

## **Appendix J to the TCMC – Controller Information Clause**

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

Pursuant to article 21.7 of the TCMC, this Appendix contains individual Party information concerning the processing of personal data by such Party.

### **Section 2. 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 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 3. Red Eléctrica's information obligation stemming from personal data protection regulations**

In compliance with the provisions of the regulations on the protection of personal data, in particular, Organic Law 3/2018 of 5 December on the Protection of Personal Data and guarantee of digital rights, and 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 (hereinafter, GDPR), Red Eléctrica de España, S.A.U. informs that you may exercise the following rights over your personal data:

Access: You have the right to access your data to know what personal data we are processing that concerns you.

Rectification or deletion: In some circumstances, you have the right to rectify any personal data that you consider to be inaccurate and that concern you, and that are processed by Red Eléctrica, as well as the right to request the deletion of your data when, among other reasons, the data were no longer necessary for the purposes for which they were collected.

Limitation: In some circumstances, you will have the right to request us to limit the processing of your data, in which case we inform you that we will only store the data on which you have requested limitation in the processing for the exercise or defence of claims.

Portability: In some circumstances, you will have the right to receive the personal data that concern you, and that you have provided us, in a structured format for common use and mechanical reading, as well as to have them transmitted by Red Eléctrica to another data controller.

Opposition: In some circumstances, and for reasons related to your particular situation, you will have the right to object to the processing of your data, in which case, we would stop processing them unless we are obliged to continue to do so for compelling reasons or for the exercise or defence of possible claims.

To exercise your rights, please send a letter to the postal address Paseo Conde de los Gaitanes Nº 177, La Moraleja, 28109 Alcobendas (Madrid). or by e-mail to the following address: [digame@redeia.com](mailto:digame@redeia.com), including "Data Protection" in the subject line. You can also contact our Data Protection Officer at the following address: [dpd@redeia.com](mailto:dpd@redeia.com).

The data controller will take the appropriate measures to provide the interested party with all possible information about the processing of their personal data in accordance with their request within a maximum period of one month from the receipt of the request. This period may be extended for two additional months, depending on the complexity of the case and the number of requests.

You must specify which of these rights he requests to be satisfied and, in turn, must prove your identity in case it is not possible to confirm it in the communication channel of the request. In the event that you are supported by an

intermediary, legal or voluntary, you must also provide a document proving the representation, as well as the identity of said party.

Additionally, in accordance with article 77 of the GDPR, if you consider that your right to the protection of personal data has been violated, you can file a claim with the control authority, in Spain, the Spanish Agency for Data Protection ([http://secure-web.cisco.com/1TREiNyXuIfc0EtiSzRzTR0D5w8Kf\\_6K5kaGQNktQOSU4pTIgYNRaCX9gqNpR2WuFGbcA6Aa51mSGTT6shHFu\\_Yle7W1Dp-xlmfZ6-gzs6PRpNbn75U3niJL1pxFu7U-mweEzEBYe8bYEt1qiSZ2wbqHLLlvF9RGyPufNW9RVgAGhU-aFd07oTDD8LotVITEicVLyxfQgGsvH-1XqyfcX7dPCV5aeWV3mG0kvw9n3H--Ff8ZavgBVD5Kwd0wSdDyoghysllteTVI3YpiIbQI1oQWIeJOB9Lx7eKzR8IUjAz1nNm\\_o\\_UHgF0mu3n-NQGnHJ/http%3A%2F%2Fwww.agpd.es](http://secure-web.cisco.com/1TREiNyXuIfc0EtiSzRzTR0D5w8Kf_6K5kaGQNktQOSU4pTIgYNRaCX9gqNpR2WuFGbcA6Aa51mSGTT6shHFu_Yle7W1Dp-xlmfZ6-gzs6PRpNbn75U3niJL1pxFu7U-mweEzEBYe8bYEt1qiSZ2wbqHLLlvF9RGyPufNW9RVgAGhU-aFd07oTDD8LotVITEicVLyxfQgGsvH-1XqyfcX7dPCV5aeWV3mG0kvw9n3H--Ff8ZavgBVD5Kwd0wSdDyoghysllteTVI3YpiIbQI1oQWIeJOB9Lx7eKzR8IUjAz1nNm_o_UHgF0mu3n-NQGnHJ/http%3A%2F%2Fwww.agpd.es)) or apply to the competent court, in accordance with article 79 of the GDPR. In the same way, we inform you that, in the first instance, you can file a claim with the Data Protection Officer at the following address: [dpd@redeia.com](mailto:dpd@redeia.com).

