

**ENERGO-PRO GROUP**

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**EXTERNAL DATA PROTECTION  
POLICY**

**2021**



**EXTERNAL DATA PROTECTION POLICY**

**1. Introduction**

Our core business is the hydropower sector. We operate hydropower plants in Central and Eastern Europe, the Black Sea and the Caucasus. We are also engaged in the electricity distribution and power trading, operating large-scale distribution grids in Bulgaria and Georgia with more than 2.3 million grid customers.

Our company was established in 1994 in the Czech town of Svitavy, participating in the modernization and rehabilitation of hydropower energy in Central and Eastern Europe in the period of economic transition. The total installed capacity of our power plants is 1,243 MW, while the annual power generation is more than 3.8 TWh.

One part of our group is the Slovenian manufacturer of water turbines, Litostroj Power d.o.o., with projects delivered to more than 60 countries worldwide. Its subsidiary, Litostroj Engineering a.s., registered in the Czech Republic (formerly known as ČKD Blansko Engineering, a.s.), focuses on research, design and engineering works. Litostroj Group also supplies equipment for hydropower plants, including pumped-storage HPP and pumping stations.

**2. What this is about**

We take your privacy very seriously. Please read this data protection carefully as it contains important information on who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

We collect, use and are responsible for certain personal data about you. When we do so we are subject to the EU General Data Protection Regulation ("**EU GDPR**") and national data protection laws and regulations.

**3. Key terms**

It would be helpful to start by explaining some key terms used in this policy:

We, us, our	ENERGO-PRO Group <sup>1</sup>
Our data protection officer	Marina Radeva
Personal data	Any information relating to an identified or identifiable individual
Special category personal data	Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership Genetic and biometric data (when processed to uniquely identify an individual) Data concerning health, sex life or sexual orientation
Data subject	The individual to whom the personal data relates

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<sup>1</sup> The Group includes DK Holding Investments, s.r.o., the sole and direct shareholder of ENERGO-PRO a.s., and all of its direct and indirect subsidiaries.

#### **4. Who we are**

##### **Our website**

We are the controller of personal data obtained via our website, meaning we are the organisation legally responsible for deciding how and for what purposes it is used.

##### **IP addresses**

An IP address is a number assigned to your computer whenever you access the internet. It allows computers and servers to recognize and communicate with one another. IP addresses from which visitors appear to originate will be recorded for IT security and system diagnostic purposes. This information will also typically be used in aggregate form to conduct web site trend and performance analysis.

##### **Cookies**

Cookies will typically be placed on your computer or internet-enabled device whenever you visit us online. This allows the site to remember your computer or device and serve a number of purposes.

On some of our web sites, a notification banner will appear allowing you to manage your consent to collect cookies (cookie banner). Below is a summary of the categories of cookies collected on our websites, and how your consent may impact your experience of certain features as you navigate those websites:

**Strictly necessary cookies:** Strictly necessary cookies are essential in order to enable users to move around the website and use its features, such as accessing secure areas of the website. These cookies must be enabled or the site will not function, and cannot be blocked.

**Performance cookies:** Performance cookies are cookies used to gather data to enhance the performance of a website.

You can manage your consent for performance cookies using the cookie banner, or by updating your browser's settings (often found in your browser's Tools or Preferences menu) to not accept cookies.

**Functionality cookies:** Functionality cookies are used to remember customer selections that change the way the site behaves or looks. You may opt-out of these cookies, but it will impact your experience on the website, and you may need to repeat certain selections each time you visit.

You can manage your consent for functionality cookies using the cookie banner, or by updating your browser's settings (often found in your browser's Tools or Preferences menu) to not accept cookies.

**Targeting cookies or advertising cookies:** Targeting cookies are used to deliver content relevant to your interests. They are also used to limit the number of times you see certain marketing materials, as well as help measure the effectiveness of those marketing materials. If

you do not provide consent for targeting cookies, your computer or internet-enabled device will not be tracked for marketing-related activities.

