

## PRINCIPLES REGARDING THE PROCESSING OF PERSONAL DATA BY COMPANIES FROM APATOR GROUP

Please see below for information on how we process personal data, for what purposes and to what extent.

### WHO ARE WE?

We are an international capital group that consists of several companies (hereinafter referred to as Apator Group). The head of the Group, the parent company, is Apator S.A. with its registered office in Toruń. The parent company defines the directions of the development of the Group, coordinates the implementation of its strategy and initiates key group projects. Please find below the list of companies and contact information (correspondence and email addresses):

- 1) Apator S.A., ul. Gdańska 4a, lok. C4, 87-100 Toruń, correspondence address: Ostaszewo 57C, 87-148 Łysomice, e-mail: [apator@apator.com](mailto:apator@apator.com)
- 2) Apator Powogaz S.A., Jaryszki 1c, 62-023 Żerniki, e-mail: [sekretariat.powogaz@apator.com](mailto:sekretariat.powogaz@apator.com)
- 3) Apator Metrix S.A., ul. Grunwaldzka 14, 83-110 Tczew, e-mail: [metrix@apator.com](mailto:metrix@apator.com)
- 4) Apator Rector sp. z o.o., ul. Wrocławska 17b, 65-427 Zielona Góra, e-mail: [apator.rector@apator.com](mailto:apator.rector@apator.com)
- 5) FAP Pafal S.A., ul. Łukasińskiego 26, 58-100 Świdnica, e-mail: [pafal@pafal.com.pl](mailto:pafal@pafal.com.pl)
- 6) Apator Telemetria sp. z o.o., ul. Portowa 13B, 76-200 Słupsk, e-mail: [office@telemetria.eu](mailto:office@telemetria.eu)
- 7) Apator Mining sp. z o.o., Al. Roździeńskiego 188, 40-203 Katowice, e-mail: [biuro@apator-mining.com.pl](mailto:biuro@apator-mining.com.pl)
- 8) Apator GmbH, Internationales Handelszentrum Friedrichstraße 95, 10117 Berlin, e-mail: [info@apator.de](mailto:info@apator.de)
- 9) Apator Metra s.r.o., Havlíčkova 919/24, 787 64 Šumperk, Czech Republic, e-mail: [prodej@metra-su.cz](mailto:prodej@metra-su.cz)
- 10) George Wilson Industries Ltd, Barlow Road Aldermans Green Industrial Estate Coventry CV2 2LD, United Kingdom, e-mail: [info@gwi-ltd.co.uk](mailto:info@gwi-ltd.co.uk)
- 11) Apator Miitors ApS, Bautavej 1A, 8210 Aarhus, Denmark, [sekretariat.powogaz@apator.com](mailto:sekretariat.powogaz@apator.com)
- 12) INDA d.o.o., Leskoškova cesta 9e, 1000 Ljubljana, Slovenia, [metrix@apator.com](mailto:metrix@apator.com)

Apator Powogaz S.A. with its registered office in Poznań and Apator Telemetria sp. z o. o. with its registered office in Słupsk have appointed their own Personal Data Protection Officers, who can be contacted directly, i.a., via e-mail:

- Apator Powogaz S.A. - [inspektor.powogaz@apator.com](mailto:inspektor.powogaz@apator.com)
- Apator Telemetria sp. z o. o. - [iod@telemetria.eu](mailto:iod@telemetria.eu)

## WHAT IS THIS DOCUMENT FOR?

From 25 May 2018, the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 is in force, on the protection of natural persons with regards to the processing of personal data and on the free movement of such data and the repealing Directive 95/46/EC (General Data Protection Act, GDPR) which, i.a., imposes an obligation to provide comprehensive information on how and for what purpose personal data is processed and collected.

This document provides information required by the law and thus Apator Group complies with its legal obligation under GDPR.

## HOW DOES APATOR GROUP OBTAIN PERSONAL INFORMATION?

Companies that are part of Apator Group may receive contact details directly from the person the data refers to (e.g. via an email, electronic forms, or during a meeting) or from other persons (e.g. from an employer, other employees, or from another entity with which that person cooperates).

In the case of direct contact, there is full control guaranteed over the scope of data provided to the companies that are part of Apator Group.

