

# Information on Personal Data Processing

## for Data Subjects

**Provided in accordance with Act No. 110/2019 Coll. on Personal Data Processing, as in effect, 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, and repealing Directive 95/46/EC**

This document provides information on your rights and on the principles and procedures for processing your personal data in accordance with the provisions of Act No. 110/2019 Coll. on Personal Data Processing, as in effect ("Personal Data Processing Act"), 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 ("GDPR"), and Act No. 480/2004 Coll. on Certain Information Society Services, as in effect.

By issuing this document, the Controller of personal data, Storage CZ, s.r.o., Limuzská 3135/12, 108 00 Prague 10 – Strašnice, Business ID: 27892077, registered under Reg. No. C 124711 in the Commercial Register maintained by the Prague Municipal Court, fulfills the requirement laid down in Article 13 GDPR to provide in a transparent manner information on the processing of personal data to data subjects, such as customers and third parties.

The principles laid down in this document serve for information and legally normative purposes. They are not part of agreements entered into with the Controller.

### 1 DEFINITIONS

**Data subject:** (also referred to as "Applicant"): A natural person, including self-employed person, whose personal data are processed, such as current or former customer, supplier's or customer's employee, property owner, or any other third party.

**Personal data:** Any information on an identified or identifiable Applicant; an identifiable Applicant is a natural person who can be identified, directly or indirectly, in particular by reference to a certain identifier such as name, identification number, location data, online identifier, or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of such a natural person.

**Controller: Gas Storage CZ, s.r.o.** ("Gas Storage), a company with registered office at Limuzská 3135/12, 108 00 Prague 10, Business ID: 27892077, registered under Reg. No. C 124711 in the Commercial Register maintained by the Prague Municipal Court. The Controller determines the means and purposes of personal data processing, carries out personal data processing, and is responsible for personal data processing. Gas Storage may empower or charge a processor with the processing of personal data, unless prohibited by the law.

**Processor:** Any entity that processes personal data based on the law or authorization granted by Gas Storage under a personal data processing agreement in accordance with the Personal Data Processing Act and the GDPR.

**Profiling:** Any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person's work performance, economic situation, medical condition, personal preferences, interests, reliability, behavior, location, or movements.

**Purpose of personal data processing:** The objective (business activity) for which it is necessary or appropriate to process personal data.

**Scope of personal data processing:** The scope of a data subject's specific personal data processed for a certain purpose.

**Biometric signature:** Biometric or visible digital signature is a secure method for signing electronic documents thanks to recording original and unique characteristics (signature speed, acceleration, pressure, duration, etc.) of the person signing an electronic document.

**Cookies:** Electronic data which a WWW server sends to a browser and which the browser subsequently saves on the user's computer. During every subsequent visit to the same server, the browser sends such data back to the server. Cookies normally serve for differentiating between specific users, storing user settings, etc.

**Data Protection Officer (DPO):** A person possessing professional competences, particularly technical knowledge of law and the practical aspects of personal data protection. The main tasks of the Data Protection Officer include monitoring the implementation of the Company's strategies in the area of personal data protection in connection with managing personal data protection and conforming to the Personal Data Processing Act and the GDPR.

## 2 PRINCIPLES OF PERSONAL DATA PROCESSING

Gas Storage processes personal data in accordance with the following principles that stem from the GDPR:

- **Lawfulness, fairness, and transparency;**
- **Purpose limitation** – personal data are collected only for specific, explicit, and legitimate purposes;
- **Data minimization** – personal data must be adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed;
- **Accuracy and up-to-datedness** – Gas Storage adopts any and all reasonable measures to ensure that personal data, which are inaccurate in consideration of the purposes for which they are processed, are erased or rectified without delay;
- **Storage limitation** – personal data are kept in a form that makes it possible to identify data subjects for no longer than necessary for the purposes of the processing; in doing so, relevant technological and organizational measures are taken in accordance with current laws with the aim of guaranteeing the rights and freedoms of data subjects;
- **Integrity and confidentiality** – personal data are processed using a method ensuring appropriate security, including suitable technological and organizational measures for protection against unauthorized or unlawful processing, accidental loss, destruction, and damage.

