



Privacy Notice on personal data processing

Personal data protection is a top priority of VEOLIA ENERGIE ROMÂNIA S.A. (Hereinafter VER) and the VEOLIA Group to which it is affiliated.

VER makes all efforts to process your personal data in accordance with the principles applied at European level, namely the EU Regulation 2016/679 on the protection of natural persons with regard to the processing of personal data and of the free movement of such data (**GDPR**), while also observing the national legislation applicable to data protection (i.e., Law 506/2004 on personal data processing and protection of privacy in electronic communications, as subsequently amended).

This privacy notice (**Notice**) is meant to inform Data Subjects (as defined at art. 1 below), as well as other stakeholders of the data processing activities conducted by VER, when they interact with VER, such as, for example when they conclude a contract for VER services or when they show interest in the VER services, when they visit VER locations or when they navigate the Veolia website.

1. DEFINITIONS

- a) **Personal data** means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that person.
- b) **VER / We / Us/ Data controller** means VEOLIA ENERGIE ROMÂNIA S.A., with its office in BUCHAREST, 60A Tunari str., Ștefan cel Mare Building, 9 floor, district 2, postal code 020528, registered with the Bucharest Trade Registry under no. J40/20081/1992, unique registration code RO1595802. The Customer Relations Center is located in Otopeni locality, 3 Garofițelor Str., Ilfov county. Working hours: Monday-Friday between 08:30 - 15:00.
- c) **VER Affiliates** refer to natural persons / legal entities whose relation with VER may be defined by at least one of the cases described at art. 7, para. 26 letters b), c) and d) of the 2015 Fiscal Code, as subsequently amended.
- d) **Veolia Group** means the group of companies which includes VER, operating in Romania through several companies in areas such as water supply and sewage, energy supply and constructions.
- e) **Third party** means a person other than you, VER or an entity which processes personal data on our account.
- f) **Services** refer to a) basic services accounting for clean water supply (and/or industrial water) and/or processing of wastewater and rainwater through the public sewage system and b) related services provided by VER.
- g) **VER Customers** are users or beneficiaries of VER Services (natural persons or authorized individuals, owners' associations, public institutions, economic agents).
- h) **Potential VER Customers** are persons who initiate the process of concluding a contract for VER Services.
- i) **Data subjects / You** means natural persons / authorized individuals whose personal data is being processed by VER, as per this Privacy Notice. This definition includes: a) natural persons and authorized individuals, customers of VER Services; b) representatives of Owners' Associations, who conclude a contract for VER Services on behalf of the residents of a building; c) members of the Owners' Associations who benefit from VER Services; d) representatives of public institutions or economic agents who represent VER Customers, based on a mandate; e) users of VER's website (<https://www.veolia.ro>); f) Potential VER Customers; g) other natural persons or authorized individuals whose data is being processed as a result of them or other persons using VER Services.
- j) **Privacy Notice on personal data processing** means this document with all its amendments and supplements.
- k) **Veolia website** means the official online page held by Veolia found by accessing <https://www.veolia.ro>.

2. WHO WE ARE

Your personal data controller is VEOLIA ENERGIE ROMÂNIA S.A., with identification data mentioned at Chapter 1 above, company part of VEOLIA Group. VER is the operator of the heat supply services in Otopeni locality, (hereinafter referred to as the "Public Service"), under the contract for delegation of the management public service of heat supply in Otopeni locality, concluded with City Hall Otopeni no. VER 9662/25.11.2009 ("Contract for Delegation").

With the Delegation Contract, City Hall Otopeni, as Delegator, has granted VER, as Delegatee, the right to provide the public service of heat supply in Otopeni locality, including the right and obligation to manage and operate the technical-urbanistic infrastructure associated with this Service within the administrative-territorial area of Otopeni.

In this capacity, VER has a series of obligations before the Delegator and various public institutions (such as, but not limited to the National Energy Authority – A.N.R.E, National Authority Regulating Public Utility Community Services - ANRSC, competent fiscal authorities) arising from the Delegation Contract and/or relevant applicable legislation, and fulfilling such obligations may entail the disclosure of Personal data of customers (such as, but not limited to name, surname, customer code, address, data on place of consumption, telephone no., email address, index evolution, information on interaction with VER).

3. FROM WHERE WE GET YOUR DATA

3.1 Directly from you, when:

- you sign a Services Contract with VER, and you are the direct beneficiary;
- you file a complaint or submit a request to VER;
- you visit VER locations or participate in events organized by VER;
- you visit the Veolia website;
- you are the representative of a VER customer (owners' associations, public institutions, economic agents).

