

PROTECTION OF PERSONAL DATA

Information relating to the processing of personal data by Trans Sped S.A.

The company **Trans Sped S.A.** has been constantly concerned that the personal data of all the individuals we interact with, also referred to as ‘data subjects’, are processed in full compliance with the applicable statutory provisions and the highest data security and confidentiality standards.

Since 25 May 2018, the Regulation 679/27-Apr-2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter referred to as ‘GDPR’) has been applied in all the EU Member States. This Information relating to the processing of personal data aims at informing you, as per the terms of GDPR Articles 13 - 14, about how we understand to regulate and integrate the GDPR policy in our company, and forms part of the Qualified Trust Services Agreement /Contract entered into with TRANS SPED S.A.

1. Who we are

Trans Sped S.A., having its principal place of business in Bucharest, 38 Despot Vodă Street, District 2, registered with the Trade Registry Office under no. J40 /781/23.01.2004, is a data controller under Article 4, paragraph 7 of Regulation (EU) 679/2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and the subsequent laws on the matter.

Processing involves **operations** such as data collection, registration, organization, storage, modification, retrieval, search, use, transmission, combination, blocking, limitation, erasure, destruction, archival.

2. What personal data are we processing?

In fulfilling its objects, Trans Sped S.A. processes the following types of personal data:

- Last and first name
- Personal number
- Identity Card/identity document series and number
- Home address
- Email address
- Mobile phone number
- Copy of the identity card/identity document, with all personal data contained therein;
- Any other similar categories of personal data derived from the enforcement of signed contractual documentation, the enforcement of the law and any other related processing, regardless of the underlying reason for processing.

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3. What special categories of personal data are we processing?

In case of biometric data, Trans Sped S.A. collects and processes biometric data in order to identify the



data subject for its own account and for the own account of Trans Sped S.A.'s contractual partners (e.g.: NFIs, credit institutions etc), where applicable. Trans Sped SA applies an automated mechanism whose main purpose is to identify the data subject with the highest precision /accuracy available with respect to the means used, and uses specific algorithms/criteria to do so, with the proviso that the use of such means is **essential** in Trans Sped S.A.'s normal course of business, as otherwise the desired result would not be achieved, and thus ensures compliance with the applicable law and significantly reduces the operational, legal, compliance, and reputational risks for Trans Sped S.A. and its contractual partners. Processing is exclusively automated and entails legal consequences concerning the data subject. Trans Sped S.A. shall at least ensure the data subject's right to obtain human intervention on the part of Trans Sped S.A., the right to express his or her point of view and to challenge the decision.

In remote video identification, Trans Sped processes your biometric data, namely involving automated capturing and processing of facial images resulting from the algorithm run through the automated remote video identification solution.

As a result of you giving your free consent - which forms part hereof - to continue the online remote video identification process, Trans Sped S.A. will request your authorisation to capture and process your facial image by automated means, in real-time 'selfie' mode, to be able to validate your identity. Validation of your identity is both necessary and mandatory for the issuance of the trust certificate and the issue of the digital signature.

Trans Sped S.A. will collect directly from you and digitally process your facial image only for the purpose of issuing the trust certificate /digital signature and only during the validation of your identity. Trans Sped S.A will not further process your personal data for purposes other than those outlined above or store documentation of your identity validation /invalidation resulting as a result of electronic processing by remote video identification for a period of time longer than required under the legal obligations of TRANS SPED S.A. as a trust certificate provider, nor will it remit or make available in any way your biometric data to third parties, unless the law requires otherwise.

4. What are the grounds and purposes for the processing of personal data by Trans Sped S.A.?

The processing of your personal data as a data subject shall be carried out for the following intents and purposes:

- To provide services purchased or ordered from Trans Sped S.A. and (remotely) identify the data subject and also for own purposes of contractual partners and Trans Sped S.A (NFIs, banks) in the field of (remote) identification of the data subject for the (remote) identification of the data subject for the purpose of executing specific contractual documentation (e.g.: data subjects purchasing trust certification /digital signature from Trans Sped S.A, which is then used for signing the contractual documentation of Trans Sped S.A.'s contractual partner);
- To contact you and answer back to you about the Trans Sped S.A. services you use or intend to use;
- To keep in touch with you and provide you with the necessary information via our website www.transsped.ro;
- For marketing communications. No such communications will be made unless we have the data subject's consent first.