## 3 SOURCES OF PERSONAL DATA AND MONITORING

Gas Storage mainly obtains personal data of data subjects during personal or written communication, through electronic forms, in the framework of negotiating agreements, and from sources in the public domain. Gas Storage always informs data subjects of situations in which personal data are required for a certain service and, conversely, of situations in which personal data are provided on a voluntary basis to facilitate communication between the data subject and Gas Storage and to enhance considerably the effectiveness of provided services.

Gas Storage also obtains personal data of data subjects from public records and registers, such as the Real Estate Cadaster, from government authorities, and based on special laws and regulations.

To improve the quality of services and to ensure the protection of rights, Gas Storage monitors and records communication with data subjects, telephone calls in particular. Data subjects are informed in advance of this fact and have the right to refuse such monitoring.

To ensure the security of its operations and provided services, CCTV surveillance systems are installed in selected Gas Storage buildings and their vicinity as well as at other Gas Storage facilities, such as wells. Data subjects are informed of the location of all CCTV surveillance systems by means of signs and pictograms installed at the entrance to the relevant area. Recordings from CCTV surveillance systems are archived for a necessary time. They are not further processed in any way apart from the aforementioned purpose. When requested, recordings are provided to law enforcement authorities for investigation purposes.

For the purpose of processing and assessing notifications received through the Internal Whistleblowing System, Gas Storage receives, assesses, records and archives notifications in accordance with Act No. 171/2023 Coll., on Whistleblower Protection, and the relevant internal regulations of Gas Storage. During the process of receiving notifications, processing them and

assessing reasonableness of these notifications, personal data is processed - primarily the personal data of the whistleblower, but also of other persons mentioned in the notification and possibly other persons whose data is processed during the assessment of notification. In addition to the obligations specified in Act no. 171/2023 Coll., on Whistleblower Protection, Gas Storage may process the mentioned personal data based on the legitimate interest or consent of the data subjects, see [Legitimate Interest Gas Storage](#) and [Valid Consent to Personal Data Processing](#).

#### 4 SCOPE OF PROCESSING

Based on the relevant legal grounds and purpose of processing, Gas Storage and its contracted Processors mainly process the following personal data and categories of personal data of data subjects:

- a) **Identification, authentication, and address data:** title, academic title, name, surname, date of birth, permanent or temporary address, mailing or contact address, handwritten signature, registered office, Business ID, TIN, and personal identification card number, if such data are required by local or central government authorities;
- b) **Electronic contact data:** telephone number, e-mail address, Data Box ID;
- c) **Other electronic data:** IP address, cookies, authentication certificates, identifiers for social networks and communication platforms (such as Skype), bank account number, etc.;
- d) **Personal data relating to the contractual arrangement:** bank account number, identification of real estate (land and structures);
- e) **Supplementary personal data:** personal data generated and further processed as a result of fulfilling payment duties relating to Gas Storage, predictive models, etc.;
- f) **Other personal data:** data provided by data subjects in agreements/amendments or other documents and during communication, including subsequent updates;
- g) **Personal data originating from audio recordings:** data relating to audio recordings of data subjects' communication with staff made to improve the protection of rights of both data subjects and Gas Storage;
- h) **Personal data relating to video recordings and photographs,** including manifestations of personality, made in Gas Storage facilities and their vicinity.

#### 5 PERSONAL DATA PROCESSING

Gas Storage processes personal data of data subjects based on the following legal grounds:

- legitimate interest of Gas Storage;
- performance of agreement;
- fulfillment of legal duties;
- valid consent to personal data processing.

The following grounds and purposes for personal data processing are always valid for a certain time. After the expiration of certain grounds and purposes, the grounds and purposes for processing personal data can change, whereupon Gas Storage can continue to process the same or reduced scope of personal data during the subsequent period.