3.2 Indirectly, when:

- you submit a notification / complaint before an authority or public institution, and we are contacted by the latter to provide a point of view;
- you are part of a litigation in which we are also a party;
- we receive information about you from our Customers or VER Customers / Potential Customers (natural persons or legal entities). For example, when a Potential Customer requests the provision of VER Services, We may request (i) proof of ownership or right to use the space where the VER Services would be provided or (ii) a mandate from the other co-owners. By default, these documents contain both data of VER Customers / Potential Customers, as well as of other persons, such as: identification data of the former owner (with a sales contract), data of co-owners (when a mandate is submitted to VER).
- by consulting public data bases (i.e., Trade Registry);
- from authorities or public institutions;
- when we conduct investigations or internal audits, your data may be provided by our consultants or our employees in order to clarify the situation under investigation.

4. YOUR RIGHTS

4.1 About your rights

When personal data is processed, you benefit from certain fundamental rights detailed below.

Please note that the rights set out by the legislation are not absolute - they should always weigh the circumstances in which your data is processed by the data controller, the technical and organizational measures implemented in reference to the data processing, the purposes for which the data is processed and the legal basis underlying the processing activities. There are cases when the data controller may have reasonable reasons to refuse the request of a data subject. The exercise of your rights should not adversely impact the rights and freedoms of other data subjects.

4.2 How to exercise your rights. The Bureau of the Data Protection Officer. The Authority for Data Protection (ANSPDCP)

As you can see below, certain rights may be easily exercised (i.e. The right to object to data processing through cookies technologies), however, for all other instances when you wish to exercise your rights, please submit a written, signed and dated request to the mailing address: **60A Tunari str., Ștefan cel Mare Building, 9 floor, Bucharest, Romania.**

You may also contact the Bureau of the Data Protection Officer, by sending an email at: ro.vas.dpo@veolia.com

Whenever we receive your request, we will make all efforts to prioritize and address it accordingly however, should you not be satisfied with our answer and the solution provided, you may contact the **National Supervisory Authority for Personal Data Processing (ANSPDCP)**, whose contact details are available at www.dataprotection.ro.

4.3 The right to receive accurate and complete information

In order to inform Data subjects of the processing of their data, VER shall make all necessary and reasonable steps to bring this Privacy Notice to your attention, as per art. 13 and 14 of GDPR (if applicable).

The following are some of the means of information:

- a) posting the Privacy Notice public on the Veolia website, under the Terms and conditions section;
- b) attaching this Privacy Notice to the VER Services contract or, if the Data Subject is not a party to the VER Services contract, sending it through VER Customers;
- c) notifying the Data subject of the provisions of this Privacy Notice, no later than at the time of the first communication with the Data subject or no later than the date on which the data is disclosed for the first time to a Third Party;
- d) posting this Policy in the VER locations, Customer Relations center and in any other point of contact with our customers.

4.4 The right to access

This right allows you to receive a confirmation from VER that your personal data is being processed, as well as to access a series of information, such as, but not limited to, targeted personal data categories, purpose of processing, estimated personal data retention period or criteria used to establish this period.

4.5 The right to rectify

This right allows you to request the rectification, without unreasonable delay, of inaccurate, outdated data, and to have incomplete personal data completed.

This right creates an obligation not only for VER, but for you, as well, which is to inform us as soon as possible of any change to your data or the data contained in the VER Services contract (i.e., change of holder, mailing address, number of persons residing at the address or the property's surface).

4.6 The right to have your personal data erased VER Retention policy

You have the right to request the erasure of your personal data held by us in connection with you, under certain circumstances. This right is also known as the "right to be forgotten" and it, usually, applies only under certain conditions, such as when your personal data is no longer necessary for the purpose for which it was initially collected. Please be assured that VER has implemented a Data retention policy applicable to all processing activities and systems containing data. The retention policy is known by the VER staff and entails setting out strict data retention periods, as well as the implementation of a set of measures to minimize access to personal data.