The legal grounds on the basis of which Trans Sped S.A. processes personal data include the following:

- The consent of the data subject - if the data subject opts for remote video identification (biometric data processing);
- Execution of a contract the data subject is a party to: the obligations of preparing and keeping financial and accounting documents; keeping personal data throughout the contractual relationship and storing documents; conducting audits; handling inspections carried out by the authorities; implementing personal data security measures (including by making backup copies); filing defences in the event of possible litigation;
- The legitimate interest of TRANS SPED. S.A., unless the data subject's interests or fundamental rights and freedoms prevail.

5. Whom the personal data processed by Trans Sped S.A belong to?

The personal data that are processed by TRANS SPED S.A. belong to the following categories of data subjects: customers or prospects whose data we shall use to draft offers, execute and perform the contract and provide the services requested by them; contact persons designated by contractual partners, their legal or contractual representatives; contractors, employees, staff of a public authority, the data of which we shall use to meet our legal obligations; candidates to a vacancy in TRANS SPED S.A.; visitors of our website www.transsped.ro or individuals who interacted with any of our social media accounts, and/or other categories of individuals with whom we carry out business (hereinafter collectively referred to as 'Data Subjects'). Such personal data are contained in the documents submitted to TRANS SPED S.A. when initiating the contractual relationships with contractual partners or in the course thereof.

6. Whom we transmit your personal data to?

Currently, we do not transfer data outside the European Economic Area (EEA); our data are kept in storage locations in Romania.

7. How long does TRANS SPED S.A. process and store personal data?

To meet the goals above, personal data will be processed by Trans Sped throughout the contractual relationship and after its termination in order to comply with the statutory obligations applicable to this matter, including, but not limited to, provisions on data filing.

We have the legal duty to store data for 10 years and 6 months from the expiry of the qualified digital certificate, in accordance with the applicable legislation in force, Regulation (EU) No 910/2014 (eIDAS). Upon expiry of the filing period, data will be irreversibly deleted. Uncompleted applications to obtain / renew certificates shall be kept throughout the said period.

If your personal data processing relies on your free consent given by ticking the consent box when applying for a trust certificate/ digital signature through remote identification by automated video means, we would like to inform you that you have the right to withdraw your consent at any time by accessing the email address dpo@transsped.ro and requesting that your consent be withdrawn.

In this context, we would like to inform you that withdrawing your consent may entail our impossibility to continue providing our services or the validity of our products. Withdrawing consent, if the processing of personal data has been carried out on this legal basis, does not automatically entail the erasure of such data. Under Article 7(3) of the GDPR, it does not affect the lawfulness of processing carried out on the basis of consent prior to its withdrawal. Trans Sped S.A. reserves the right laid down in Article 17, paragraph (3), point b) and in accordance with the European Data Protection Board (EDPS) Guidelines No. 5/2020, point 117, concerning the consent under Regulation 679/2016, to keep the documents on the basis of which the trust certificate /digital signature was granted, throughout the period required by the aforesaid law.

8. Whom does TRANS SPED S.A. transmit / disclose personal data to?

As a rule, TRANS SPED S.A. does not disclose to other individuals or legal persons the data it holds and processes about all categories of data subjects. The cases where the data of TRANS SPED S.A. customers may be disclosed to other companies or individuals include instances where other companies, individuals or legal persons act as data processors in relation to TRANS SPED S.A, including to NFIs, banks TRANS SPED S.A. has engaged in commercial /contractual relationships with and provides trust services for, with the explicit aim of issuing the quality certificates and the digital signature required for the signing of documents by data subjects in relation to its partners (such as NFIs/banks). In these cases, we will disclose the data for legitimate reasons related to the performance of a contract, the preparation of documents required for such performance, and the establishment, defence and exercise of our rights or interests.

Your personal data are collected for the purpose of issuing qualified digital certificates and may be disclosed to auditors, to third parties relying on the certification services provided by TRANS SPED S.A., in respect of which you shall use the certificate, to the supervisory body under the applicable law, to public authorities and bodies based on public law duties, to legal counsels representing us in legal disputes or for counselling, to bailiffs for contractual communications or the enforcement of any court judgments, to debt collection companies, to contractual partners of TRANS SPED S.A. (courier companies, etc), to affiliates of TRANS SPED S.A. and in any other justified situations, subject to a prior notice sent to you, but only in order to meet the goals specified above and seeking as a priority to protect the data subject's rights.