##### Legitimate Interest of Gas Storage

The legal grounds for processing personal data exist where the Controller's legitimate interests and rights override a data subject's interests and rights, taking into account the data subject's reasonable expectations relating to his or her arrangement with the Controller. In such cases, consent to the processing of personal data is not required.

Such situations include, but are not limited to, processing for the following purposes (the scope of processed data corresponds to the structure of Article 4 Scope of Processing):

- **Protection of fundamental or other material rights of Gas Storage** arising under laws of general application and agreements in the framework of various disputes, inspections, investigations, proceedings, and in relation to contractual partners and third parties, for the scope

of processing as per a) – g); data are processed for the time laid down in laws of general application, but for no longer than 10 years after the expiration of the last contractual arrangement with Gas Storage. As to personal data relating to the preparation and completion of construction projects, processing lasts throughout the lifespan of the built structure;

- **Protection of assets of Gas Storage, lives and health** of workers, data subjects, and persons entering facilities of Gas Storage for the scope of processing h); data are processed during a period of up to 30 days after recording;
- **Prevention of fraudulent actions liable to damage Gas Storage** in cases of substantiated suspicion for scope of processing as per a) – g); data are processed during the time laid down in laws of general application, but for no longer than 10 years after the expiration of the last contractual arrangement with Gas Storage.
- **Collection of debts** for the scope of processing as per a), b), d) – g); data are processed for the duration of lawful limitation periods, but for no longer than 10 years;
- **Management of Software Modifications** In the event that anonymized or synthetically generated data cannot be used for software modifications (development, testing, training) necessary for ensuring the quality and functionality of systems supporting human resources agendas, we also use data containing personal data of data subjects to the extent of processing as per a) – h). Such data are subject to the same security measures as data in production systems, and they are used solely to the necessary extent as regards the volume of data and the duration of their use. The processing time is laid down under laws of general application, and it lasts no longer than 10 years after the expiration of the last contractual arrangement with Gas Storage. As to personal data relating to the preparation and completion of construction projects, processing lasts throughout the lifespan of the built structure.

### **Performance of Agreement**

Gas Storage processes personal data of data subjects for the purposes listed below relating to the fulfillment contractual commitments by both contracting parties, including, without limitation, for the purposes of entering into, amending, and terminating agreements in a valid manner in accordance with the Energy Act and the Civil Code.

The scope of personal data processed for these purposes corresponds to data required for agreements and powers of attorney, which are not designated as optional (i.e. such data are not designated in any way; designated as optional are typically such data as telephone number and e-mail address). The foregoing generally includes the following data: name, surname, date of birth, permanent address, mailing or another contact address, registered office, Business ID, bank account number, EIC/EAN, etc. In case that above-the standard services are ordered by a customer using electronic communication means, such as the delivery of electronic invoices, providing an e-mail address is mandatory.

Processing lasts 10 years after the termination of the contractual arrangement or throughout the lifespan of the relevant project.

The foregoing may include a contract for work, purchase agreement, and the like.

### **Fulfillment of Legal Duties**

Apart from Processors, Gas Storage provides personal data of data subjects to recipients of personal data, including government authorities and other entities exercising legal rights and fulfilling legal duties for purposes including, without limitation:

- providing personal data upon request to government and public authorities, such as courts of law, law enforcement authorities, administrative authorities, and other authorities, where Gas Storage is subject to the legal duty to provide personal data to government authorities and EU authorities; the foregoing mainly includes: Police of the Czech Republic, taxation authorities, etc.;
- fulfilling legal information duties to the Energy Regulatory Office, Office for Personal Data Protection, Office for the Protection of Competition, Czech Trade Inspection Authority, European Commission, Czech National Bank, Czech Telecommunication Office, and other government authorities where applicable;
- fulfilling information duties arising under the Energy Act;



- other purposes specified in the law and to other entities in the framework of exercising rights and fulfilling duties laid down in the law.

The scope of processing personal data and the processing time are laid down under laws of general application; processing lasts no longer than 10 years after the expiration of the last contractual arrangement with Gas Storage.