In the case of the provision of the data by other persons, the companies that are part of Apator Group usually collect only basic contact details related to professional activity, such as: name, surname, e-mail address, telephone number, fax number, place of work, details related to the performed work, business activity, participation in a civil partnership, employment by a contractor/subcontractor/ contractor of Apator Group, details related to cooperation with the above in the scope of e.g. profession, place of work, name of the company and possibly other data resulting from the performance of a contract or a purchase order in connection with which the personal data is provided.

## LEGAL BASIS, PURPOSES OF PROCESSING, PROCESSING PERIOD.

- 1) Purpose: **conclusion and performance of a contract or purchase orders, warranty or repair service, technical support or taking the necessary actions before concluding a contract**

Legal basis: Art. 6 sec. 1(b) of GDPR

Processing period: the period of performance of obligations and the limitation period for claims that results from regulations.

In the case of concluding a contract or purchase order between you and Apator Group, the data shall be processed to perform the contract or the purchase order and for the purpose of their settlement.

The data shall also be processed by the companies that belong to Apator Group to take action at your request before the conclusion of a contract or before placing a purchase order.

In the case of a service request/complaint, the data shall be processed for the purpose of processing the service request/complaint.

In the case of making a warranty/service request with the use of the form that is available at [www.apator.com, https://helpdesk.apator.com/plugins/servlet/theme/portal/3](https://helpdesk.apator.com/plugins/servlet/theme/portal/3), full information on data processing shall be provided on the form.

2) Purpose: **conclusion and performance of a contract or purchase order between the company that belongs to Apator Group and other entities** (e.g. your employer or contracting party)

Legal basis: Art. 6 sec. 1(f) of GDPR

Processing period: the period of performance of obligations and the limitation period for claims that results from regulations or until the date of acceptance of an objection made under Art. 21 of GDPR.

In the case that you are indicated as a contact person by the employer or other entity, your personal data shall be processed for the purpose of performance and settlement of the contract (or purchase order) concluded between Apator Group and the employer or other entity.

The processing of the data, in that case, shall include details related to current contacts concluded in connection with the performance of the contract, the preparation and archiving of documentation related to the performance of the contract, and investigation of claims or defense against claims made by the other party.

In the above case, personal data shall be processed to pursue the legitimate interest of the data controller, such as the protection of rights, the performance of concluded contracts and obtaining due payments.

You shall have the right to object to the processing of your personal data as indicated in the section "Right to object".

3) Purpose: **business relations, marketing and promotion, research on customer satisfaction and perception of the brand**

Legal basis: Art. 6 sec. 1(f) of GDPR

Processing period: until the date of acceptance of the objection lodged under Art. 21 of GDPR.

Your contact details provided via the electronic form, made available due to signing the contract or placing a purchase order, or made available in another way, shall be processed by the representatives of Apator Group for the purpose of maintaining business relations.

The representatives of Apator Group shall contact you to present you the offer of Apator Group, to invite you to a meeting or event organised by Apator Group or for marketing or promotional purposes. You can occasionally receive information concerning products, services or activities of Apator Group and other information related to the areas of activity of Apator Group.

In the case You are a representative of a supplier or service provider, the representatives of Apator Group shall also contact you to obtain the quote, information, documents or for marketing and/or promotional purposes.

In the above case, the processing of personal data shall be performed to pursue the legitimate interest of the data controller, which is the marketing and sale of products and services as well as building and strengthening business relations.

To maintain high quality of products and a high level of satisfaction of customers, the representatives of Apator Group shall contact you to conduct a survey related to your satisfaction with products/services provided by Apator Group and assessment of your perception of the Apator brand.

You shall have the right to object to the processing of your personal data as indicated in the section "Right to object".

#### 4) Purpose: **Answer to a question**

Legal basis: Art. 6 sec. 1(a) of GDPR

Processing period: until the date of submitting a declaration to opt out of receiving a response to the question asked (withdrawal of consent).

In the case of filling in the contact form or submitting an inquiry in any other form (e.g. e-mail, phone, social media) you shall agree to be contacted in connection with the fulfillment of your request or inquiry. To withdraw consent, please use the contact details provided in the section "Who are we?". Consent may be withdrawn at any time but the withdrawal of consent does not affect the lawfulness of data processing prior to the withdrawal of consent, moreover, withdrawal of consent results in a lack of response.

#### 5) Purpose: **fulfillment of a legal obligation to prepare and store documentation or other obligations imposed by law**, (including, i.a., tax law and accounting regulations, the law on access to public information, public procurement law, the law on the protection of the environment, life and health of persons).

