

Principles of Use of Personal Data at Elenger

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At Elenger we place high value in confidentiality and protection of personal data. These Principles of Use of Personal Data (hereinafter "**Principles**") reflect the manner in which personal data of natural persons¹ (hereinafter "Personal data") are processed at Elenger. To read more about the Elenger and its structure go to <https://www.elenger.ee>. Additional terms and conditions of above processing may also be set out in agreements and other documents.

1. Independent data controllers at Elenger group are:

- 1.1. **AS Elenger Grupp**, registry code 10178905; address Liivalaia 9, 10118 Tallinn, Republic of Estonia;
- 1.2. **AS Gaasivõrk**, registry code 12503841, address Liivalaia 9, 10118 Tallinn, Republic of Estonia;
- 1.3. **Elenger Marine OÜ**, registry code 14793530; address Liivalaia 9, 10118 Tallinn, Republic of Estonia;
- 1.4. **SIA Elenger**, registry code 40203080354, address Mihaila Tāla iela 1, LV-1045 Riga, Republic of Latvia;
- 1.5. **SIA Elenger Marine**, registry code 40203348184, address Mihaila Tāla iela 1, LV-1045 Riia, Republic of Latvia;
- 1.6. **Elenger OY**, registry code 2957149-9, address Keilaranta 1, 02150 Espoo, Republic of Finland;
- 1.7. **UAB Elenger**, registry code 304911434, address Konstitucijos ave. 21A, LT-08130 Vilnius, Republic of Lithuania;
- 1.8. **Elenger Sp. z o.o.**, KRS-code 0000931475, address Ul. Skaryszewska 7, 03-802 Warsaw, Republic of Poland.

Companies in Elenger are hereinafter jointly and separately designated as "**Company**".

2. Data Processor

- 2.1. The Company may use processors to process Personal data (see item 8 for more details). In such a case, the Company undertakes to ensure that such processors process Personal data in adherence to legislation and instructions by the Company, incl. use of appropriate security measures.

3. Grounds for processing data

- 3.1. Within the framework of its daily operations, the Company processes Personal data on grounds provided for by legislation, i.e. to comply with legal obligations, processing is necessary for the performance of a contract or for taking steps preceding the conclusion of a contract, based on the relevant person's consent (e.g. to send offers and information letters if this requires consent), to protect v interests of the relevant person or another natural person, to perform a task in the public interests, or processing of Personal data based on the Company's or another person's legitimate interest (for examples of legitimate interest, see bottom of page²)

4. On grounds set out in item 3, the Company mainly processes the following categories of Personal data:

- 4.1. name and personal identification code and/or date of birth, identity document data;
- 4.2. contact details (telephone number, e-mail address, postal address, preferred language of communication);

¹ These Principles do not regulate processing of data of employees and Management Board Members which is regulated separately.

² For example, processing of data of a customer's family members in the interest of the customer and his/her family member so as to enable the Company to access a relevant gas installation while the customer is away; the Company's interest in researching the quality of the products and services offered (incl. carrying out of customer surveys, compilation of statistics and financial analysis, monitoring of website traffic); the Company's interest in substantiating actions taken (e.g. recording of phone calls); the Company's interest in rendering additional services, arranging campaigns, or awarding customers for their loyalty; the relevant person's interest in receiving the best personal offers; the Company's interest in making sure its premises are secure (e.g. video surveillance of premises).

- 4.3. data concerning the person's relationship with the person they represent (connection, right of representation, contact details);
- 4.4. voice (e.g. voiced agreements) or visual images (e.g. video recordings of premises);
- 4.5. data of energy consuming objects and devices (address, area, property rights related to the immovable, description of device, rights of ownership or rights of use of the relevant person etc.);
- 4.6. energy consumption data (quantity, location);
- 4.7. information related to customer relationship (information concerning use of the Company's services; EIC code of relevant person and point of consumption; details of agreements concluded by the relevant person, of facts and circumstances related to performance thereof, and of orders submitted; data related to the e-Service and use of its functionalities and data collected by cookies);
- 4.8. data of the natural persons used by the Company's service providers for the performance of the contract (qualification and professional experience);
- 4.9. data on the relevant person's payment obligation and performance thereof; data concerning amounts payable by the relevant person and payment thereof; banking details.