You can manage your consent for targeting cookies using the cookie banner, or by updating your browser's settings (often found in your browser's Tools or Preferences menu) to not accept cookies.

Although most browsers automatically accept cookies, you can choose whether to accept cookies via the cookie consent banner or your browser's settings (often found in your browser's Tools or Preferences menu). If you wish to revoke your selection, you may do so by clearing your browser's cookies, or by updating your preferences in the cookie banner. It may be necessary to refresh the page for the updated settings to take effect.

## **5. Personal data we collect about you**

We may collect and use the following personal data about you:

- Your name and contact information, including email address and telephone number and company details
- Information to check and verify your identity, e.g. your date of birth
- Your gender, if you choose to give this to us
- Location data, if you choose to give this to us
- Your billing information, transaction and payment card information
- Your personal or professional interests
- Your professional online presence, e.g. LinkedIn profile
- Your contact history, purchase history and saved items
- Information from accounts through which you link to us, e.g. Facebook
- Information to enable us to undertake credit or other financial checks on you
- Information about how you use our website, IT, communication and other systems
- Your responses to surveys, competitions and promotions
- Information collected from video surveillance

We collect and use this personal data to provide products and/or services to you. If you do not provide the personal data we ask for, it may delay or prevent us from providing products and/or services to you.

## **6. How your personal data is collected**

We collect most of this personal data directly from you—in person, by telephone, text or email and/or via our website and apps. However, we may also collect information:

- From publicly accessible sources
- Directly from a third party, e.g.:
  - Sanctions screening providers
  - Credit reference agencies
  - Customer due diligence providers
- From a third party with your consent, e.g. e.g. your bank
- From cookies on our website—for more information on our use of cookies, please see the section on cookies above
- Via our IT systems, e.g.:

- From door entry systems and reception logs
- Through automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, email and instant messaging systems

## 7. How and why we use your personal data

Under data protection law, we can only use your personal data if we have a proper reason, e.g:

- Where you have given consent
- To comply with our legal and regulatory obligations
- For the performance of a contract with you or to take steps at your request before entering into a contract, or
- For our legitimate interests or those of a third party

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use your personal data for and why.

What we use your personal data for	Our reasons
Providing products and/or services to you	To perform our contract with you or to take steps at your request before entering into a contract
Preventing and detecting fraud against you or us	For our legitimate interests or those of a third party, i.e. to minimise fraud that could be damaging for you and/or us
Conducting checks to identify our customers and verify their identity Screening for financial and other sanctions or embargoes Other activities necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g. under health and safety law or rules issued by any applicable regulator	To comply with our legal and regulatory obligations
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with our legal and regulatory obligations
Ensuring business policies are adhered to, e.g. policies covering security and internet use	For our legitimate interests or those of a third party, i.e. to make sure we are following our own internal procedures so we can deliver the best products and/or services to you
Operational reasons, such as improving efficiency, training and quality control	For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best products and/or services to you

<b>What we use your personal data for</b>	<b>Our reasons</b>
Ensuring the confidentiality of commercially Sensitive information	For our legitimate interests or those of a third party, i.e. to protect trade secrets and other commercially valuable information To comply with our legal and regulatory obligations
Statistical analysis to help us manage our business, e.g. in relation to our financial performance, customer base, product range or other efficiency measures	For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best products and/or services
Preventing unauthorised access and modifications to systems	For our legitimate interests or those of a third party, i.e. to prevent and detect criminal activity that could be damaging for you and/or us To comply with our legal and regulatory obligations
Updating and enhancing customer records	To perform our contract with you or to take steps at your request before entering into a contract To comply with our legal and regulatory obligations For our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our customers about existing orders and new products
Statutory returns	To comply with our legal and regulatory obligations
Ensuring safe working practices, staff administration and assessments	To comply with our legal and regulatory obligations For our legitimate interests or those of a third party, e.g. to make sure we are following our own internal procedures and working efficiently so we can deliver the best products and/or services to you
Marketing our products and/or services and those of selected third parties to: <ul style="list-style-type: none"> <li>- existing and former customers</li> <li>- third parties who have previously expressed an interest in our products and/or services</li> <li>- third parties with whom we have had no previous dealings</li> </ul>	To promote our business based on your consent
Credit reference checks via external credit reference agencies	For our legitimate interests or those of a third party, i.e. to ensure our customers are likely to be able to pay for our products and services
External audits and quality checks, e.g. for	For our legitimate interests or a those of a