In all such cases, TRANS SPED S.A. will make all reasonable efforts to make sure the data recipients shall securely and confidentially process the data in line with the purpose such data were transmitted for and with respect for the rights of the data subjects.

9. What are your rights?

As a data subject, you have the following rights:

a) Right to information and to have access to personal data

The data subject has the right to request a copy of the personal data stored by TRANS SPED ©TRANS SPED S.A. – All rights reserved

S.A.;

b) **Right to rectify personal data**

The data subject has the right to rectify data if they are inaccurate.

c) **Right to erasure**

The data subject shall have the right to ask the data controller to erase without delay the personal data concerning him /her in the following cases:

- The personal data are no longer needed for the purposes for which they were processed in the first place;
- The data subject objects to the processing and there are no legitimate reasons prevailing in respect of such processing;
- The personal data have been processed unlawfully;
- The personal data must be erased to comply with the law.

CAUTION: Nevertheless, TRANS SPED S.A. reserves the right not to be able to satisfy your request to exercise the right, pursuant to Article 17, paragraph (3), point b) of the GDPR, as it has a legal obligation under the EU and the national law provided for in the eIDAS Regulation No. 910/2014 on the digital signature and Law no. 455/2001 on the digital signature, as further amended and supplemented, whereby Trans Sped S.A., as Trust Services Provider, is under the legal duty to keep all data on the basis of which the qualified certificate was issued for a period of 10 years and 6 months after the expiry of the certificate (which implicitly requires the withdrawal of consent based on which the data necessary for the issuance of the certificate were processed), according to Article 20, point h) and Article 17, paragraph (3), point e) of the GDPR, namely for the establishment, exercise or defence of a right in court.

d) **Right to restrict the processing of your personal data**

The data subject may exercise the right to restrict personal data if he or she establishes that one or more of the following grounds exist:

- Data inaccuracy, for a period allowing the data controller to check the accuracy of the data;
- The unlawfulness of the data processing, while exercising the right to object to the erasure of the personal data while exercising the right to oppose data erasure and the right to restrict processing;
- Data storage and filing periods have expired, but the data subject claims the data in order to establish, exercise or defend a right in court;
- The data subject objected to the processing of personal data, throughout the period in respect of which it is verified whether the data controller's legitimate rights prevail over those of the data subject.

Right to object to the use of personal data

Under certain circumstances, the data subject may have the right to object to the processing of his or her personal data by TRANS SPED S.A., including the processing for direct marketing purposes.

e) **Right to data portability**

The data subject has the right to request the personal data concerning him or her which he or she has provided to TRANS SPED S.A. in a structured, machine-readable format.

f) **Right not to be subject to a decision based solely on automated processing**

The data subject has the right to request and obtain the withdrawal /cancellation /reassessment of any decision which is binding on him/her, taken solely on the basis of personal data processing.

g) **Right to withdraw consent at any time**

Consent withdrawal may occur at any time and will only have effect for the future; the processing carried out prior to the withdrawal remains valid;

i) **Right to lodge a complaint with the National Supervisory Authority for Personal Data**

Processing and apply to the courts

The data subject shall have the right to lodge a complaint with the National Supervisory Authority for Personal Data Processing (www.dataprotection.ro) and apply to the courts, by submitting written, dated, and signed requests addressing the supervisory authority and the competent court, as per the law.

10. What could happen if a person does not want to provide us with personal data?

In most cases, data subjects are under no obligation to disclose their personal data.

However, your refusal to communicate your personal data will make it impossible for us to provide services related to TRANS SPED S.A.'s core activities, including the provision of qualified digital certificates.

11. Where you can go to exercise your rights and what is the deadline for reply? The rights above may be exercised through a written request filed at TRANS SPED S.A.'s premises or emailed to dpo@transsped.ro.

The deadline for replying to any request in connection to your rights is 30 days, except in situations where the request is complex or there are many requests, when the deadline may be extended by another 60 days. If you are dissatisfied with the solution, please contact the National Supervisory Authority for Personal Data Processing – you can find the contact details at www.dataprotection.ro.