Usually, VER keeps your data:

- a) Throughout the execution of the contract concluded with you (your data being required for this purpose), plus an additional reasonable period (i.e., statutory period of 3 years), depending on data and the purpose for which it is processed;
- b) For a duration set out by the applicable legislation (i.e., services invoices must be kept as per the fiscal financial regulations from 5 to 10 years since issuance, and the data collected from video recordings must be kept for maximum 30 days);

- c) Throughout the duration of a litigation / dispute / investigation / enforcement procedure of a court ruling or other enforceable decisions (such as fiscal invoices issued for water/sewage Services), plus an additional reasonable period (i.e., statutory period of 3 years), depending on data and the purpose for which it is processed;
- d) The data collected through video surveillance cameras is kept for 30 days since the date of recording.

4.7 The right to object to the processing

The right to object allows you, at any given moment and for reasonable and legitimate reasons related to your particular situation, to object to the processing of your personal data, unless when there are legitimate and imperative reasons justifying the processing and prevailing over your interests, rights and freedoms or if the purpose is to find, exercise and defend a right before a court of law.

Specifically:

- a) you may object, at any given moment, to all data processing **based on consent**. Usually, data processing activities based on consent focus on certain marketing and advertising activities (i.e., by calling the Customers Relations service or sending a written request). Your objection to data processing will result in the cessation of the processing. In certain cases, for operational reasons, your preferences will be changed within a reasonable period, as communicated to you;
- b) You may object to the data processing conducted for VER's **legitimate interest**, depending on your actual situation. After analyzing your request, we will decide whether our legitimate interest prevails over your interests and freedoms, and we will inform you of our decision.

4.8 The right not to be subject to an automated individual decision-making

This is your right to not be subject to a decision or measure based solely on automated processing, which produces legal effects concerning you or which affects you in a similar way and to a significant extent.

5. DATA WE PROCESS ABOUT YOU

Depending on the category of data subjects you fall in, VER processes the following data categories (including personal data):

- a) **Identification data** of VER Customers, namely data contained in the Customer's ID (full name, domicile address, ID series and number and personal code) or in the company's registration document (registration number for tax purposes, official address or location where Services are provided, including a copy of the Customer's registration document), name of the representative and authorized person to interact with VER, signature of the Customer or of the authorized person to interact with VER, whichever the case may be);
- b) **Professional data** of VER Customers, namely data concerning the line of business of Customers legal entities (CAEN code) and of authorized individuals (Registration certificate issued by ONRC), as well as the expertise of the authorized person to interact with VER (i.e., profession or occupation) or of the legal representative;
- c) **Contact data**, such as your phone number, mailing address and email address;
- d) **Financial data**, such as information concerning the payment method used for the VER Services, payment behavior, debit flows, payment data, card used, issuing bank, payment order;
- e) **Account / Customer data**, such as customer number, contracted services, value of Services invoiced monthly, average consumption (monthly or daily), whether you are a customer of a different Veolia company in Romania, the status of your customer account (whether you are active, suspended, disconnected);
- f) **Data for Customer Relations management**, such as data about your visits to VER locations, history of complaints and notifications concerning VER Services (i.e., malfunctions or faults), requests concerning personal data processing;
- g) **Data for Dispute / Litigation management**, such as history of disputes / litigations you have against VER or VER Affiliates, your position in the dispute / litigation file (i.e., respondent, claimant, witness), the file object, file status and data contained in the file;
- h) **Data about the use of VER Services**, such as, details concerning your use of VER Services, location where the Services are used, consumed water volume, information about malfunctions of the VER network, details about the services provided by VER Affiliates and used by you;
- i) **Marketing and Advertising Data**, namely data about your preferences to receive or not marketing messages about the VER Services;
- j) **Derived Data**, for example, we may estimate the date on which you pay for the Services, or the payment method used, depending on the payment history or the payment method used recurrently, or your average daily, monthly annual consumption of drinking water;
- k) **Health data**, which we process based on your consent upon request, by invoking medical problems, certain financial aids.

6. LEGAL BASIS FOR PERSONAL DATA PROCESSING

Depending on the purpose and categories of the data processed, VER's processing operations are based on one of the legal grounds below:

- a) The processing is necessary in order to initiate the conclusion of a contract, as well as to conclude or implement a contract to which you are a party;
- b) The processing is necessary in order for VER to fulfil a legal obligation;
- c) The processing is necessary for VER's legitimate purposes or those of a third party, unless when your interests or fundamental rights and freedoms prevail over these interests;
- d) The processing is necessary in order to protect your vital interests or those of another natural person;
- e) The processing is conducted based on your consent.

Please find below details of legal basis for each purpose of data processing.