Legal basis: Art. 6 sec. 1(c) of GDPR

Processing period: the period required to store invoices, accounting books, documents that confirm the conclusion and performance of a contract, or other documents for which the legal provisions that are applicable to the data controller impose an archiving obligation.

In the case of performance of a contract or purchase order or in the case of provision of services to you, Apator Group shall also process personal data contained in invoices, accounting books or other documentation that constitute evidence of the conclusion and performance of the contract, to prepare and store documents in accordance with applicable law. The above shall be the case if you are a party to the contract or purchase order, or if your employer or an entity that you cooperate with is a party to the contract or purchase order, or if any services have been provided to you.

Data processing period: the data shall be processed for the period necessary to fulfill the legal obligations, and after that period for the period resulting from generally applicable law.

6) Purpose: **recruitment activity**

Legal basis: Art. 6 sec. 1(b) of GDPR in connection with Art. 221 of the Labour Code in the scope of the information indicated in Art. 221 of the Labour Code, i.e.: first name(s) and last name; date of birth; contact information; education, professional qualifications, previous employment (if necessary to perform the work or provide services of a particular type or in a specific position).

In other cases (e.g. additional data included in the CV) the basis for processing is given consent - Art. 6 sec. 1 (a) of GDPR.

If the recruitment documents contain special categories of data referred to in Art. 9 sec. 1 of GDPR - your consent to their processing under Art. 9 sec. 2 letter (a) of GDPR.

Processing period: the duration of the recruitment period for the position. With your consent, this period may be extended for the purpose of recruitment to other positions but no longer than 2 years.

Recruitment of new employees, trainees, apprentices, partners for Apator S.A., or other entities of Apator Group, shall be carried out via the website [www.apator.com](http://www.apator.com), social portals and directly. Personal data obtained in this way is used exclusively for the purposes of current recruitment and future recruitment with the consent. The above applies to all documents submitted as part of the recruitment process.

7) Purpose: **confirmation of the performance of obligations and investigation of claims or defense against claims**

Legal basis: Art. 6 sec. 1(f) of GDPR

Processing period: the period of performance of obligations and the limitation period for claims that results from regulations.

Data entered on the electronic form, made available due to signing the contract or submitting a purchase order or made available to Apator Group in any other way, shall be processed for the purpose of archiving information or documents to confirm the performance of obligations by Apator Group, as well as, to investigate possible claims or to defend against claims that involve Apator Group. The above shall apply in the case when you are the party to the contract or purchase order or when the party to the contract or purchase order is your employer or the entity that cooperates with you, and in the case when, on any basis, a company from Apator Group was obliged to perform any service for you or to exercise your rights.

In the above case, personal data shall be processed to pursue the legitimate interest of the data controller, such as the protection of rights, confirmation of the performance of duties and obtaining due payments.

You shall have the right to object to the processing of your personal data as indicated in the section "Right to object".

8) Purpose: **newsletter**

Legal basis : Art. 6 sec. 1(a) of GDPR

Processing period: until the date of submitting a declaration to opt out of receiving the newsletter (withdrawal of consent).

In the case of giving consent to receive newsletters from Apator Group, your e-mail and postal address shall be used to send them. The newsletter shall be sent to you as often as it had been decided by the marketing/promotion department to provide you with access to current information about the offers and activities of Apator Group and other information related to the area of business activity of Apator Group.

Please note that regardless of your given consent to receive the newsletter, the data controllers shall have the right to process your data for the purpose of maintaining business contacts as part of the legitimate interest of the data controller (in accordance with sec. 2 above).

9) Goal: **organisation and promotion of an event**

Legal basis: : Art. 6 sec. 1(f) of GDPR

Processing period: the period of performance of obligations and the limitation period for claims that results from regulations or until the date of acceptance of an objection made under Art. 21 of GDPR.

In the case of using the electronic forms to register for the event (conference, training) or other events organised by Apator Group, the data shall be processed to organise the event and to contact you with updates on the event or possible settlements.

In the case of registration to take part in a conference, training or other event organised by Apator Group, the data shall be made available to other participants, speakers, hotels and any other entities that are involved in the organisation of the event. Moreover, the information about the speakers shall be made available to the public via the website, the event app or promotional and conference materials.