#### **Section 4. Terna S.p.A.'s information obligation stemming from personal data protection regulations**

Terna S.p.A. informs you that, the "Privacy Law" (referring to EU Regulation 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 (GDPR), Italian Legislative Decree No. 196/2003, as well as any other law regarding the protection of personal information applicable in Italy, including the provisions of the Data Protection Authority) recognises the right to protect personal data and requires that any processing be done in respect of the rights, fundamental freedoms and dignity of natural persons.

Pursuant to the Privacy Law, Terna S.p.A., as Data Controller, provides the following information:

### 1. Personal data processed and source of the data

To negotiate and/or endorse and/or fulfil a contractual relationship with Terna S.p.A., the Data Controller processes demographic and contact information (for example name, surname, etc.), and business information, concerning you or your legal representatives and/or employees and/or collaborators. Data are collected both from you and from your legal representatives and/or employees and/or collaborators, as well as through consultation of databases made available by business information providers and assimilated subjects and/or open-source databases.

### 2. Purpose, method and legal basis

Personal data provided is processed for the purposes indicated below:

- a) the fulfilment of precontractual and/or contractual duties and obligations assumed with the counterparty as part of the contract under negotiation or in progress. The legal basis for processing is established under Art. 6, section 1, letter b of the GDPR;
- b) fulfilment of the obligations required by Italian, EU, and international laws and/or regulations. The legal basis for processing is established under Art. 6, section 1, letter c of the GDPR;
- c) carrying out due diligence activities by consulting business information databases made available by third party providers and/or open-source databases. The legal basis for the processing is the Data Controller's legitimate interest in carrying out a prior assessment of its potential counterparties, pursuant to Art. 6(1)(f) of the GDPR.
- d) protection of the interests or rights of the Data Controller, in or out of court. The legal basis for the processing is Terna S.p.A.'s legitimate interest in the protection of its legal reasons, pursuant to Art. 6(1)(f) of the GDPR.

Providing data for the purposes pursuant to letters a, b, c and d is optional; however, without them, it will not be possible to negotiate and/or endorse a contract with the Data Controller.

### 3. Data recipients

Your personal data may be shared with:

parties typically acting as data processing managers (including but not limited to IT providers). The updated and complete list of managers is available at Terna's registered offices and can be requested from the Data Controller at the addresses indicated in this privacy notice;

Terna employees as "persons acting under the authority of the controller to process personal data";

parties, entities or authorities, autonomous data controllers with whom it is mandatory to share your personal data as part of legal provisions or orders from the authorities.

### 4. Extra-EU transfer

If your personal data is transferred outside the European Economic Area, it will be done so only with the requisite legal orders and guarantees pursuant to Arts. 44-49 of the GDPR. Further information on this point may be requested from Terna S.p.A. and/or the Data Protection Officer at the addresses indicated in this disclosure.

### 5. Data storage and communication

The data provided will be stored for the time strictly necessary to achieve the purposes for which they were collected, after which they will be deleted or destroyed. As a rule, personal data will be retained for ten years after the termination of the contractual relationship, except in cases where further retention is necessary to fulfil regulatory obligations and/or protect the rights and interests of Terna S.p.A. in judicial and/or extrajudicial proceedings.

### 6. Data subjects' rights

With regard to the processing of the personal data that concerns you, you have the power to exercise the rights provided for by the Privacy Law, including:

- a) to access your personal data, obtaining evidence of the purposes pursued by the Data Controller, the categories of data involved, the recipients to whom it may be disclosed, the applicable storage time, and the existence of automated decision-making processes;
- b) to obtain without delay the rectification of inaccurate personal data concerning you;
- c) to obtain, in the cases envisaged, the deletion of your data;
- d) to obtain the restriction of processing or to oppose the same, whenever possible;
- e) to request the portability of the data you provided to Terna S.p.A., i.e., to receive them in a commonly used, structured format, readable by an automatic device, also to transmit such data to another data controller, without any obstruction by Terna itself.

Furthermore, you may lodge a complaint with the Personal Data Protection Authority under the terms of Art. 77 of the GDPR. All requests regarding exercising the rights of the data subject should be addressed to the e-mail address: [privacy@terna.it](mailto:privacy@terna.it).

#### 7. Data Controller and Data Protection Officer

Terna S.p.A. is the Data Controller, with headquarters at Viale Egidio Galbani 70, Rome, Italy. The Data Protection Officer can be contacted at the following e-mail address: [dpo@terna.it](mailto:dpo@terna.it).