

GENERAL PRIVACY NOTICE CONCERNING PROCESSING OF PERSONAL DATA BY AES

1. Introduction

- 1.1. This General Privacy Notice Concerning Processing of Personal Data by **AES-3C Maritza East I EOOD**, with UIC 123533834 and registered address Galabovo 6280, Galabovo Municipality, Stara Zagora District, **AES Maritza East I EOOD**, with UIC 123533817 and registered address Galabovo 6280, Galabovo Municipality, Stara Zagora District, **AES Maritza East I Services EOOD**, with UIC 123533827 and registered address Galabovo 6280, Galabovo Municipality, Stara Zagora District, **AES Europe Services EOOD**, with UIC 202690484 and registered address Aries Office Building, 32A Cherni Vrah Boulevard, Lozenets District, Stolichna Municipality, Sofia 1407 and **AES Geo Energy OOD**, with UIC 175155987 and registered address Aries Office Building, 32A Cherni Vrah Boulevard, Stolichna Municipality, Lozenets District, Sofia 1407 (hereinafter referred to jointly as "**AES**") (the "**Privacy Notice**" or the "**Notice**") aims to provide individuals, customers and suppliers of AES ("data subjects") with clear and transparent information about how and why AES processes their personal data, for what purposes their personal data are processed, and to whom their personal data are provided in the cases provided for by law or in pursuit of AES's legitimate interests. Pursuant to applicable personal data protection legislation, including the General Data Protection Regulation ("**GDPR**"), AES is obliged to notify data subjects by providing clear and transparent information in the form of this Privacy Notice.
- 1.2. The Privacy Notice supplements and does not replace any other internal acts and notifications adopted by AES with regard to the processing and protection of personal data. In accordance with the requirements for transparency, AES has provided appropriate sections posted in an accessible and prominent place on AES' website - <http://aes.bg>, with privacy notices of the processing of personal data of job applicants, visitors and persons who have reported corruption or general alerts and those about the interaction and exchange of information with investors (investor contacts).
- 1.3. AES aims to ensure the lawful, transparent and secure processing of your personal data by complying with the requirements of the applicable Bulgarian and European data protection legislation, the technical and organizational data protection measures adopted and implemented by AES, including but limited to providing transparent, complete, and easily accessible information about any personal data processed by AES.
- 1.4. This Privacy Notice in no way restricts or negatively affects your rights related to the processing of your personal data by AES. The notification is intended solely to provide you with information that guarantees the transparent and fair processing of your personal data.
- 1.5. This Notice is posted and is freely available in a dedicated special section of AES' website, <http://aes.bg>, named "**PERSONAL DATA**". The Notice may be amended and/or supplemented at any time by AES in the event of a need or change in the circumstances specified therein. If you would like to receive further information and/or have questions about the processing of your personal information, you can contact AES through the contacts below.

AES will assist you and answer your questions and requests without undue delay.

2. What personal data is processed by AES

- 2.1. AES processes the personal data provided by you or obtained from publicly available information as a personal data controller. AES collects and processes personal data while complying with the principles of personal data processing provided for in the GDPR, in particular, AES processes

personal data in compliance with the “data minimization” principle, i.e. the personal data which AES collects and processes are relevant, related and limited to what is necessary for the purposes for which they are processed.

- 2.2. The categories of personal data which AES processes are determined by the purposes for which the personal data are processed. Depending on the categories of natural persons (“data subjects”), personal data may differ and in some statutory cases, AES is required to process a certain category of personal data.
- 2.3. Depending on the purposes of the processing of personal data and the legal basis for their processing, as well as on the categories of data subjects whose personal data are processed, for example (i) agents (legal representatives, proxies, employees); (ii) current and former AES employees; (iii) applicants for jobs with AES; (iv) whistleblowers to AES; (v) visitors to the premises of AES and other individuals/entities, AES may process personal data related to your physical, physiological, economic, social or other type of identity, such as:
 - 2.3.1. Names, national identifier (PIN, PNF), birth date;
 - 2.3.2. Contact details - address (permanent/business), telephone number (personal/business), email address (email);
 - 2.3.3. Identity document details (insofar as necessary to achieve the processing objectives);
 - 2.3.4. Data about education, work experience, professional qualifications and skills;
 - 2.3.5. Data about job position and employment data;
 - 2.3.6. Data required by AES in its capacity as a contracting authority under the Public Procurement Law (“PPL”), including data on the economic status of the data subjects as well as tax and social insurance information (e.g. existence of public debts), bank account number, criminal record;
 - 2.3.7. Data required by AES in fulfillment of its obligations under the Law on Measures Against Money Laundering and the Law on Measures Against the Financing of Terrorism;
 - 2.3.8. Other data provided by you in the context of your interactions with us.