7. PURPOSES FOR PERSONAL DATA PROCESSING



7.1 Provision of VER Services and contract implementation

By way of example, data processing activities in this category are generated by the following operations conducted by VER:

- Checking your rights over the location where you request the provision of VER Services;
- Accepting the order and sending you the confirmation;
- Checking connecting pipes at the location you requested;
- Signing the contract;
- Checking the water and sewage system;
- Sending messages (by phone or email) about the status of an order or work;
- Sending information concerning the contracted Services - such as, information on amendments to contract terms, fees for certain Services, amendments to this document;
- Retention and archiving of contractual documents.

The data processed for this purpose is: Identification data; professional data; contact data; financial data; account / customer data; data for customer relations management; data on the use of VER Services; marketing and advertising data; health data.

The legal basis for our processing operation is: a) conclusion and implementation of your contract; b) fulfillment of VER's legal requirements set out by the legislation on consumer protection and personal data processing whenever we send information concerning amendments to contract terms or to this document; c) VER's legitimate interest to ensure the functionality of your services at the highest level.

For our legitimate interest, we will use your contact data to inform you of: a) VER's social initiatives; b) new features or facilities of our Services (i.e., activation of electronic invoice); c) updates or upgrades of VER Services or Website; d) awards or certifications obtained by VER; e) to send invitations to attend events organized by VER or by its Affiliates and where VER is a participant.

We believe that this type of information accounts for *courtesy or functional* messages (whichever the case may be) and has a low level of intrusion in your private life, being meant a) on your behalf, to ensure you have a better understanding of VER Services, and b) on our behalf, to enhance transparency towards VER Customers. However, should you request to exclude you from receiving such messages, we will proceed to implementing the restriction to use your data for this purpose.

7.2 Invoicing and payment processing, collection of debt, transfer of debt

By way of example, data processing activities in this category are generated by the following operations conducted by VER:

- Issuance and communication of invoices;
- Processing payments for the services contracted, payment rescheduling;
- Sending messages (by phone or email) about due date, value of amounts due, consequences of delaying payment, payment confirmation;
- Contacting you (by email or by phone) to schedule the visit of VER staff to read the meters;
- Collection of outstanding amounts;
- Transferring debts to third parties, in which case you will be notified, and VER will send you the data necessary to achieve this;
- Forced administration of debt by receivers;
- Suspension or services or disconnection from water/sewage system;
- Creating profiles and payment predictions;
- Archiving payment history, information and supporting documents.

The data processed for this purpose is: Identification data; professional data; contact data; financial data; account / customer data; data for customer relations management; data for dispute / litigation management; data about the use of VER Services.

The legal basis for our processing operations is: a) contract implementation when we invoice you for the services acquired as per the contract, at the fee set out in the contract; b) fulfillment of VER's legal requirements as set out by b1. the fiscal legislation when we issue invoices for services; b2. legislation on archiving when we retain and archive fiscal documents; b3. Civil Code when we notify you of transferring your debt to a third party; c) for VER's legitimate interest, c1. to conduct and carry out debt collection activities; c2. to send information about the issuance of invoices, outstanding amounts, payment confirmation and c3. to sale debt to third parties, after previously informing you, as per the Civil Code.

7.3 Management of the Customer Relations activity

By way of example, data processing activities in this category are generated by the following operations conducted by VER:

- Call-center activities;
- Receiving notifications, communications from you or your representatives concerning your personal data, the VER Services, Service malfunctions;
- Addressing your inquiries;
- Implementation of contractual amendments at your request or following your notifications (change of contact data, mailing address, activation of electronic invoice).

The data processed for this purpose is: Identification data; professional data; contact data; financial data; account / customer data; data for customer relations management; data on the use of VER Services; marketing and advertising data.

The legal basis for our processing operations is: a) conclusion and implementation of the contract in terms of our obligations to address your complaints; b) fulfillment of VER's legal obligations as set out for consumer protection and personal data protection; c) for VER's legitimate interest, namely: c1. to implement and carry out Customer Relations management activities and debt collection operations; c2. to analyze the interaction between our consultants / employees and you.