### **Valid Consent to Personal Data Processing**

In case that Gas Storage processes personal data of a data subject for other purposes, which cannot be classified under the purposes listed in Article 5 Personal Data Processing, or processes personal data classified as a special category of personal data, such data may be processed only based on valid consent to the processing of personal data granted by the data subject as a free act, where such consent constitutes specific legal grounds for such use of personal data.

A data subject grants consent to Gas Storage by signing a paper form or by confirming an electronic consent form to the extent laid down under Article 4, Paragraphs c) and f) Scope of Processing. Consent is granted for the purpose and time specified in the consent form. Consent is granted for the purpose of protecting the rights of both the data subject and Gas Storage and/or for preventing damage.

The grant of consent to the processing of personal data is a free and voluntary act. Not granting consent or narrowing down its scope has no effect on the fulfillment of a formerly agreed commitment during the agreement term or on the prospects of entering into a new commitment on the part of Gas Storage. Not granting consent to the processing of personal data may have an effect on the level of provided supplementary services.

Granted consent may be revoked at any time, in part or in full, using the same simple method as the method used to grant consent.

## **6 PERSONAL DATA PROCESSING METHODS**

Personal data of data subjects are processed by both manual and automated means, and they may be disclosed to Gas Storage employees where necessary for the performance of their work duties, to Processors with which Gas Storage has entered into a personal data processing agreement, and, where applicable, to other entities in accordance with the Personal Data Processing Act and the GDPR.

A data subject has the right to access his/her personal data, to the rectification thereof, to the erasure thereof, to the restriction of processing, to blocking incorrect personal data, to portability, to raise objection to processing, and to file a complaint with the supervisory authority. Moreover, a data subject has the right to receive the following information: category of relevant personal data; purposes and legal grounds of processing, including legitimate interests; the recipient or category of recipients to whom personal data are disclosed (including recipients in third countries or international organizations); the length of time during which personal data are planned to be kept or, if the time cannot be determined, criteria used to determine such a length of time; information on the source of personal data if personal data are not obtained from a job applicant; the fact that automated decision-making is used, including profiling, and in such cases also information on the process as well as importance and anticipated consequences of such processing for the employee. An up-to-date list of categories of Processors of personal data is enclosed under Section 7 Recipients and Processors of Personal Data and will be provided in paper form upon request.

## **7 RECIPIENTS AND PROCESSORS OF PERSONAL DATA**

To secure the performance of selected tasks, Gas Storage relies on partnership with verified external partners. Gas Storage transmits to such partners, which have the status of controller or processor of personal data, selected personal data of data subjects solely for the purposes of handling relevant agendas.

Processors may process personal data for Gas Storage only based on a personal data processing agreement or another similar legal arrangement that lays down organizational and technical guarantees ensuring the protection of processed personal data and defines purposes for which personal data may be processed. Processor must refrain from using personal data for other purposes and from transmitting personal data to another entity without the Controller's consent.

A list of Processors and Recipients (typically government authorities) is available at <https://www.rwe-gasstorage.cz/o-nas/zpracovani-osobnich-udaju>.

Recipients and Processors of personal data are differentiated based on the legal grounds for processing, where the scope and purpose of processing are specified in regard to the individual legal grounds.

### **Transfer of Personal Data to Third Countries**

Gas Storage does not transfer personal data of data subjects for processing to third countries or international organizations (apart from the EU or, where applicable, countries providing adequate level of protection for personal data and a free transfer regime specified under a European Commission decision published in the Official Journal of the EU).

## **8 COOKIES**

During a visit to the website operated by Gas Storage, data in the form of cookies may be stored on the computer of a data subject for automatic identification purposes on a subsequent visit. Cookies allow, for instance, adapting the website to the data subject's interests or storing the user name to avoid having to enter it during every visit. If the data subject prefers not to make his computer identifiable, the data subject must adjust his Internet browser settings to remove cookies from the computer hard drive, to block cookies, or to request notification before cookies are stored on his computer.

