

**INFORMATION CLAUSE ON PROCESSING OF PERSONAL DATA BY ERBUD S.A. FOR SHAREHOLDERS  
BEING NATURAL PERSONS, PERSONS REPRESENTING SHAREHOLDERS NOT BEING NATURAL  
PERSONS AND SHAREHOLDERS' PROXIES**

On the basis of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 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) (“GDPR”), ERBUD S.A. with its registered office in Warsaw (the “Company” or “Controller”) informs that in connection with convening of the General Meetings of the Company (“GM”), the Company will process personal data of the Company's shareholders, persons representing the Company's shareholders, proxies of the Company's shareholders and other persons authorised to exercise voting rights at the GM and personal data disclosed during the GM (hereinafter jointly referred to as “Shareholders” or “You”).

In connection with the above, the Company declares that:

**1. Personal Data Controller**

The controller of personal data of the Shareholders is ERBUD S.A. with its registered office in Warsaw, ul. Franciszka Klimczaka 1, 02-797 Warsaw, registered in the Register of Entrepreneurs of the National Court Register kept by the District Court for the capital city of Warsaw in Warsaw, 13th Commercial Division of the National Court Register under KRS number 0000268667, statistical number (REGON): 005728373, tax identification number (NIP): 8790172253, with the share capital of PLN 1,209,652.20, fully paid-up.

In all matters related to personal data protection, please contact:

- a) directly the Controller - in writing at the address indicated in the above subparagraph, or
- b) the Personal Data Protection Officer appointed by the Controller - in electronic form using the e-mail address: [iod@erbud.pl](mailto:iod@erbud.pl).

**2. Legal Basis**

Shareholders' personal data will be processed on the basis of:

- a) Article 6(1)(c) of the GDPR - an obligation resulting from generally applicable provisions of law, including the provisions of the Polish Code of Commercial Companies and Partnerships concerning: (i) preparing and maintaining lists of shareholders entitled to participate in GM and attendance lists at GM, (ii) enabling shareholders to participate in GM, (iii) enabling voting through a proxy and (iv) enabling Shareholders to exercise their rights in relation to the Company (e.g. submitting certain issues to the agenda of GM),
- b) Article 6(1)(f) of the GDPR - the Company's legitimate interest in the form: (i) the necessity to provide the Company with the ability to contact with Shareholders and verify their identity and (ii) pursuing or defending against any claims.

**3. Purpose of Personal Data Processing**

Personal data is processed by the Company in order for the Company to fulfil its obligations resulting from the provisions of the Polish Code of Commercial Companies and Partnerships, information obligations imposed on the Company as a public company in connection with convening GM, enabling the shareholders of the Company to exercise their rights in relation to the Company, including drawing up a list of persons entitled to participate in GM and enabling verification of the right to participate in person or to represent an entitled person, including a shareholder at GM, and also to determine, pursue or defend against claims in connection with GM, which constitutes a legitimate interest pursued by the Controller or a third party.

#### **4. Personal Data Categories**

Categories of personal data processed by the Company in connection with convening and carrying out of GM:

- a) data included in the list of shareholders entitled to participate in GM,
- b) data of shareholders, persons representing them or their proxies included in the list of shareholders present at GM,
- c) data of shareholders and their proxies included in the power of attorney to represent the shareholder during GM,
- d) data of shareholders and their proxies included in the form of notification of granting a power of attorney in electronic form,
- e) data of shareholders, persons representing them or their proxies indicated in the request to convene GM,
- f) data of shareholders and their representatives or their proxies as indicated in: (i) a request for making copies of the shareholders' lists available, (ii) a request in matters covered by the agenda of GM, (iii) a request for inclusion of an item in the agenda of a convened GM or (iv) a request containing a draft resolution of GM.

The Company processes the following categories of Shareholders' personal data:

- a) identification data (first name, surname, Personal Identification Number PESEL, Tax Identification Number NIP, ID card/passport number and series),
- b) address details,
- c) contact details (telephone number, e-mail address),
- d) data relating to shares and resulting entitlements, such as: (i) number, (ii) type of shares, (iii) number of votes from the shares and (iv) ISIN share code.

In cases where the categories of data indicated above would prove insufficient to achieve the purposes indicated in point 3 above, in particular to verify the status of a shareholder, a person representing a shareholder or shareholder's proxy - the Controller will also process other data necessary to achieve these purposes.

#### **5. Provision of Personal Data**

Shareholders' personal data may be provided by the Company to:

- a) other shareholders of the Company - within the scope of making the list of shareholders available in accordance with Article 407 of the Polish Code of Commercial Companies and Partnerships,
- b) authorised staff of the Controller,
- c) legal advisors handling GM, the notary public and other entities cooperating at organisation and carrying out of GM,
- d) other persons acting at authorisation of the Controller,
- e) to the public – in exercise of obligations of the Company under the law.

#### **6. Personal Data Storage Period**

Your personal data will be kept no longer than necessary, i.e. for the period necessary for the Company to conduct the GM and document it properly, including the period of keeping the records, and thereafter for the period required by law, as well as for the period appropriate to determine, pursue claims or defend against claims that the Company may raise and that may be raised against the Company in connection with GM.

#### **7. Shareholders' Rights**

In connection with the Company's processing of Your personal data, You are entitled to:

- a) the right to access personal data;
- b) the right to correct personal data;
- c) the right to delete personal data (right to be forgotten);
- d) the right to limit the processing of personal data;
- e) the right to object to the processing of personal data;
- f) the right to lodge a complaint with the President of the Personal Data Protection Office.

***Information on the right to object:***

The right to object is based on the specific situation of the person objecting to the processing of personal data concerning him or her based on Article 6(1)(f) GDPR. The Controller shall then not process these personal data unless it demonstrates that there are compelling legitimate grounds for processing overriding the interests, rights and freedoms of the data subject or grounds for determining, pursuing or defending against claims.

**8. Personal Data Collection Source**

Personal data of the Shareholders are obtained from the National Depository for Securities – Krajowy Depozyt Papierów Wartościowych S.A. with its registered office in Warsaw, ul Książęca 4, 00-498 Warsaw and are provided by Shareholders, in particular in relation to the need to demonstrate the status of a shareholder, holding an appropriate number of shares, voting rights or the right to represent on behalf of a shareholder of the Company.

**9. Data Provision Requirement**

In the case of providing data directly to the Company, providing the data is required by the provisions of the Polish Code of Commercial Companies and Partnerships and in order to enable verification of the Shareholder's identity, and not providing such data is connected with the impossibility to participate in GM. In the case of e-mail address and telephone number, providing such data is voluntary, but necessary to enable contact between the Company and the Shareholder by e-mail or telephone call, and failure to provide such data is connected with the lack of possibility of such contact.

**10. Automated Decision Taking, Including Profiling and Direct Marketing**

Personal data of Shareholders will not be processed in an automated manner, including by profiling. Moreover, no processing of data for the purposes of direct marketing is planned. Therefore, the resulting entitlements do not apply.