5. General Principles of Personal data protection

- 5.1. The Company processes Personal data only for the purpose for which they were collected and to the extent needed to perform said purpose. The Company may use Personal data for other purposes only if this is in accordance with legislation. The Company may merge Personal data collected in relation to different services if such Personal data are collected for the same purpose.
- 5.2. The Company considers data protection to be very important. To ensure this, the Company employs organizational, physical, and information technology related security measures required to guarantee completeness, processability, and confidentiality of Personal data; such security measures include, among others:
 - 5.2.1. use of virus protection and firewall;
 - 5.2.2. determination of rights of access and prevention of unauthorized access;
 - 5.2.3. keeping a log of changes made in the data;
 - 5.2.4. subjecting employees to data protection requirements and informing them of such requirements;
 - 5.2.5. careful selection of data processors and conclusion of agreements with such processors to ensure data protection.

6. Expectations applied to the relevant person in ensuring security of Personal data:

- 6.1. The person must prevent access by other persons to the password related to the person or to other data and means enabling identification of the person (e.g. ID-card or Mobile-ID, access to e-Service, filling station discount card and payment card) in order to prevent another person from taking action on the relevant person's behalf. The relevant person must consider the fact that the Company will be unable to ensure security of Personal data and will not assume liability therefor if Personal data remains unprotected as a result of violation of above obligation.
- 6.2. If the relevant person enables his/her family member, friend, coworker, or another third person to use the above-mentioned data, the relevant person must make sure that such a person has reviewed the Principles and consents thereto. Such persons are deemed to have taken action on behalf of the relevant person.
- 6.3. If the relevant person forwards to the Company data of other persons for the purpose of performance of an agreement between the relevant person and the Company, the relevant person must ensure that such third party is aware of the forwarding of data and accepts the processing of his/her data for the purpose of performing above agreement. Among other things, this also applies to cases where the relevant person designates another person to act as the relevant person's representative in performance of above agreement, e.g. to make payments, to enable access to a relevant site.
- 6.4. If the relevant person becomes aware of a violation of Personal data processing requirements related to the relevant person's own Personal data or Personal data of another person, the relevant person undertakes to immediately inform the Company thereof.

7. Gathering of Personal data

Gathering of Personal data at the Company is foremost undertaken as follows:

- 7.1. the relevant person submits his/her Personal data to the Company for the purpose of concluding an agreement such as an electricity or gas sales agreement, gas device maintenance agreement, agreement for installation or inspection of gas device, CNG filling station card agreement, gas network connection agreement, or gas network agreement;
- 7.2. the relevant person submits his/her Personal data to the Company for the purpose of receiving offers, newsletters etc.;
- 7.3. Personal data are submitted to the Company by the relevant person's family member, friend, employer, or another person;
- 7.4. Personal data are recorded by way of instructions given and actions taken by means of telecommunications (e.g. telephone, e-Service, e-mail) or by way of video recordings covering the Company's premises;
- 7.5. the Company sends Personal data related queries to public register and other public sources;
- 7.6. Personal data are generated upon gas consumption measurement;
- 7.7. Personal data are submitted to the Company by a gas or electricity network operator or by way of an official data exchange platform;
- 7.8. Personal data are submitted to the Company by another data controller or processor.

8. Forwarding Personal data

- 8.1. The Company does not issue Personal data to other persons, except if issue of such data is permitted pursuant to legislation.
- 8.2. The Company forwards Personal data to other persons or uses processors foremost in the following cases:
 - 8.2.1. to joint controllers or processors (e.g. data forwarding from gas or electricity network operator to gas or electricity seller or vice versa, also data forwarding between gas network operators and gas or electricity sellers);
 - 8.2.2. to state authorities or to other performers of public tasks (e.g. notaries, bailiffs) in relation to performing obligations arising from legislation;
 - 8.2.3. to registers in relation to performing obligations arising from legislation;
 - 8.2.4. to credit institutions in relation to making or receiving payments;
 - 8.2.5. to the Company's service providers (e.g. postal service providers, communications service providers, parties providing invoice forwarding services, security service providers, parties providing gas equipment maintenance services for customers, gas network maintenance service providers, emergency preparedness and dispatch service providers, parties providing gas network design, construction and reconstruction services, software systems development and maintenance service providers, parties providing archiving or destruction services, printing service providers, auditors, IT service providers, marketing service providers, and collection service providers) in as much as needed. Processors have the right to use Personal data only for specific operations requested by the Company and based on an agreement containing the confidentiality obligation;
 - 8.2.6. to another legal person in Elenger group, thereat adhering to the confidentiality requirements provided for in the Natural Gas Act. Among other things, AS Gaasivõrk forwards Personal data to the processor AS Elenger Grupp for the purpose of preparing a joint invoice. All subsidiaries of AS Elenger Grupp forward data to AS Elenger Grupp for the purpose of providing accounting services, legal services, IT administration and development services, or other support services.

