S.A.'s premises also requires a pass.** The placement and range of the devices used for video surveillance guarantees an adequate level of privacy of the persons present at the premises.
- Legal basis for processing personal data:
 - Article 6(1)(f) of the GDPR in conjunction with Article 22(2) of the Polish Labour Code,
 - Article 6(1)(f) of the GDPR in conjunction with the agreement/contract concluded with NITROERG S.A. and other activities conducted by you in the NITROERG S.A.'s premises and the surroundings thereof– and the provisions of the Act of 22 August 1997 on protection of persons and property (Dz.U. [Journal of Laws] of 2017, item 2213; of 2018, items 138, 650, 1629, 1669) and on the basis of an internal procedure in force at NITROERG S.A.

- 3) The principles of the transfer of personal data to NITROERG S.A.:
 - a) If you enter the headquarters of NITROERG S.A. or are in the immediate vicinity thereof, you are subjected to our video surveillance system.
 - b) Due to the nature of the business, you have to get a pass before entering our premises.
 - c) You are not obliged to enter into an employment contract with NITROERG S.A. However, if you decide to conduct work at our premises, you accept the content of the Work Regulations which regulate the principles of the application of the video surveillance.
- 4) Categories of personal data processed: **image of persons present on the premises or in the immediate vicinity thereof.** information necessary to issue a pass entitling you to enter the premises of the NITROERG Company (first name, surname, address, number of the identity document with the photo).
- 5) Information on the recipients of personal data or categories of recipients, if there are any:
 - a) **competent public authorities;**
 - b) service providers supplying NITROERG S.A. with technical and organisational solutions that allow for the management thereof (particularly ITC service providers, equipment suppliers),
 - c) service providers: insurance, legal, and consulting services and support in pursuing claims by the Company (particularly law firms, debt collection companies).
- 6) Information on the intent to transfer the personal data of the recipient in a third country or an international organisation and on the identification or a lack thereof of the appropriate protection level by the European Committee or in case of the transfer referred to in Article 46, Article 47 or Article 49(1)(second paragraph) of the GDPR: **personal data will not be transferred to a third country or an international organisation.**
- 7) Information of conclusion of an agreement to entrust the processing: **processing entrustment agreements are being concluded with entities providing support, repair, and maintenance for hardware and software, as well as with entities providing structure protection services, including video surveillance.**
- 8) The period during which personal data will be stored, and if it is not possible, criteria for determining this period: **no more than 3 months for video surveillance.**
- 9) Source of personal data: the data has been obtained from the data subjects. Scope of data: image, attitude, behaviour.
- 10) Information on profiling: (the profiling is understood as any form of automated processing of personal data, which involves the use of personal data to assess some of the personal factors of the natural person, in particular to analyse or forecast aspects related to the effects of the work of the said natural person, their economic situation, health, personal preferences, interests, credibility, behaviour, location or movements): **it is not conducted.**

IV. Information of the rights of persons whose data is processed:

1. The data subject has the right to lodge a complaint related to the processing of their personal data by the Controller or an entity/organisation to which the personal data has been transferred with:

Name of the supervisory authority	Address	Contact details
Personal Data Protection Office	ul. Stawki 2 00-193 Warszawa	phone: 22 531 03 00 fax. 22 531 03 01 https://uodo.gov.pl/pl/p/kontakt

2. Information on the right to submit a request for information about the processed data:
 - 1) The data subject shall have the right to submit a request for information about the processed data at any time.
 - 2) Without undue delay, the Controller shall—not later than within one month from the receipt of the request—provide the data subject with information on the activities conducted in connection with the request under Article 15-22 of the GDPR (request for rectification, refrainment or erasure of the personal data). If necessary, this period may be extended by two more months due to the complicated nature of the request or the number of requests. Within one month from receiving the request, the Controller shall inform the data subject about this period extension, with the reasons for the delay. If the data subject has submitted their request via electronic means, the information, if possible, is also provided via electronic means, unless the data subject requests another form.
 - 3) If the Controller does not take actions on the request of the data subject, it shall promptly—not later than within one month from receiving the request—inform the data subject on the reasons for not taking action and about the ability to lodge a complaint with the supervisory authority and use the legal protections means before court.
 - 4) If the Controller has reasonable doubts as to the identity of the natural person submitting the request, it may request additional information necessary to confirm the identity of the data subject.

Information shall be provided in writing or otherwise, including, if appropriate, via electronic means. If requested by the data subject, the information may be provided orally if the identity of the data subject is confirmed in another way.
3. Information on the right to submit a request to rectify the data: The data subject shall have the right to request the Controller to promptly rectify their personal data that are incorrect. Taking into account the purposes of processing, the data

subject shall have the right to request supplementing incomplete personal data, including by providing an additional statement. The data subject shall have the right to submit the request at the Controller at any time.

4. Information on the right to request restriction of the data processing: The data subject shall have the right to request the Controller to restrict the processing of their data in the following cases:
- 1) the data subject contests the correctness of the personal data—for a period allowing the Controller to check the correctness of the said data;
 - 2) the processing is illegal and the data subject objects to the personal data erasure in favour of restricting the use thereof;
 - 3) the Controller no longer requires the personal data for the purposes of the processing but the data subject needs it to establish, exercise or defend legal claims;
 - 4) the data subject has objected to the processing—until it is established whether the legitimate grounds on the part of the Controller are superior to the basis for the objection of the data subject.

If the processing has been restricted, such personal data shall still be processed, excluding storing, only with the consent of the data subject, or to establish, exercise or defend legal claims or to defend the rights or another natural or legal person or due to the compelling reasons of the public interest of the European Union or a member state.

5. Information on the right to object to the data processing: The data subject shall have the right to object at any time—for reasons related to their particular situation—to the processing of the personal data concerning them (they can request the termination of the processing of their data). The Controller—from the moment of submitting the request—shall no longer be allowed to process this personal data, unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.
6. The right to object to the processing shall not affect the lawfulness of the processing that was conducted on the basis of the consent before the withdrawal thereof.
7. Information on "the right to be forgotten": The data subject shall have the right to request the Controller to promptly erase the personal data concerning them and the Controller shall have the obligation to erase the personal data without undue delay if one of the following conditions applies:
- 1) the personal data is no longer necessary for the purposes for which it was collected or otherwise processed;
 - 2) there is no legal basis for the processing;
 - 3) the data subject objects to the processing and there are no superior legitimate reasons for the processing or the data subject objects to the processing;
 - 4) the personal data has been processed unlawfully;
 - 5) the personal data must be erased in order to fulfil the legal obligation set forth in the European Union law or the law of the member state which the Controller is subject to;
 - 6) the personal data has been collected in connection with the offering of the services of an information society.
8. If the Controller has made the personal data publicly available and is obliged, under the provisions of law, to erase this personal data, it—considering the available technology and the cost of the performance—shall take reasonable measures, including technical means, to inform the Controllers processing this personal data that the data subject requests these Controllers to delete all links to this data, copies of this personal data or reproductions thereof.

Detailed information on the protection of personal data at NITROERG SA. can be found at the NITROERG SA's website.