3. Purposes of the personal data processing

- 3.1. The purposes of personal data processing are related to the ordinary activities of the AES group of companies carried out in the energy sector as well as related activities, purchases and deliveries from /to external suppliers and contractors, provision of services to other companies of the AES group, clients of AES Europe Services EOOD in the fields of finance, information technology, procurement and supplies, human resources and communications, interaction of AES with government bodies and institutions and their representatives, other legal entities and individuals.
- 3.2. Depending on the relationship that arises between you and AES, the purposes of processing your personal data may be, for example, but not limited to:
 - 3.2.1. Execution of the contractual relationship (contract signing, performance, amendment, termination); protection of the legitimate interests of the parties to the contract; maintaining correspondence; compliance with AES’ legal requirements obligations as a contracting entity under the PPL.

- 3.2.2. Implementation of public procurement legislation; conducting a procedure for selecting a contractor and concluding a public procurement contract within the meaning of the Public Procurement Law by adhering to approved forms, including the European Single Procurement Document;
- 3.2.3. Implementation of measures and means for preventing and detecting money laundering and terrorist financing;
- 3.2.4. Management and administration of finance, information technology, procurement and supplies, human resources and communications within the AES group of companies, including job applicants;
- 3.2.5. Management and administration of the relationships between AES and its contractors;
- 3.2.6. Management of alerts, complaints and inquiries of individuals and legal entities addressed to AES;
- 3.2.7. Management and administration of connections and relationships with investors, government bodies and institutions and their representatives and other stakeholders;
- 3.2.8. Conducting internal audits and verifications within the AES group of companies;
- 3.2.9. Financial accounting purposes;
- 3.2.10. Protection of AES' property, assets and interests;
- 3.2.11. Exercising your rights under the personal data protection legislation.

4. Legal grounds (conditions) for personal data processing

- 4.1. Depending on the purposes for processing your personal data, the presence or absence of a statutory obligation for processing your personal data, the presence of a legitimate interest on the part of AES to process personal data and/or other specific circumstances related to your particular situation with respect to AES, AES may process your personal data subject to at least one of the following legal grounds provided for in the GDPR:
 - 4.1.1. Fulfillment of AES' statutory obligations in respect of which your personal data need to be processed;
 - 4.1.2. Your consent for processing of personal data related to you (if no other legal ground for the processing of your personal data by AES is applicable);
 - 4.1.3. Steps which need to be undertaken to conclude a contract with you or for the fulfillment of an existing contract;
 - 4.1.4. Pursuit of AES' legitimate interests or of a third party except where the interests or fundamental rights and freedoms of the individual ("data subject") have priority over those interests;
 - 4.1.5. Protection of your vital interests;

- 4.1.6. Processing is necessary for the performance of a public interest task or for the exercise of official powers conferred on AES (insofar as applicable and relevant to AES activities);
- 4.1.7. Processing is necessary in order to establish, pursue or defend legal claims, whether in the context of judicial, administrative or other extrajudicial proceedings.

5. Period of storage of your personal data

- 5.1. AES will only store your personal data for the duration necessary to achieve the purposes of processing the personal data specified above or in fulfillment of a statutory obligation. AES will only process your personal data for the storage period necessary to achieve the purposes of personal data processing mentioned above (“storage limitation” principle).
- 5.2. Your personal data will be stored for a period of time limited to 5 years but may be longer depending on (i) the existence of a specific legal basis for storage of your personal data; (ii) the existence of a statutory minimum period for the storage of a certain category of personal data; (iii) the achievement of the purposes for which your personal data are processed; (iv) the legitimate interests of AES, insofar as such storage of your personal data does not affect your rights and interests in protecting your personal data.
- 5.3. Upon termination of the processing of your personal data, the expiry of the statutory minimum period for the storage of personal data, the achievement of the purposes of processing your personal data and/or in the presence of another circumstance that makes the storage of your personal data unnecessary, AES will take the necessary actions and measures to erase or destroy your personal data (depending on the carrier on which your personal data was stored – paper and/or electronic data carrier).

6. To whom your personal data will or may be disclosed

- 6.1. In connection with the achievement of the above objectives, your personal data may be disclosed to a particular category of recipients, subject to strict compliance with the requirements of personal data protection legislation and insofar as necessary to achieve these objectives.
- 6.2. AES will not disclose or forward your personal information which it processes to any other individuals or entities (“recipients of personal data”) without a legal basis and the need to do so.
- 6.3. Depending on the specific relationships that have arisen between you and AES because of, and within, which your processing of personal data is required, your personal data may be disclosed to the following categories of recipients:
 - 6.3.1. AES staff – Your personal information will be disclosed to AES staff in compliance with the need-to-know principle and to the extent necessary for the performance of their duties and the activity of AES;
 - 6.3.2. Government bodies, institutions, agencies and other administrative bodies when that is provided for by law or regulation or when the approval, authorization or any other sanction of such authority(s) is required, with a view to and within the scope of AES activity;
 - 6.3.3. AES service providers, professional consultants and other counterparties of AES (if and to the extent applicable in the specific case, such as providers of IT hardware support, hosting or AES’ website, providing of legal, financial or other type of consulting);