<b>What we use your personal data for</b>	<b>Our reasons</b>
ISO standards or investors and the audit of our accounts	third party, i.e. to maintain our accreditations so we can demonstrate we operate at the highest standards To comply with our legal and regulatory obligations
Video surveillance	For our legitimate interests or those of a third party - security purposes

Where we process special category personal data, we will also ensure we are permitted to do so under data protection laws, e.g.:

- We have your explicit consent
- The processing is necessary to protect your (or someone else's) vital interests where you are physically or legally incapable of giving consent, or
- The processing is necessary to establish, exercise or defend legal claims

## **8. Marketing**

If you have given us your consent, we may contact you (by email, text message, telephone or post) about our products and/or services, including exclusive offers and promotions, that may be of interest to you.

You have the right to opt out of receiving marketing communications at any time by:

- Contacting us at by email (sent to your usual contact person); or
- Using the 'unsubscribe' link in emails or 'STOP' number in texts.

We may ask you to confirm or update your marketing preferences if you ask us to provide products and/or services in the future, or if there are changes in the law, regulation, or the structure of our business.

We will always treat your personal data with the utmost respect and never sell or share it with other organisations outside ENERGO-PRO Group for marketing purposes.

## **9. Who we share your personal data with**

We routinely share personal data with:

- Companies within ENERGO-PRO Group
- Third parties we use to help deliver our products and/or services to you, e.g. payment service providers, warehouses and delivery companies
- Other third parties we use to help us run our business, e.g. marketing agencies or website hosts;
- Third parties approved by you, e.g. social media sites you choose to link your account to or third party payment providers
- Credit reference agencies
- Our insurers and brokers

- Our banks

We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers to ensure they can only use your personal data to provide services to us and to you. These companies will have access to your personal information as necessary to perform their functions, but they may not use that data for any other purpose.

We may also need to:

- Share personal data with external auditors
- Disclose and exchange personal data with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations
- Share some personal data with other parties, such as potential buyers of some or all of our business or during a restructuring—usually, information will be anonymised but this may not always be possible, however, the recipient of the information will be bound by confidentiality obligations

We may share or transfer your personal data in connection with, or during the negotiations of, any merger, sale of our company assets, financing, or acquisition of all or a portion of our business to another company, even if they are not in the same line of business as us. Our customer database could be sold separately from the rest of the business, in whole or in part. Potential purchasers and their professional advisors may have limited access to data as part of the sale process. However, use of your personal data will remain subject to this data protection. Similarly, your personal data may be passed on to a successor in interest in the unlikely event of a liquidation, bankruptcy or administration.

If you would like more information about who we share our data with and why, please contact us (see '**How to contact us**' below).

## **10. Recruitment**

If you apply to work with us, we will use the information you supply to process your application and to monitor recruitment statistics. We may transfer your details outside of your home country and to other companies or locations in our group. We will ask you to sign up to additional privacy terms if you apply for a job with us. Once a person has taken up employment with us, we will compile a file relating to their employment. At that stage we will give more details about how we hold employee data and we will expect the employee to sign up to additional privacy terms as part of their employment.

If you apply to work with us through a third party, such as a recruitment consultant, please also check their data protection before proceeding. We do not encourage unsolicited approaches either directly or from third parties – please do not send personal data to us unless the data subject has read and agrees to this data protection.

