

First Amendment to the Single Day-Ahead Coupling Operations Agreement (DAOA) – Annex 7 : New  
Annex 11 to the DAOA – Controller Information Clause  
Confidential

**Annex 7 to the First Amendment to the Single Day-Ahead Coupling  
Operations Agreement:**

**New Annex 11 to the DAOA – Controller Information Clause**

## **Annex 11 to the DAOA – Controller Information Clause**

### **Section 1. Purpose of this Annex**

Pursuant to Article 28 of the DAOA this Annex contains individual Party information concerning the processing of personal data by such Party.

### **Section 2. Information clause of TGE for persons authorised to represent the entity and persons indicated as business contacts**

**Information concerning the processing of personal data by Towarowa Giełda Energii S.A. in connection with the requirements of Articles 13 and 14 of 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)(hereinafter “GDPR”).**

The controller of the data of the persons authorized to represent the entity and the persons indicated as business contacts is Towarowa Giełda Energii S.A. (TGE), ul. Książęca 4, 00-498 Warszawa, phone: +48 22 341 99 12, [tge@tge.pl](mailto:tge@tge.pl).

The controller has appointed a personal data protection officer, who can be contacted at:  
[daneosobowe@tge.pl](mailto:daneosobowe@tge.pl).

The scope of personal data to be processed by TGE includes the name and surname, business e-mail address, business telephone number and position, and in case of persons authorized to represent the entity – the name, surname, position and data contained in the current excerpt from the relevant register, or the data contained in the power of attorney.

The personal data of persons authorised to represent the entity and the data of persons indicated as business contacts will be processed by TGE according to Article 6(1)(f) GDPR, i.e. on the basis of a legitimate interest of the controller which is to verify the correct representation of the entity in connection with a declaration of will being made, exchanging communication in connection with the conclusion or performance of a contract, maintaining and developing business relations, or asserting, pursuing or defend oneself against possible claims. The recipients of the data may include entities engaged in the processing of personal data on behalf of TGE in connection with the services provided to TGE, e.g. consulting and IT services.

Every person has the right to request access to, rectification, erasure, restriction of processing and the transfer of his or her personal data. Every person has the right to object to the processing of personal data to the extent that the processing of personal takes place on the basis of a legitimate interest of the Controller. Every person has the right to lodge a complaint against the processing of his/her data with the President of the Personal Data Protection Office.

The indication of persons authorised to represent the entity is required as a condition to the execution of the contract. The provision of the data of persons indicated as business contacts is voluntary but a failure to provide such data will impede communication and contact with the counterparty in connection with the contract.

Any inquiries or requests related to the processing of personal data by TGE should be sent to the following e-mail address: [daneosobowe@tge.pl](mailto:daneosobowe@tge.pl).

### **Section 3. PSE's information obligation stemming from personal data protection regulations**

#### Part A – applicable to counterparties of PSE S.A. being natural persons and conducting business activity as sole proprietors

Polskie Sieci Elektroenergetyczne S.A. with its registered office in Konstancin-Jeziorna, ul. Warszawska 165, 05-520 Konstancin-Jeziorna, tel. +48 22 242 26 00 (hereinafter: "PSE") is the Controller of personal data. Contact details of the data protection officer may be obtained after calling +48 22 242 26 00, by sending an e-mail to [daneosobowe@pse.pl](mailto:daneosobowe@pse.pl) or online, at [www.pse.pl](http://www.pse.pl).

Your personal data shall be processed for the purpose of:

- a) concluding and performing the contract - with the execution of the contract serving as the legal basis of processing;
- b) meeting the legal obligations imposed upon PSE pursuant to generally applicable legal regulations, in particular pursuant to accounting and fiscal laws;
- c) pursuing the legitimate interests of PSE that consist in the potential identification or satisfaction of claims or in the defence against claims - with the legitimate interests of PSE serving as the legal basis of processing.

