

## Information clause on personal data protection

Annual General Meeting convened for 19 June 2024

### Information clause regarding the processing of personal data of shareholders and shareholders' proxies

In connection with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 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, hereinafter '**GDPR**', we inform you that:

#### 1. Data controller

The controller of the personal data of shareholders or their proxies/representatives is **Polenergia Spółka Akcyjna** with its registered office in Warsaw (address: ul. Krucza 24/26, 00-526 Warsaw), entered in the Register of Entrepreneurs of the National Court Register by the District Court for the Capital City of Warsaw in Warsaw, XII Commercial Division of the National Court Register, under KRS no: 0000026545, NIP: 5261888932, share capital amounting to: PLN 154,437,826.00, paid in full (hereinafter the '**Company**')

#### 2. Contact with the Company

The Company can be contacted by e-mail, telephone or letter using the following details:

Polenergia S.A. ul. Krucza 24/26 00-526 Warszawa, tel.: +48 22 522 39 00, e-mail: [rodo@polenergia.pl](mailto:rodo@polenergia.pl)

#### 3. Categories of personal data

The Company processes the following categories of personal data of shareholders or their proxies/representatives: identification data, address data, contact data and image.

#### 4. Purpose of data processing and legal basis

Personal data of shareholders or proxies may be processed for the following purposes:

- 1) the legal obligation in the form of organising the Annual General Meeting and enabling eligible persons to exercise their voting rights at it and making available for inspection the list of persons entitled to attend the Annual General Meeting, on the basis of Article 6(1)(c) of the GDPR;
- 2) to process data contained in documents sent to confirm the identity of the signatory and to record and broadcast the proceedings of the Annual General Meeting on the basis of Article 6(1)(f) of the GDPR within the framework of the Company's legitimate interests in promoting transparency in the Company's operations, as required by the Commercial Companies Code, and to ensure equal access to decisions and discussions at the Annual General Meeting;
- 3) for the handling, investigation and defence in the event of counterclaims on the basis of Article 6(1)(f) of the GDPR and the Company's legitimate interest in this regard.

#### 5. Sharing of personal data

Personal data of shareholders or their proxies/representatives may be shared by the Company:

- 1) to other shareholders in the event that they concern the Company's shareholders pursuant to Article 407 § 1 and § 11 of the Commercial Companies Code;
- 2) to the entity processing personal data at the Company's request, performing the service of voting at the Annual General Meeting. The personal data of shareholders or their proxies/representatives in the form of their image recorded during the Annual General Meeting will be made available as part of the real-time transmission and publication of the recording on the Company's website.

## **6. Period of storage of personal data**

The personal data of shareholders or proxies will be retained for a period of 1 (one) year from the date of the Annual General Meeting, unless a longer retention period is required by applicable regulations, and in the event of a legal challenge to the resolutions of the Annual General Meeting until the legal proceedings in this regard have become final.

## **7. Rights of data subjects**

In relation to the processing of personal data by the Company, shareholders or their proxies/representatives have: 1) the right to access personal data, 2) the right to rectify personal data, 3) the right to erase personal data (right to be forgotten), 4) the right to restrict the processing of personal data, 5) the right to object to the processing of personal data, 6) the right to lodge a complaint with the President of the Office for Personal Data Protection, in case the processing of personal data is considered to violate the provisions of the GDPR.

## **8. Source of data**

Personal data may originate: 1) from the system of the Krajowy Depozyt Papierów Wartościowych S.A. (National Depository for Securities) in case they concern a shareholder of the Company; 2) from the shareholders, in case the data concern a shareholder or his/her proxy/representative; 3) from the principal in case of a granted power of attorney, in case they concern a shareholder's proxy.

## **9. Requirement to provide data**

The provision of personal data by the shareholder or the proxy/representative is necessary for the purposes set out above, for the preparation and transmission to the shareholder, at his/her request, of the list of persons entitled to attend the Annual General Meeting and for the verification of entitlement to attend the Annual General Meeting.