9. Data retention period

- 9.1. Personal data are not processed for longer than needed. The Company stores Personal data only until achievement of the purpose of using Personal data or **during a term** set out in relevant legislation. Processing of Personal data based on consent can be undertaken until such consent is withdrawn or the term noted in the consent expires.
- 9.2. Upon expiry of the term for storing Personal data, such Personal data are deleted or made anonymous

10. Rights of a Person

- Rights of the relevant person relating to use of his/her Personal data are the following:
- 10.1. the right to obtain, on grounds, pursuant to the procedure, and in the extent provided in legislation, information from the Company concerning the relevant person's Personal data and processing thereof;

- 10.2. the right to demand correction or deletion of Personal data on grounds, pursuant to the procedure, and in the extent provided in legislation (the request for deletion of data is deemed to be satisfied also if such data are made anonymous³);
- 10.3. the right to withdraw, at any time and without conditions, the consent for processing of Personal data. The relevant person is aware of the fact that withdrawal of consent only applies prospectively and does not affect the legality of processing which took place during validity of the consent;
- 10.4. the right to prohibit processing of the relevant person's Personal data by automated means;
- 10.5. the right to prohibit or restrict, on grounds, pursuant to the procedure, and in the extent provided in legislation, use of the relevant person's Personal data for specific actions, e.g. marketing, and object to the processing of Personal data if processing has been based on the Company's legitimate interests;
- 10.6. the right to demand that Personal data be transmitted to another person, on grounds, pursuant to the procedure, and in the extent provided in legislation;
- 10.7. in case of infringement of the relevant person's rights, the right to address, in Estonia, **Andmekaitse inspeksioon** (Estonian Data Protection) (www.aki.ee), in Latvia, **Datu valsts inspekcija** (www.dvi.gov.lv/lv/), in Finland, **Tietosuojavaltuutetun toimisto** (www.tietosuoja.fi), in Lithuania, **Valstybinė duomenų apsaugos inspekcija** (www.ada.lt), in Poland **Urząd Ochrony Danych Osobowych** (www.uodo.gov.pl) and the court;
- 10.8. the right to demand, on grounds, pursuant to the procedure, and in the extent provided in legislation, compensation for direct patrimonial damage caused by violation of the relevant person's rights.

The relevant person can use his/her rights without paying any fee to the Company therefor, except if grounds arising from legislation are present for charging a fee and the Company deems charging of a fee to be expedient.

11. Contact information

The relevant person may contact the Company in issues related to his/her Personal data (incl. changing or withdrawal of his/her consent), using the following contact details:

- 11.1. by way of the e-Service at <https://eservice.elenger.ee>;
- 11.2. by e-mail: klienditugi@elenger.ee (AS Elenger Grupp), gaasivork@gaas.ee (AS Gaasivõrk), info@elengermarine.com (Elenger Marine OÜ, SIA Elenger Marine), info@elenger.lv (SIA Elenger), info@elenger.fi (Elenger OY), info@elenger.lt (UAB Elenger), info@elenger.com (Elenger Sp. z.o.o.);
- 11.3. by telephone during working days from 8:30 AM to 5 PM: (+372) 636 2555 (AS Elenger Grupp), (+372) 605 6801 (AS Gaasivõrk), +372 630 3003 (Elenger Marine OÜ, SIA Elenger Marine), (+371) 6880 6680 (SIA Elenger, Latvia), (+358) 405 057 499 (Elenger OY, Finland), (+370) 615 59 425 (UAB Elenger, Lithuania), +48 606 670 062 (Elenger Sp. z.o.o, Poland);
- 11.4. by post, using the addresses noted in section 1.

12. Data Protection Officer

- 12.1. **AS Gaasivõrk** has designated the following data protection officer: Ave Paabel, e-mail ave.paabel@gaas.ee, telephone (+372) 605 6801.
- 12.2. Data protection officers are not designated in other Companies in the Elenger group.

13. Cookies

- 13.1. The relevant person is aware of the fact that the Company's websites and e-Service use **cookies**, i.e. small text files loaded to the user's computer. As a result of this, the web browser can send information gained by cookies back to the website and e-Service upon each use with the purpose of enabling the same user to be recognized without identification (anonymously) and providing the user with a personalized and more convenient user experience (e.g. by retaining the user's preferences and interests etc.), analyzing and developing services offered through the websites and e-Service, and directing offers and advertisements.

The Elenger applies the Principles of Use of Personal Data from May 25, 2018. The Company has at any time the right to unilaterally amend the Principles. Currently valid Principles are at all times available on the Company's website. If we make significant changes to the Principles, we will provide notification thereof on invoices, websites, or by e-mail. We recommend that you visit this site regularly so as to be aware of provisions of the currently valid Principles.

³ Making anonymous is deemed to mean removal from data of information which identifies the person, as a result of which the data can no longer be connected to a specific person.