We may retain details of candidates who may be of interest to us, either now or in the future, for up to six months. If you would not like us to do that please let us know. Additionally, if your circumstances change – for example you no longer wish to be considered by us for employment – please let us know that too.



We may use third parties to consider potential hires. We may also verify details in your application and make what we consider to be reasonable and necessary background checks about you. These background checks may require a 3rd party to contact you and obtain information.

### **11. Where your personal data is held**

Personal data may be held at our offices and those of our group companies, third party agencies, service providers, representatives and agents as described above (see '**Who we share your personal data with**' above).

Some of these third parties may be based outside the EEA. For more information, including on how we safeguard your personal data when this happens, see '**Transferring your personal data out of the EEA**' below.

### **12. How long your personal data will be kept**

We will keep your personal data while you have an account with us or we are providing products and/or services to you. Thereafter, we will keep your personal data for as long as is necessary:

- To respond to any questions, complaints or claims made by you or on your behalf
- To show that we treated you fairly
- To keep records required by law

We will not keep your personal data for longer than necessary. Different retention periods apply for different types of personal data.

We also take reasonable efforts to retain personal information only for so long i) as the information is necessary to comply with an individual's request, ii) as necessary to comply with legal, regulatory, internal business or policy requirements, or iii) until that person asks that the information is deleted. The period for which data is retained will depend on the specific nature and circumstances under which the information was collected.

When it is no longer necessary to keep your personal data, we will delete or anonymise it.

### **13. Transferring your personal data out of the EEA**

To deliver products and/or services to you, it is sometimes necessary for us to share your personal data outside the EEA, e.g.:

- With our offices or other companies within our group located outside the EEA
- With your and our service providers located outside the EEA
- If you are based outside the EEA

Under data protection law, we can only transfer your personal data to a country or international organisation outside the EEA where:

- The European Commission has decided the particular country or international organisation ensures an adequate level of protection of personal data (known as an 'adequacy decision');
- There are appropriate safeguards in place, together with enforceable rights and effective legal remedies for data subjects; or
- A specific exception applies under data protection law

As mentioned above, we may transfer your personal data to certain countries on the basis of an adequacy decision. Please see the European Commission's list of countries for which there is an adequacy decision here: [https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en).

The list of countries that benefit from adequacy decisions will change from time to time. We will always seek to rely on an adequacy decision, where one exists.

#### **14. Transfers with appropriate safeguards**

Where there is no adequacy decision, we may transfer your personal data to another country if we are satisfied the transfer complies with data protection law, appropriate safeguards are in place, and enforceable rights and effective legal remedies are available for data subjects.

The safeguards will usually include using legally-approved standard data protection contract clauses.

#### **15. Further information**

If you would like further information about data transferred outside the EEA, please contact our Data Protection Officer (see '**How to contact us**' below).

#### **Your rights**

You have the following rights, which you can exercise free of charge:

Access	The right to be provided with a copy of your personal data
Rectification	The right to require us to correct any mistakes in your personal data
Erasure (also known as the Right to be Forgotten)	The right to require us to delete your personal data – in certain situations
Restriction of processing	The right to require us to restrict processing of your personal data in certain circumstances, e.g. if you contest the accuracy of the data
Data portability	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party – in certain situations
To object	The right to object: <ul style="list-style-type: none"> <li>- at any time to your personal data being processed for direct marketing (including</li> </ul>

	profiling) - in certain other situations to our continued processing of your personal data, e.g. processing carried out for the purpose of our legitimate interests
Not to be subject to automated individual decision making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you

For further information on each of those rights, including the circumstances in which they apply, please contact us (see '**How to contact us**' below) or see <https://eur-lex.europa.eu/eli/reg/2016/679/oj>.