- 6.3.4. AES Europe Services EOOD, within the scope of its activities as a regional shared services centre in the fields of finance, information technology, procurement and supply, human resources and communications;
- 6.3.5. Other persons or bodies, where this is provided for by law or regulation, or where necessary in view of the specific activity of AES in the energy field.
- 6.4. AES will only provide (disclose) your personal data to the abovementioned recipients when necessary and to the extent necessary to achieve the purposes of processing the personal data, in pursuance of a regulatory act or an internal act of AES without prejudice to your rights and legitimate interests in protecting your data.
- 6.5. Your personal data may, for the fulfillment of the aforementioned purposes and the above mentioned recipients, be transferred and processed in countries other than the Republic of Bulgaria, including in third countries within the meaning of the GDPR which do not provide equivalent levels of protection of personal data. Therefore, in the presence of such cross-border transfers, AES will comply with the requirements of the GDPR and Bulgaria's Personal Data Protection Act which includes the introduction of appropriate safeguards and measures for the protection of your personal data pursuant to Art. 46 of the GDPR. AES will not transfer or transmit your personal data to third parties before adequate safeguards and measures are in place to protect it in accordance with the requirements of the GDPR and information about where your personal data is available.

7. Your rights related to the protection of your personal data and additional information

- 7.1. In order to fulfill the statutory obligations of AES as a data controller, it is important for AES to process and maintain your personal data accurate and up-to-date; if necessary, you may request that your personal data be updated, corrected and/or supplemented, and for this purpose you may submit an application to this effect to AES, subject to the terms and conditions provided for in the personal data protection legislation.
- 7.2. You have certain rights under the personal data protection legislation relating to the processing of your personal data by AES as follows:
 - 7.2.1. The right to information and access to your personal data, the right to request a copy of your personal data stored or otherwise processed by AES; and
 - 7.2.2. The right to request the correction of your personal data, if the personal data are not accurate, up-to-date or complete; and
 - 7.2.3. If you have doubts that your personal data are not being lawfully processed, you have the right to file a complaint with the competent data protection supervisory authority referred to hereunder; and,
 - 7.2.4. Subject to the conditions and prerequisites set out in the personal data protection legislation, you are also entitled to request the deletion of your personal data or limit their processing, as well as to exercise the right of portability of your personal data (subject to the prerequisites and conditions required); and
 - 7.2.5. Right to object, as well as rights related to automated decision-making – in the cases provided for by law, you have the right to object at any time on grounds related to your particular situation against the processing of your personal data, including if your personal data is used for profiling; and

- 7.2.6. When your personal data are processed based on consent (or explicit consent), you have the right to withdraw the consent.
- 7.3. Please note that AES will not process or use the personal information you provide for profiling or automated decision making.
- 7.4. It is important for you to know that the specific terms and procedures for exercising your rights regarding the protection of your personal data are set out in detail in the General Data Protection Regulation and Bulgaria's Personal Data Protection Act. AES will provide you with the necessary assistance to exercise your statutory rights.
- 7.5. Should you wish to exercise any of your rights or obtain further information on how AES uses your personal data, please contact the Data Protection Officer at the following email address: dataprotectionofficer@aes.com or by sending a written request for the exercise of your right under GDPR to the registered address of AES.

8. Protecting your personal data

- 8.1. AES strives to ensure the protection and security of your personal data by providing appropriate technical and organizational measures to protect your personal data.
- 8.2. AES has adopted and implemented personal data protection policies designed to protect your personal data from unauthorized access and misuse including securing the information systems and protecting the information, including encryption.

9. Changes

- 9.1. We may update this Notice from time to time by posting a new version on our website.
- 9.2. You should check this page from time to time to make sure you are satisfied with any changes to the Notice.
- 9.3. We can notify you of significant changes to this Notice by email.

10. Competent data protection supervisory authority

- 10.1 If you have any questions about the lawfulness of the processing of your personal data or the need to be provided with additional information about how you can exercise your rights related to the personal data processed by AES, please contact AES directly using the provided contact forms located on AES' website, at AES registered address or at the telephone numbers listed.
- 10.2 If you believe that AES is processing your personal information illegally, then please contact us to clarify the matter quickly and to provide you with the assistance necessary to reach a satisfactory solution for you.
- 10.3 You may also file a complaint with the Commission for Personal Data Protection:

Commission for Personal Data Protection (CPDP)

Address: 2 Professor Tsvetan Lazarov Boulevard, 1592 Sofia

Fax – +359 2 915 3525

Email: kzld@cpdp.bg

Website: www.cdpd.bg