

THE PROTECTION OF PERSONAL DATA

A. YOUR PERSONAL DATA PROCESSOR

The NET BRINEL S.A. Company, a Romanian legal entity, with headquarters in Romania, County of Cluj, Municipality of Cluj – Napoca, Nicolae Titulescu Boulevard no. 4, registered at the Trade Registry Office under the jurisdiction of the Court of Cluj under no. J12/1648/1994 with the unique registration code 5800900 is your personal data processor. Specifically, your data will be subjected to processing by the BRINEL Company, which you trained or provides your IT products or services.

B. OUR COMMITMENT CONCERNING YOUR PERSONAL DATA

BRINEL commits to taking all the organisational and technical measures in order to implement the highest confidentiality and transparency standards regarding the personal data processed during its current activity.

By means of this NOTIFICATION, BRINEL is offering you a general description of your personal data types it processes, the way and reasons why it collects them, in which situation there will be a personal data transfer and the various rights and options at your disposal in this regard. At the same time, BRINEL is detailing the way in which personal data is processed within the relationship with its customers.

C. PROCESSED PERSONAL DATA TYPES

Personal data processed by BRINEL can include:

- Contact information, such as your name, your job name, postal address, including your home address, if you provided one, your office address, phone number, mobile phone number, fax number and e-mail address;
- Additional commercial information that is processed mandatory in a contractual relationship with BRINEL or willingly conveyed by you, like given instructions, payments, requests and projects;
- Information collected from public records;
- If there is a legal enforcement with the purpose of compliance, information regarding relevant and important litigations or other legal actions started against you or against a third party covered by you and the interaction with you, which might prove relevant by any means concerning the provision of services from BRINEL;

- In limited situations, in which gathering this data represents a legal obligation or it is compulsory for the purpose of defending a legal right in a court of law, BRINEL can collect special types of personal data, such as personal identification number („CNP”).

D. THE METHOD OF PROCESSING YOUR PERSONAL DATA

BRINEL can collect personal data concerning you in certain circumstances, including:

- A situation in which you are providing or submitting an offer to provide certain products and services or your organisation is providing or is offering to provide products and services for BRINEL ;
- A situation in which you and BRINEL are developing any kind of contractual legal relationships;
- In certain circumstances, BRINEL can collect personal data concerning you from public records

E. LEGAL GROUNDS FOR PROCESSING PERSONAL DATA

Any action that amounts to a processing (collection, storage, recording, structuring, adaptation or modification, extraction, reference, use, disclosure by transmission, destruction) of your personal data will be carried out based on one of the legal grounds below:

- Processing is necessary in order to carry out a contract you are part of or your organization is part of, or that certain processing is necessary in order to enter into a contract with you or with your organisation;
- Processing is necessary in order to comply with a legal obligation;
- Processing is carried out based on your prior and explicit consent;
- Processing is necessary in order to protect your or another individual’s vital interests
- Processing is necessary in the legitimate interest of BRINEL, excepting the case in which your interests or your fundamental rights and freedoms are prevailing over these interests.

In situations when applicable legal provisions impose your prior and explicit consent for processing special types of data, we shall process that data only in base of your prior and explicit consent. At the same time, we shall make sure that any individual or entity who conveys to us your special personal data, obtained your prior consent.

You can choose to withdraw your consent regarding marketing materials at any time through a simple notification of your intent to our e-mail address protectiadatelor@brinel.ro.

At any time, you have the right to withdraw your consent. The withdrawal of your consent will not affect the legality of the processing based on the consent given before of its withdrawal. Concerning the withdrawal of your consent, for any processing you have previously consented, please send us an e-mail at protectiadatelor@brinel.ro, contact us by phone at: +40 264 414 610, send us a fax at: +40 264 414 617, or send us a letter at the following address: Net BRINEL SA, Cluj – Napoca, bulevardul Nicolae Titulescu nr. 4, Județul Cluj, România. In any situation, the consent can be withdrawn in the same manner it was given.

As a general rule, in the event of redrawing your consent, BRINEL will no longer allow the processing of your data and will take the necessary measures for deleting any record of your personal data. Nevertheless, in the event of a strictly necessary processing for carrying out contracts that were taken on by BRINEL, or the processing could be based on other legitimate grounds enforced by applicable legal provisions, BRINEL will proceed to that processing and will inform you in that regard.

F. PURPOSES OF PERSONAL DATA PROCESSING

BRINEL may use your personal data only for the following purposes (“Allowed Purposes”):

- Managing or administering your business relationship or your organisation’s business relationship with BRINEL, including payment processing services, accounting, audit, billing and cashing, support;
- Analyzing and improving our services and communications with you;
- Safeguarding and managing access to our headquarters, IT and communication systems, online platforms, websites and other systems, preventing and detecting security threats, frauds or other criminal or malicious activities;
- For insurance purposes ;
- With the purpose of monitoring and evaluating compliance to our politics and standards;
- With the purpose of identifying the people authorised to trade in the name of the clients, beneficiaries, our service suppliers and/or providers;
- With the purpose of complying with court orders and exerting and/or defending our legal rights;
- With any purpose associated and/or additional to any of the above or any other purpose for which your personal data has been provided to us.

If you gave us your express consent, we can process your personal data for the following purposes:

- Surveys among clients, marketing campaigns, market analysis, raffles, contests or other promotional activities or events.

Concerning marketing communications, we shall provide you – if legally imposed – that information only after you have selected the option to participate and we shall offer you the possibility to stop participating at any moment, in the event you do not want to receive our marketing communications anymore. We shall not use your personal data in taking automated decisions that would affect or create other profiles than those described above.