12. Effective date:

This Information is valid as of 10.06.2024.

Updated on: 10.06.2024

AGREEMENT ON PERSONAL (BIOMETRIC) DATA PROCESSING IN REMOTE VIDEO IDENTIFICATION

TRANS SPED S.A., having its principal place of business in Bucharest, 38 Despot Vodă Street, District 2, registered with the Trade Registry Office under no. J40 /781/23.01.2004, as data controller under Article 4, paragraph 7 of Regulation (EU) 679/2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and the subsequent laws on the matter, processes the data you provide to us in order to carry out the remote identification of data subject through electronic means, both as a provider of remote identification services by electronic means and as a third party carrying out remote video assessment of personal identity, in accordance with the provisions of Decision no. 564/2021 of the President of the Agency for the Digitisation of Romania approving the Rule on the regulation, recognition, approval or acceptance of the procedure for remote video identification of persons.

TRANS SPED S.A. received a favourable opinion from the Agency for the Digitalisation of Romania for the provision of remote video identification services.

The remote identification by video methods developed by TRANS SPED S.A. may be automatic or involve a human operator. According to Decision no. 564/2021 of the President of the Agency for the Digitisation of Romania approving the Rule on the regulation, recognition, approval or acceptance of the procedure for remote video identification of persons, 'video /by video means' refers to remote identification using technologies that involve either the audio-video transmission of real-time moving image sequences during a video link with the presence of a human operator, or the transmission of moving image sequences representing video captures of the individual without the presence of a human operator, and their subsequent verification by the identity service provider (whether involving a human operator or not), whereas remote identification by video means is the process of identifying and verifying by video the individual's identity based on documents submitted, captured images and/or information provided by such individual, and involves the processing of data subject's facial features for identification purposes (special category of personal data) using specific equipment and software which, according to Article 9 paragraph (1) of Regulation No. 679/2016 of the European Parliament and of the Council of the European Union on the protection of individuals 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 biometric data processing. Consequently, TRANS SPED as data controller, under Article 9 paragraph (1) and paragraph (2)(a) of the GDPR, may process special personal data only with the data subject's consent.

The legal basis for the processing of data through remote video identification is Article 6 paragraph (1) of the GDPR on the consent of the data subject. The provision of personal data by the User is mandatory for Trans Sped to be able to provide the remote video identification services requested by the User, and the User's refusal to provide such data entails the impossibility to provide such services.

By choosing our services for remote identification by automated video means, you consent to TRANS SPED S.A. processing your biometric data, i.e. the automated capture and processing of your facial image resulting from the automated video remote identification algorithm.

As a result of you giving your free consent, you agree to the taking and process of your facial



image by automated means, in real-time ‘selfie’ mode, to be able to validate your identity. Validation of your identity is both necessary and mandatory for the issuance of the trust certificate and the issue of the digital signature.

By this document, you explicitly consent to Trans Sped S.A. transmitting your biometric data to other companies or individuals or legal persons acting as its contractual partners of TRANS SPED S.A, including to NFIs and banks TRANS SPED S.A. is commercially (contractually) engaged with, for the own account of such contractual partners, in connection to the identification of the data subject and the signing of contractual documentation using the digital signature issued by Trans Sped S.A.

The software solution ensures (according to Rules of the ADR Decision no. 564/2021, Article 16, paragraph 2) the preservation of the consent during the identification process. The entire process of remote video identification of the person shall be recorded and stored. At the same time, the recording contains the date and time of the identification (according to the Rules of the ADR Decision no. 564/2021, Article 19, paragraph c).

You may find all the other provisions concerning your rights and how your personal data are processed in the *GDPR Privacy Notice*, the *Terms and Conditions* for the provision of remote video identification services and the *Cookie Policy* you ticked you have read and agreed to at the beginning of the online identification request.

This Consent Agreement forms part of the **Information by Trans Sped S.A. on personal data processing for issuing of trust certificates and digital signature.**

I conform I have been informed, and agree to, the rights and obligations arising from the GDPR Privacy Notice regarding the processing of my personal data by Trans Sped S.A., in compliance with the legal provisions on the protection of individuals with regard to the processing of personal data and the free movement of such retrieved data.