In that case, your data shall be processed to pursue the legitimate interest of the data controller, such as the execution of concluded contracts, performance of obligations and promotion necessary to organise the events.

You shall have the right to object to the processing of your personal data as indicated in the section "Right to object".

10) Purpose: **interaction with the media, promotion in the media related to the activities, services and products offered by Apator Group**

Legal basis: Art. 6 sec. 1(a) of GDPR

Processing period: until your resignation from being contacted (withdrawal of consent).

In the case of journalists, editors, reporters and other persons who are involved in journalistic activity, personal data shall be processed to maintain business relations between the representatives of Apator Group and the media and to promote activities, services and products of Apator Group. In particular, the above shall cover information on important events, activities, products, services and achievements of the companies that are part of Apator Group.

Contacting the representatives of Apator Group shall be considered as giving consent to maintain such contacts. In the case of giving consent - the consent is voluntary and may be withdrawn at any time, as indicated in the section "Right to withdraw consent".

### **TO WHAT EXTENT DOES APATOR GROUP PROCESS PERSONAL DATA?**

Apator Group processes personal data only to the extent that is necessary to achieve a given purpose (points 1-10 of the section "Legal basis, purposes of processing, processing period").

### **WHO IS THE RECIPIENT OF PERSONAL DATA?**

Apator Group does not share your personal data with any commercial entities, other countries or international organisations.

However, please be aware that personal data shall be made available to the companies that are part of Apator Group and providers of services who have the right to access the data:

- a) companies that are part of Apator Group, based on internal contracts,
- b) legal, tax and accounting consulting firms,
- c) entities that are responsible for the maintenance of software used by Apator Group for correspondence and saving important information,
- d) entities that provide maintenance and technical support services for the devices,
- e) subcontractors and commercial representatives of Apator Group with whom the Group has entered into agreements for the processing of data if, based on the correspondence, the Group is required to provide specific services,
- f) banks that perform financial transactions.

Every subcontractor shall only receive the data that is necessary to achieve a given purpose, such entities are required to maintain confidentiality and ensure the protection of privacy and security of personal data entrusted to them.

Your personal data shall also be made available to state authorities or other entities that are authorised to obtain personal data under applicable laws, e.g., courts, law enforcement agencies or state institutions.

### **HOW DOES APATOR GROUP PROCESS PERSONAL DATA?**

Personal data is processed in accordance with the applicable law, in particular with the provisions of the Personal Data Protection Act and the General Data Protection Regulation.

The Group follows certain principles when processing your personal data:

- a) **Principle of fairness**

The Group processes only a certain type of personal data that is necessary to achieve a specific purpose of the processing of data; the Group has performed an analysis to confirm whether this principle is followed during each process.

b) **Principle of transparency**

You shall have the right to be fully aware of what is happening to your data. This document, in which the Group tries to give you full information about the principles regarding the processing of your personal data, is a manifestation of the above.

c) **Principle of accuracy**

The Group tries to ensure that your personal data collected in our systems is up to date and correct. Should you find out that, in any area, your personal information has not been updated or is incorrect, please contact us.

d) **Principle of integrity and confidentiality**

The Group takes all necessary security measures to ensure the confidentiality and integrity of your personal data. They are improved on a regular basis along with the changing environment and technological progress. Such securities include physical and technological measures limiting access to your data and other measures preventing the loss of your data.

e) **Principle of accountability**

The Group would like to be able to account for each of the operations related to your personal data and to provide you, at your request, with full and reliable information on all the operations concerning your data performed by the Group.

## WHAT ARE YOUR RIGHTS?

The data protection law gives you a number of rights that you may exercise at any time. As long as the rights are not abused (e.g. daily unreasonable requests for information), they may be exercised easily and free of charge.

Your rights shall include:

a) **The right to access your personal data and to request a copy of it**

You shall have the right to ask the Group to export all the information from the databases of the Group and to send it to you in one of the commonly used formats (e.g. XLSX, DOCX etc.).

b) **Right to rectification of data**

Should you find out that the data processed by the Group is incorrect, you shall have the right to ask the Group to rectify the details and the Group shall be obliged to do so. In such a case, the Group shall have the right to ask you to submit a document or any other evidence to confirm the data.

c) **Right to limit the processing of data**



If, despite the fact that the Group follows the principle of fairness referred to in the section "How does Apator Group process personal data?", you believe that the Group processes a too broad scope of your personal data for a specific purpose, you shall have the right to demand to limit the scope of processing the data. The Group shall accede to your request provided that it is not contrary to the requirements imposed on the Group by the applicable law or it is not necessary for the performance of the contract.