7.4 Fraud, disputes, investigations launched by authorities, meeting legal obligations

By way of example, data processing activities in this category are generated by the following operations conducted by VER:



- Managing fraud and tampering with the public water and sewage system, as well as of frauds and security breaches to VER's IT and security system, by sending documents and information to criminal investigation bodies, mediators, courts of law, parties in the case, attorneys;
- Managing of litigations or disputes of any kind, by sending documents and information to various authorities / public institutions with control powers in this field, criminal investigation bodies, mediators, courts of law, parties in the case, attorneys;
- Managing inquiries from authorities / institutions (i.e., Police, Anti-corruption Agency) to provide data (including personal data), based on the rights and responsibilities pertaining to these authorities / institutions under the law and submission of such data to them (including personal data) following a due diligence process to check the legality of such requests;
- Managing the casework generated by investigations carried out by authorities (such as Competition Council, ANSPDCP, Consumer Protection Offices, Environmental Authority, State Inspectorate for Constructions, National Administration of Romanian Waters, Police, Prosecutor's Office, etc.).

The data processed for this purpose is: Identification data; professional data; contact data; financial data; account / customer data; data for customer relations management; data for dispute / litigation management; data about the use of VER Services, marketing and advertising data; derived data.

The legal basis: a) our legal obligation to report security breaches as per GDPR and send data and reports to regulatory authorities; b) our legitimate interest to manage any disputes and litigations accordingly, as well as to protect our rights and interests throughout. Depending on the specific applicable procedures, the law may also require us to disclose information (which also contain personal data) to third parties.

7.5 Improving Services, systems and internal processes

By way of example, data processing activities in this category are generated by the following operations conducted by VER:

- Conducting polls on the quality of services provided by VER, by contacting VER Customers by phone.
- Conducting audits to evaluate the VER Services, systems, processes, which may entail involuntary data processing or aggregated data processing;
- Conducting audits to evaluate the way in which our data processors process your personal data.
- Creating profiles and predictions on the use of the Services.

The data processed for this purpose is: Identification data; professional data; contact data; financial data; account / customer data; data for customer relations management; data for dispute / litigation management; data about the use of VER Services, marketing and advertising data; derived data.

The legal basis: our legitimate interest to evaluate and improve the VER Services, systems and processes, as well as our legitimate interest to evaluate our contractual partners to provide quality services through them.

7.6 Marketing and advertising

By way of example, data processing activities in this category are generated by the following operations conducted by VER:

- Using your contact info to send marketing and advertising messages, to invite you to participate in campaigns, competitions, promotional lotteries, to promote Related services part of VER portfolio;
- Creating simple profiles, by combining simple and minimum data.

The legal basis: a) your consent when using automated means of communication with you (such as SMS/MMS, automated calls and emails); b) VER's legitimate interest when we contact you for Marketing and Advertising purposes through human operators (personalized phone calls or emails) and when we create simple profiles, in order to understand how VER Services are used and send you commercial communication adapted to your consumption needs.

8. RECIPIENTS OF YOUR DATA

The recipients of your data are VER VRdata processors, independent controllers or joint controllers with whom we collaborate based on written agreements. The categories of recipients are:

- The companies part of Veolia Group in Romania, when they provide certain services to us;
- Our partners who conduct various works or services for our Customers (i.e., construction works at the Customer's address, repair works, water analysis laboratories);
- Our IT&C partners contracted to manage VER's IT and security system, to ensure VER's website maintenance, technical equipment, electronic storage of documents, management of email service;
- Delivery and printing companies, contracted to manage the invoicing and delivery process;
- Market research and polling agencies, contracted when we wish to improve our Services and find out the opinion of VER Customers about the Services provided;
- Advertising agencies, to conduct marketing and advertising campaigns;
- Electronic communication operators and service integrators, to send notifications via SMS/emails to you;
- Public authorities and institutions, courts of law;
- Third-party consultants (i.e., external attorneys, mediators, auditors, judicial experts), when involved in litigations or other activities that require their professional expertise;
- Banking institutions and payment service integrators with whom we collaborate to collect payment for the invoices issued;
- Entities which provide video surveillance systems, including the electronic communication operator.



9. WHERE WE KEEP YOUR DATA

We may keep your data:

- a) **Digitally**, on our systems and servers or on those belonging to our partners, within the European Economic Area;
- b) **In hard copy**, in the VER data archive.

10. RELATED DOCUMENTS

This document is an integral part of the VER Services Agreement and is applicable as of October 1st, 2020.

11. AMENDMENTS TO THIS PRIVACY NOTICE

We may change this Privacy Notice whenever required - for example, with every new purpose, new data processed, new category of recipients or with the amendment of the legislation on data protection, new guidelines, or opinions of the competent authorities. Every time we change it, all amendments will be highlighted within the document. This Privacy Notice is applicable as of October 1st, 2020, and is available on Veolia's website, under the Terms and Conditions section.