

Consent agreement on the processing of personal data in the process of remote identification for the procurement of Qualified Certificates

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TRANS SPED S.A., with the registered office in Bucharest, Str. Despot Voda no. 38, sector 2, registered with the Trade Register Office under no. J40/781/23.01.2004, sole registration code 12458924, as a personal data controller in accordance with the provisions of Article 4, para. 7 of Regulation (EU) 679/2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and the subsequent legislation applicable in this area, processes your data that you provide to us, in order to supply certification services for electronic signature in accordance with the provisions of Regulation (EU) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (eIDAS).

TRANS SPED S.A. has received a favourable opinion from the **Romanian Digitalization Agency** for the provision of remote identification services by video means.

Remote identification by video methods developed by TRANS SPED S.A. can be performed automatically or by means of a human operator. According to the 2021 Norm on the regulation, recognition, approval or acceptance of the procedure of remote identification of a person using video means issued by the Romanian Digitalization Agency, video means are means of remote identification using technologies that involve either the audio-video transmission of sequences of moving images in real time during a video conference with the presence of a human operator, or the transmission of sequences of moving images representing video captures of a natural person, without the presence of a human operator, with subsequent verification by the identification service provider (with or without the involvement of a human operator), and remote identification by video means is the process of identification and verification of the identity of the natural person, on basis of the documents produced, the images captured and/or the information communicated by the natural person, using video means and involves the processing of facial features of the data subject for identification purposes (special category of personal data) using specific equipment and software, which according to Art. 9, para. (1) of Regulation No 679/2016 of the European Parliament and of the Council of the European Union 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), falls under the category of processing of biometric data. Consequently, TRANS SPED, as a data controller, on basis of Article 9, para. (1) and para. (2) lit. (a) of the GDPR, may process special personal data only with the consent of the data subject.

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The legal basis for data processing by remote identification using video means is Article 6 para. (1) of the GDPR on the consent of the data subject. Trans Sped has a legitimate basis and interest to take the necessary measures to defend its legitimate rights and interests against any person, institution, authority or restriction, acc. to Article 6 para. 1 lit. f GDPR. The provision of personal data by the User is mandatory so as to enable Trans Sped to provide the qualified trust services requested by the User, and the User's refusal to provide such data entails the impossibility of providing the services.

By choosing the procedure of providing the qualified certificates through remote identification by video means, you consent to the processing by TRANS SPED S.A. of the following personal data:

- Surname and forename
- Address
- Nationality
- Personal number
- I.D./passport number and series
- Country code
- Date of birth
- Gender
- Any other data contained in the ID card to be scanned
- Video + sound capture, to be processed biometrically by remote identification software.

Please note that the provision of personal data by you is mandatory so as to enable Trans Sped to provide the requested Qualified Trustee services, and your refusal to provide this data shall make it impossible to provide the services.

According to Regulation (EU) No 910/2014, Trans Sped as a Qualified Trusted Service Provider, is bound to keep all the data that underpinned the issuance of a Qualified Digital Certificate for a period of 10 years and 6 months as of the expiry or revocation of the Qualified Digital Certificate. After the elapse of this period, the information and personal data on the provided Qualified Trust Service shall be destroyed in accordance with the provisions of the applicable legislation on archiving.

Trans Sped does not currently transfer data outside the European Economic Area (EEA), the data is stored in locations in Romania. Trans Sped does not disclose the data it holds and processes, about all categories of data subjects, to other natural or legal persons. The cases in which Trans Sped client data may be disclosed to other companies or natural persons are those in which other companies, natural persons or legal persons act as proxies in the relationship with Trans Sped. In such cases, we shall disclose data for legitimate reasons related to the performance of a contract, the preparation of documentation necessary for the performance of the contract, the establishment, defence and exercise of our rights or interests.

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The software solution ensures (according to the Rules of the ADR Decision, art. 16, para. 2), that the consent is kept with the identification process. The entire process of remote identification of the person using video means is recorded and stored. Concurrently, the recording contains the date and time of the identification (according to the Rules of the ADR Decision, art. 19, para. c).

All the other provisions concerning your rights and the method of processing personal data contained in the ***GDPR Information, the Terms and Conditions*** for the issuance of the Qualified Digital Certificate and the ***Cookie Policy*** for which you have ticked that you are aware thereof and agree with them, at the beginning of the online application for the procurement of the Digital Trust Certificate, apply and are unchanged even if you have opted for the automatic/human remote video identification method.