**d) Right to request the erasure of data**

This right, also known as the right to be forgotten, is your right to request to erase all the information containing your personal data from the database systems and documents of the Group. Please note that the Group shall not be able to do so if the Group is obliged to process your data under the law (e.g. to keep employee records, tax settlements). However, in any case, the Group shall erase your personal data to the fullest extent possible, and where it is not possible, the Group shall ensure their pseudonymisation (which means that the data subject can no longer be identified without the appropriate set of additional information), as a result of which your personal data that the Group is required to store in line with the applicable law shall only be available to a very limited group of persons in the organisation.

**e) Right to transfer data to another data controller**

Pursuant to the General Data Protection Regulation, you shall have the right to ask the Group to export the data you had provided to the Group in the course of all our correspondence and cooperation to a separate file and to transfer it to another data controller.

You may exercise the above-mentioned rights by contacting the Group via the email addresses indicated in the section "Who are we?" or by sending an email to the specific company or to the designated Data Protection Officer.

You may also use the above-mentioned contact details to report any action or situation that raises your doubts or ensure whether it is consistent with the law or does not violate your rights or freedom. In such a case, the Group shall answer your questions and dispel your doubts and the Group shall investigate a given matter immediately.

**f) The right to lodge a complaint with a supervisory authority**

Should you believe that the Group has violated the principles related to the processing of your personal data, you shall have **the right to lodge a complaint directly with a supervisory authority** (this position has been held by the President of the Personal Data Protection Office since 25 May 2018). To exercise this right, you shall provide a full description of the situation and indicate which action you consider as the one violating your rights or freedom. The complaint should be submitted directly to the supervisory authority.

## RIGHT TO WITHDRAW CONSENT

In the event that Apator Group processes your data solely based on your given consent, you shall have the right to withdraw your consent at any time and the Group shall stop processing the data.

You may exercise the above-mentioned right by contacting the Group via the email addresses indicated in the section "Who are we?" or by sending an email to the specific company or to the designated Data Protection Officer.

However, please be advised that the withdrawal of consent has an effect on the future, i.e. from the moment of submitting the declaration of withdrawal of consent and does not affect the lawfulness of data processing carried out prior to the submission of this declaration.

## RIGHT TO OBJECT

The Group would like to inform you separately that you shall also have the right to the so-called objection to the processing of personal data.

You may exercise the right to object if you do not want the Group to process your personal data for a specific purpose. In such a case, the Group shall continue processing your data for other purposes (other processes) but not for the purpose to which you have objected unless your request is contrary to the obligation imposed on the Group by the law.

You may exercise the right to object by contacting the Group via the email addresses indicated in the section "Who are we?" or by sending an email to the specific company or to the designated Data Protection Officer.

Your personal data shall not be processed in an automated way and shall not be used for the purposes of profiling.

## CONSEQUENCES OF REFUSAL TO PROVIDE DATA

In the case of electronic forms - providing the data is voluntary, however, failure to provide the data indicated as obligatory (required) makes it impossible to send the form and subsequently, depending on the type of form, makes it impossible to download a file, participate in an event, subscribe to the newsletter database or to receive a reply to a question.

In the case of data collected by the representatives of Apator Group, related to purchasing, sales or marketing activities - providing the data is fully voluntary, however, failure to provide the data may result in the lack of possibility to contact you in the future. In the case of data of persons who are parties to a contract/purchase order concluded with Apator Group - providing the data is necessary to perform the contract and the fulfilment of the legal duties is the condition to conclude and perform the contract.

Provision of your personal data in the scope resulting from Art. <sup>221</sup> of the Labour Code is necessary to participate in the recruitment process under the Labour Code. Provision of other data is voluntary.

Provision of your personal data for other recruitment proceedings conducted by the companies that are part of Apator Group is voluntary but necessary for the process.

## FINAL REMARKS

The document Principles regarding the processing of personal data is based on GDPR since it is European regulation that applies to the majority of the companies that are part of Apator Group.

George Wilson Industries Ltd. (British company) and ZAO Teplovodomer (Russian company) conclude contracts in accordance with the law in force in those areas and process personal data in accordance with it.