If you would like to exercise any of the above-mentioned rights, please:

- Complete a data subject request form – available on our website
- Email, call or write to us (see '**How to contact us**' below)
- Provide enough information to identify yourself e.g. your full name, address and customer or matter reference number and any additional identity information we may reasonably request from you
- Let us know what right you want to exercise and the information to which your request relates.

## **16. Keeping your personal data secure**

We have implemented what we consider to be reasonable appropriate security measures to prevent personal data from being accidentally lost, or used or accessed unlawfully. We limit access to your personal data to those who have a genuine business need to access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

However, despite our safeguards and efforts to secure your information, no electronic transmission over the Internet or information storage technology can be guaranteed to be totally secure, so we cannot promise or guarantee that hackers, cybercriminals, or other unauthorised third parties will not be able to defeat our security, and improperly collect, access, steal, or modify your information. Although we will do our best to protect your personal data, transmission of personal data to and from our website is at your own risk. You should only access the website within a secure environment.

As regards the Investors Section on the Investor Relations part of our website, it remains your responsibility where you are a registered user of the website:

- To log off or exit from the website when not using it
- To ensure no-one else uses the website while your device is logged on to the website (including by logging on to your device through a mobile, Wi-Fi or shared access connection you are using)

- To keep your password or other access information secret. Your password and log in details are personal to you and should not be given to anyone else or used to provide shared access, for example over a network. You should use a password which is unique to your use of the website – do not use the same password as you use for another site or email account

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

The website may contain links to third parties' websites. We are not responsible for the privacy practices or the content of those websites. Therefore, please read carefully any privacy policies on those links or websites before either agreeing to their terms or using those websites.

We may also use Google Analytics to gather statistics on site usage. This may involve the use of cookies. There are more details in Google's own data protection. Google may aggregate data they collect from their various services including Google Analytics, Google Translate, Google Maps and YouTube. You acknowledge and accept that we have no control over Google's data collection. You should look at Google's data protection for details of their data collection practices.

If you have asked us to share data with third party sites (such as social media sites), their servers may not be secure.

Please also note that, despite the measures taken by us and the third parties we engage, the internet is not secure. As a result, others may unlawfully intercept or access private transmissions or data.

## 17. How to complain

Please contact us if you have any query or concern about our use of your information (see '**How to contact us**' below). We hope we will be able to resolve any issues you may have.

You also have the right to lodge a complaint with the National Data Protection Authority or any other relevant European data protection supervisory authority in your case. The principal Data Protection Authorities relevant to our group are as follows:

Czech Republic	Office for Personal Data Protection	<a href="https://www.uoou.cz">https://www.uoou.cz</a>
Bulgaria	Bulgarian Data Protection Authority	<a href="https://www.cdpd.bg">https://www.cdpd.bg</a>
Turkey	Turkish Data Protection Authority	<a href="https://www.kvkk.gov.tr">https://www.kvkk.gov.tr</a>
Georgia	Office of the Personal Data Protection Inspector	<a href="https://personaldata.ge/ka">https://personaldata.ge/ka</a>
Slovenia	Information Commissioner of the Republic of Slovenia	<a href="https://www.ip-rs.si">https://www.ip-rs.si</a>
Switzerland	Federal Data Protection and Information Commissioner	<a href="https://www.edoeb.admin.ch">https://www.edoeb.admin.ch</a>

**18. Changes to this data protection**

This privacy notice was published on 1.3.2021.

We may change this privacy notice from time to time—when we do we will inform you via our website and/or email. Accordingly, we encourage you to review this data protection frequently to be aware of any changes.

**19. How to contact us**

You can contact us and/or our Data Protection Officer by post, email or telephone if you have any questions about this data protection or the information we hold about you, to exercise a right under data protection law or to make a complaint.

Our contact details are shown below:

Our contact details	Our Data Protection Officer's contact details
marina.radeva@energo-pro.bg	Office for Personal Data Protection Úřad pro ochranu osobních údajů Pplk. Sochora 27 170 00 Praha 7