## **9 RIGHTS OF DATA SUBJECTS**

A data subject has the right to the following information:

- information on the purposes of processing (see Article 5 Personal Data Processing);
- information on the categories of relevant personal data (see Article 4 Scope of Processing);
- information on recipients or categories of recipients to which personal data have been or will be made available (including recipients in third countries or in international organizations; see Article 7 Recipients and Processors of Personal Data);
- information on the planned period during which personal data will be stored, or if determining such a period is impossible, criteria used to determine such a period (see Article 5 Personal Data Processing);
- the existence of automated decision-making, including profiling, and at least in such cases meaningful information about the methodology involved as well as the significance and envisaged consequences of such processing for the data subject, blocking erroneous personal data and their transmission or erasure (see Valid Consent to Personal Data Processing);
- specification of legitimate interest on the part of the Controller or a third party in case that processing is based on this reason (see Article 5 Personal Data Processing);
- information on the source of personal data, including sources in the public domain (see Article 3 Sources of Personal Data and Monitoring).

A data subject has the following rights:

- a) Right of access to processed personal data, their rectification, erasure, or restriction of their processing.
  - b) Right to object to such processing.
  - c) Right to file a complaint with the supervisory authority: Office for Personal Data Protection, Pplk. Sochora 27, 170 00 Prague 7.
  - d) Right to revoke at any time consent to the processing of personal data with future effect.
  - e) Right to obtain from the Controller confirmation whether or not his or her personal data are processed.

- f) Right to rectification of inaccurate personal data without unnecessary delay by the Controller concerned by such data. A data subject also has the right to request additions to incomplete personal data in consideration of the purposes of processing.
- g) Right to the erasure of personal data (the right to be forgotten) concerning a given data subject without unnecessary delay. The Controller must erase personal data without unnecessary delay in the cases exhaustively laid down under the GDPR:
  - a. personal data are no longer needed for the purposes for which they were collected and/or processed,
  - b. a data subject revokes consent to the processing of personal data, and no other legal basis exists for processing personal data,
  - c. a data subject raises objections to processing and no prevailing legitimate grounds exist for further processing,
  - d. personal data have been processed unlawfully,
  - e. personal data must be erased in order to comply with a legal duty laid down under EU or domestic laws that apply to the Controller,
  - f. personal data have been collected in connection with an offer of information society services. Details and exemptions relating to the exercise of this right are laid down under the GDPR.
- h) Right to restricting processing by the Controller in any of the following cases:
  - a. a data subject contests the accuracy of personal data, where restriction will apply to a time necessary for the Controller to verify the accuracy of personal data,
  - b. processing is unlawful and the data subject refuses the erasure of personal data and requests the use thereof to be restricted instead,
  - c. the Controller no longer needs personal data for the purposes of processing, but the data subject requests such data for determining, exercising, or defending legal claims,
  - d. a data subject objects to processing until it is verified that the Controller's legitimate interests override the data subject's legitimate interests.
- i) The right to the portability of personal data, which means the right to obtain personal data concerning a data subject that have been provided to the Controller, in a structured, commonly used machine-readable format, and the right to transmit such data to another controller without hindrance from the Controller to which personal data have been provided, where:
  - a. processing is based on consent or on an agreement,
  - b. processing is carried out by automated means.
- j) Right to raise objection at any time to the processing of personal data concerning a data subject, including profiling based on provisions of the GDPR. The Controller must refrain from the further processing of personal data until the Controller demonstrates serious legitimate grounds for processing, which override the interests, rights, and freedoms of data subjects, or for establishing, exercising, or defending legal claims.
- k) The right to be subject to no decision based solely on automated processing, including profiling, which produces legal effects concerning the data subject or similarly significantly affects the data subject. Details and exemptions are laid down in the GDPR.

### **Options for Exercising Rights by Applicants for Employment**

The GDPR lays down the following rights for data subjects (Applicants):

- a) Right of access to personal data,
- b) Right to the rectification of inaccurate or incorrect personal data,
- c) Right to the portability of personal data,
- d) Right to be informed of processing,

- e) Right to raise objection,
- f) Right to the erasure of personal data,
- g) Right to be subject to no decision-making based solely on automated processing of personal data,
- h) Right to restriction of personal data processing,
- i) Right to revoke consent.