G. SHARING YOUR PERSONAL DATA

BRINEL can share your personal data under the following circumstances:

If you are a client of BRINEL, or you are under contract with an agent or client of BRINEL, we can disclose your personal data to:

- Subcontractors, agents or other people associated to BRINEL and only with your prior consent.
- We can share your personal data with any third party to whom we cede or novate any right or obligation;
- We may share your personal data with courts of law, law enforcement authorities, regulatory authorities or lawyers or other individuals if proven necessary in a fair manner in order to determine, exercise or defend a lawful right or a natural right, or in case of a confidential, alternative argument settlement trial;
- Otherwise, we shall disclose your personal data only when you are instructing us to do so or you are giving us your permission, when we are required by applicable law or regulations or by request from judicial or official bodies to do so, or any other way imposed to us concerning the investigation of actual or suspected fraudulent or criminal activities.

H. PERSONAL DATA PROVIDED BY YOU TO US CONCERNING OTHER INDIVIDUALS

If you are providing us with personal data regarding another person (such as one of your managers or employees, or a person with whom you have a professional relationship), you should ensure you have the right to disclose this personal data and that, without any further measures, we can collect, use and disclose that personal data.

In particular, you have to ensure that the individual in question has knowledge of the various aspects treated in this Notification, as they are concerning that individual, including our identity, how can they contact us, the purpose of data collection, our personal data disclosure practices, the right of the individual to gain access to personal data and to file a complaint regarding management of personal data, and the consequences of not providing personal data (such as our impossibility of providing services).

I. KEEPING YOUR PERSONAL DATA SAFE

We have implemented technical and organisational measures for keeping the confidentiality and the safety of your personal data, in compliance with our internal procedures regarding the storage, the disclosure and access to personal data. Personal data can be stored on our technological systems for personal data or in printed form.

J. TRANSFERING YOUR PERSONAL DATA ABROAD

BRINEL does not have the intention of transferring your personal data abroad and outside the EEA.

In particular cases, according to the Allowed Purposes, BRINEL can transfer personal data in countries that have not been acknowledged by the European Comity to ensure an appropriate safety level.

We shall ensure that these international transfers are carried out according to appropriate or adequate measures, as imposed by the General Data Protection Regulation (EU) 2016/679 or other applicable laws. This includes closing EU Standard Contractual Clauses. You can contact us any time, using the contact information below, if you need additional information regarding these protection measures.

K. UPDATING PERSONAL DATA THAT CONCERS YOU

If any of your personal data that you have provided to us is subject to modifications, for example if you change your name, surname or e-mail address or if you want to cancel any kind of request submitted to us, or if you are informed that we have any kind of incorrect personal data concerning you, please let us know by e-mail at: protectiadatelor@brinel.ro. We shall not be responsible for any kind of loss resulting from incorrect, inauthentic insufficient or incomplete Personal Data you have provided to us.

At the same time, we shall take fair measures to periodically update our records concerning your personal data, but we shall not be responsible for any unforeseen modification of your personal data.

L. STORAGE PERIOD FOR YOUR PERSONAL DATA

BRINEL has implemented technical and organisational measures to arrange the process and the criteria provided for the deletion and removal of your personal data.

Your personal data will be deleted or removed when they are no longer reasonably necessary for the Allowed Purposes or when you withdraw your consent (if that is the case) and BRINEL does not have the legal obligation anymore of storing that data. However, we shall keep your personal data when they are necessary for exercising or defending a lawful right of BRINEL.

Excepting a situation in which you explicitly request the storage of your personal data on a longer term or in a situation in which your personal data are needed for defending a possible lawful right without a storage period, your personal data will be deleted in a maximum period of 30 years from the date of the collection.

M. YOUR RIGHTS CONCERNING THE PROCESSING OF PERSONAL DATA

At the discretion of certain legal provisions, you have the following rights concerning the processing of your personal data:

- the right to request a copy of the personal data we possess concerning you; in the event of exercising that right in an obviously abusive or ill-founded manner, we reserve the right to refund the necessary supported costs for processing those copies and for delivering those copies in a reasonable amount of time;
- the right to rectify any personal data that is incorrect and the right to counteract or restrict the use on our behalf of your personal data;
- you can also file a complaint if you are concerned about the way in which we manage your personal data;
- the right to delete your personal data, in the event of withdrawing your consent, the processing is no longer needed or that processing is against the law.

If you wish to proceed according to those mentioned above, please send us an e-mail at protectiadatelor@brinel.ro. We might ask you to prove your identity by sending us a copy of viable means of identification in order to comply with the security obligations we have and to stop an unauthorised disclosure of data.

We shall consider any requests or complaints we receive and we shall answer back in due time. If you are not satisfied with our answer, you can forward the complaint to the National Supervisory Authority for Personal Data Protection – headquarters on the Gheorghe Magheru Boulevard no. 28-30, Bucharest, Romania, website www.dataprotection.ro

N. HOW CAN YOU CONTACT US?

We have the intention of keeping full transparency and of staying in permanent contact with you regarding any of the aspects concerning the confidentiality protection. If you wish to contact us regarding any question, observation or request, please send us an e-mail at protectiadatelor@brinel.ro, contact us by phone at: +40 264 414 610, send us a fax at: +40 264 414 617, or send us a letter at the following address: Net BRINEL SA, Cluj – Napoca, bulevardul Nicolae Titulescu nr. 4, Județul Cluj, România.