

Data protection information for commercial partners¹ and their attached employees

Transparency and trustworthy processing of your personal data is an important basis for good cooperation. We therefore inform you about how we process your personal data in accordance with the data protection regulations in force,

- if you are our commercial partner or are in the process of initiating business with us; or
- if your employer or client is our commercial partner or is in the process of initiating business with us.

1. Controller and Data Protection Officer

RWE RENEWABLES IBERIA SAU

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2. Which of your personal data do we process?

Various types of data are processed as part of the initiation, conclusion and performance of a contract or other agreements.

The following categories of personal data are subject to processing:

- Name data
- Identification data
- Contact details
- Address data
- Date of birth data
- Professional details and experience data
- Qualifications and certifications data
- Bank and payment data, including billing information
- Tax data Information on credit ratings
- Contract data
- Communications data, including, but not limited to: reports regarding the advancement and completion of work, reports on work conditions resulting from inspections of the site, data on security and HSE incidents/accidents
- Assessment of contractual performance
- Insurance data
- Physical access and exit data
- Incidents (e.g. claims and litigation arising for the contract, indemnities)
- Guarantee's data
- Permits and authorisations
- License plate number

Regarding commercial partner's personnel that work on site in the development and operation of parks, plants and facilities, the following personal data categories are collected, in addition to the above-mentioned:

- Employer and position in the company data
- Nationality data
- Work and training certificates, including BTP Card
- Specific training and certificates according to functions performed
- Authorisation, certificates and permits allowing performance of work including medical
- Image and video data²
- Social Security Data
- Physical access/ exit data and place of work performance

3. What are the sources of the data?

We process personal data that we have received from you directly or from our business partner.

We may also receive your data from other Group companies or third parties, in particular from other business partners.

4. For what purposes do we process your data and on what legal basis?

a. Data processing for the performance of the contract

¹ The term 'commercial partner' includes, among others, our partners in corporate and commercial transactions, our contractors and suppliers as well as their successive sub-contractors and sub-suppliers.

² With regard to the processing of your personal data in the context of video surveillance, we refer you to the respective information signs and the data protection information linked therein.

We process your data to carry out pre-contractual measures or to conclude and fulfil a contract.

The legal basis in these cases is Art. 6 para. 1 lit. b) EU General Data Protection Regulation ("GDPR").

b. Data processing for the fulfilment of legal obligations

We process your data to fulfil legal obligations imposed on RWE, namely:

- Compliance obligations, whereby we must ensure, by performing the corresponding checks, that we do not conduct business with sanctioned commercial partners;
- HSE obligations, namely, making sure that all health and safety obligations are applied and that only fully qualified employees are performing activities.

The legal basis in these cases is Art. 6 para. 1 lit. c) GDPR in conjunction with the respective statutory provision.

c. Data processing to protect the legitimate interests of the controller

We process your data to protect our legitimate interests -unless your interests and rights take precedence-, namely:

- Investigation, resolution and enforcement of accidents and incidents;
- Defense of claims in connection with the contract;
- Control of accesses and site conditions;
- Preventing fraud or criminal offences and protecting our IT systems, assets and workplaces, monitoring insolvency proceedings;
- Credit reports on contractual partners;
- Evaluation of the professional skills, experience and service provided;
- Implementation of compliance measures where not required strictly by law;
- Carrying out investigations and audits to ensure that legal and contractual obligations are met;

The legal basis in these cases is Art. 6 para. 1 lit. f) GDPR.

d. Consent to data processing

If you give us your consent to process personal data for specific purposes (e.g. marketing purposes or advertising by email), the lawfulness of this processing is based on your consent in accordance with Art. 6 para. 1 lit. a) GDPR. Any consent given can be withdrawn at any time with effect for the future (see section 3 of this data protection information).

5. Who will receive your data?

In certain cases, the data may be transferred to other RWE Group companies because these companies perform certain tasks within the Group for all or some other RWE companies.

Under certain circumstances, the data may also be transferred to carefully selected, commissioned external service providers and only to those divisions and persons who need this data to carry out or fulfil the above-mentioned purposes. If your personal data is processed on our behalf, this is done on the basis of processing agreements in accordance with Art. 28 GDPR. This way, we ensure that the legal provisions of the GDPR are complied with.

Otherwise, data will only be transferred to recipients outside the company if this is permitted or required by law, if the transfer is necessary for processing and thus for the fulfilment of the contract or, at your request, for the implementation of pre-contractual measures, if we have your consent or if we are authorised to provide information. Under these conditions, recipients of personal data may be, for example

- Commercial partners;
- External consultants and providers;
- Public bodies and institutions (e.g. public prosecutor's office, police, supervisory authorities, tax office) if there is a legal or official obligation;
- Recipients to whom the disclosure is directly necessary for the establishment or fulfilment of the contract.

6. Is your data transferred to countries outside the European Union and the European Economic Area ("third countries")?

Individual services and performances are carried out by carefully selected and commissioned service providers based outside the European Union and the European Economic Area (so-called "third country"), e.g. IT service providers.

If these service providers need to access personal data in the course of providing the service, this third country transfer is always carried out in accordance with Chapter V of the GDPR.

In the absence of an adequacy decision by the European Commission pursuant to Art. 45 GDPR, we provide appropriate safeguards to ensure an adequate level of data protection.

As a standard procedure, we conclude contracts with data recipients that contain standard data protection clauses, also known as "standard contractual clauses".

You have the option of requesting further information and receiving copies of corresponding sample agreements at any time. You can contact us using the contact details given in section 1.

7. For how long will your data be stored?

The personal data is generally deleted as soon as it is no longer required to fulfil the purpose for which it was collected.

Statutory retention obligations or legitimate interests (e.g. assertion, exercise or defence of legal claims) might justify a longer retention period, for instance:

- For dispute resolution purposes;
- For the purposes of exercising guarantees;
- For the purposes of complying with national and international Compliance legislation.

8. Is there an obligation to provide your data?

The provision of personal data is required for the conclusion or fulfilment of a contract. If you do not provide the data, it is generally not possible to fulfil the contract properly.

9. What data subject rights do you have?

You can assert the following rights under the respective legal requirements:

- the right to **receive information** about the data processing and a **copy** of the processed data,
 - the right to have incorrect data **corrected**,
 - the right to have your data **erased**, provided there is no legal reason for further storage,
 - the right to demand **restriction** of processing,
 - the right to data **portability** with regard to all data that you have provided to us. This means that we will provide it to you in a structured, commonly used and machinereadable format, and
- the right to **object** to data processing based on the legitimate interest, if this can be justified on the basis of your particular situation.

If you wish to exercise your rights, please use the contact details provided in section 1.

If you have given us separate consent to process your personal data, you can withdraw this consent at any time. The legality of the processing of your data up to the time of withdrawal remains unaffected by a withdrawal.

Without prejudice to any other legal remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement.

[Agencia Española de Protección de Datos \(AEPD\)](#)

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Automated decision-making, including profiling, does not take place.

With regard to the processing of your personal data in the context of the Supplier Portal, we refer you to the respective data protection information linked therein.