An Applicant can exercise the above rights by making a Request for Exercise Data Subject's Rights ("Request") to the Controller in accordance with the GDPR. A Request can be submitted using the prescribed form available online at <https://www.rwe-gasstorage.cz/onas/zpracovani-osobnich-udaju>.

A Request must be submitted using a means (communication channel) allowing the Applicant's identity to be unmistakably verified (see below), including the Applicant's signature. In the event of doubts regarding the identity of an Applicant, Gas Storage reserves the right to verify the Applicant's identity using an officially certified signature on the Request or using an electronic signature bearing a qualified certificate submitted by electronic mail.

Considering the need to protect personal data of data subjects and potential risks of misuse of personal data during the transmission of data between Gas Storage and data subjects, only approved communication channels may be used for receiving and responding to Requests submitted by data subjects. Such communication channels take into account the need for unambiguous verification of the identity of data subjects in the submission of Requests and ensure the secure transmission of data from Gas Storage to data subjects. If a data subject submits a Request using means other than such specified communication channels, the data subject is notified of this fact and informed of the option to submit the Request using an appropriate method; alternatively, additional verification is carried out to allow the Request to be duly accepted.

Below is a list of communication channels for submitting Requests for the exercise of rights by data subjects. In a Request, a data subject can specify the method for delivering a reply. If the data subject does not specify a preferred communication channel for a reply in the Request, a reply will be delivered by e-mail.

In the case of a Request submitted based on a power of attorney bearing officially certified signatures, a reply will be sent to the Applicant referred to in the power of attorney as the principal, unless otherwise specified in the power of attorney.

The above predefined communication channels have been assessed in terms of their impact on the protection of personal data, and their primary objective is to unambiguously identify data subjects and, at the same time, to prevent the potential misuse of personal data transmitted to data subjects. The selection of communication channels also takes into account the technical aspects of the exercise of certain rights.

a) Category I data subject rights:

- Right of access to personal data,
- Right to the rectification of inaccurate or incorrect personal data,
- Right to be subject to no decision-making based solely on automated processing of personal data,
- Right to restriction of personal data processing.

The following communication channels can be used for submitting a Request:

- in person at the Gas Storage head office,
- registered mail,
- e-mail sent to [gs.gdpr@rwe.com](mailto:gs.gdpr@rwe.com),
- Data Box: ufxyjs2.

b) Category II data subject rights:

- Right to be informed of processing,



- Right to the portability of personal data,
- Right to the erasure of personal data,
- Right to raise objection,
- Right to revoke consent.

The following communication channels can be used for submitting a Request:

- in person at the Gas Storage head office,
- registered mail (the data subject's signature must be officially certified),
- e-mail sent to [gs.gdpr@rwe.com](mailto:gs.gdpr@rwe.com) , the e-mail message must include an electronic signature bearing a qualified certificate,
- Data Box: ufyjs2.

The following communication channels can be used for delivering or accepting a response to a Request:

- registered mail sent to the Applicant,
- e-mail sent to the Applicant's e-mail address,
- message sent to the Applicant's data box.

## **10 DATA PROTECTION OFFICER**

Gas Storage has appointed a Data Protection Officer who will oversee compliance with the requirements laid down in the Personal Data Processing Act and the GDPR. If you have questions concerning personal data protection that cannot be answered by submitting a Request in the framework of exercising rights arising under the GDPR, contact the Data Protection Officer by e-mail at [gs.gdpr@rwe.com](mailto:gs.gdpr@rwe.com) or at the company's address specified above.

## **11 FORCE**

If the Controller publishes more than one language version of this document, the Czech version is deemed to take precedence over such language versions. In the event of a discrepancy between the Czech and a foreign-language version, the Czech version prevails over versions of this document in other languages, where such versions serve for information purposes only.

This document enters into force on the day of its publication on 1 April 2020. The text was last updated on 29 July 2020.