Your personal data (identification details related to your business activity) may be collected directly from you or may be obtained from publicly available registers, or otherwise, in accordance with applicable regulations. Your personal data may be transferred to the suppliers of IT systems and services and to entities rendering, for the benefit of PSE, services, including those of legal character, that are required to execute the contract concluded with you. Your personal data shall be processed over a period of time that is necessary to perform the contract. The processing period may be extended, in each case, by the period of limitation of claims if the processing of personal data turns out to be necessary for PSE to pursue or defend against potential claims. Upon the expiry of such a period of time, your personal data shall be processed solely to the extent and over the period of time required under applicable legal regulations, in particular under accounting and fiscal laws. PSE hereby informs about the right to request, from the Controller, access to, rectification, erasure or restriction of processing of personal data concerning the data subject, as well as about the right to data portability and the right to lodge a complaint with a supervisory authority - President of the Data Protection Office (ul. Stawki 2, 00-193 Warszawa, Poland). As far as the data collected directly from

you are concerned, their provision is required by PSE to conclude and perform the contract. Failure to provide the data shall result in the lack of ability to conclude and perform the contract.

Irrespective of the above, due to the fact that the processing of personal data is based on the premise of the Controller's legitimate interest, PSE informs you about the right to object to the processing of personal data whenever the processing takes place pursuant to that particular legal basis.

Part B - applicable to persons employed by or cooperating with the counterparty of PSE S.A., whose personal data have been made available to PSE S.A.

Polskie Sieci Elektroenergetyczne S.A. with its registered office in Konstancin-Jeziorna, ul. Warszawska 165, 05-520 Konstancin-Jeziorna, tel. 22 242 26 00 (hereinafter: "PSE S.A.") is the Controller of personal data. Contact details of the data protection officer may be obtained after calling 22 242 26 00, by sending an e-mail to daneosobowe@pse.pl or online, at [www.pse.pl](http://www.pse.pl).

Your personal data (contact details) have been obtained directly from you or from the Contractor/Subcontractor you represent. The personal data shall be processed solely for the purpose of: exchanging correspondence with you, establishing contacts related to your activities undertaken on behalf of the Contractor/Subcontractor you represent, including activities resulting from the contract concluded between PSE S.A. and the Contractor, and for the potential establishment, pursuit or defence against any claims. The legal basis for the processing of personal data is the legitimate interest of PSE S.A., consisting in exchanging correspondence with its counterparties and in handling any issues they report, including issues connected with the performance of contracts concluded by PSE S.A. Your personal data shall be processed over a period of time that is necessary to duly cooperate with the Contractor/Subcontractor you represent. The processing period may be extended, in each case, by the period of limitation of claims if the processing of personal data turns out to be necessary for the Controller to establish, pursue or defend against potential claims. Your personal data may be transferred to the suppliers of IT systems and services and to entities rendering, for the benefit of PSE S.A., services that are required to execute the contract concluded with the Contractor you represent. The Controller hereby informs you about the right to request, from PSE S.A., access to, rectification, erasure or restriction of processing of personal data concerning the data subject, as well as about the right to data portability and the right to lodge a complaint with a supervisory authority - President of the Data Protection Office (ul. Stawki 2, 00-193 Warszawa, Poland). The provision of personal data is voluntary to the extent to which they have been obtained directly from you. Failure to provide the data shall result in the lack of ability to maintain a proper relationship with the Contractor/Subcontractor you represent.

Irrespective of the above, due to the fact that the processing of personal data is based on the premise of the Controller's legitimate interest, the Controller informs you about the right to object to the processing of personal data whenever the processing takes place pursuant to that particular legal basis.

#### **Section 4. MAVIR's information on data processing to contributors of business and contractual partners**

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MAVIR hereby informs you that the personal contact data of the natural person employees, the natural persons contracted for the performance of other services, solely or jointly authorized company representatives, contributors, contractual contact persons (hereinafter together referred to as "Contributor") will be processed to the extent necessary for the purpose of the communication under this agreement.

MAVIR declares that "Information leaflet on processing of personal data to contributors of business and contractual partners" to be found at MAVIR's website (<https://www.mavir.hu/web/mavir-en/data-protection>).