

INFORMATION CLAUSE FOR THE CONTRACTORS AND CUSTOMERS AND THEIR EMPLOYEES

Dear Sir / Madam,

in view of the fact that commencing from May 25th 2018 the 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 (General Data Protection Regulation - GDPR) should be applied, in the care of the security of your personal data, we indicate that we have implemented all organizational and technical security measures resulting from the GDPR. In order to get acquainted with the purposes and methods of processing your personal data, below we send an information clause and we kindly ask you to read its contents.

1. The administrator of the personal data is Amex Coal Sp. z o.o. with the head office in Sopot, Al. Niepodległości, 809A, 81-810 Sopot, info@amexcoal.com (hereinafter referred to as: Administrator).

2. The personal data will be processed in order to conduct our business activity which involves providing international forwarding and transport services, chartering, ship agency and trans-shipment terminal, whereas the orders received from our clients are often completed through subcontractors and their employees:

a. if you are an entrepreneur running a business:

✓ Your data are processed by us for the purposes of execution of the contract concluded between us (Art. 6 Par 1 Let. b of GDPR), we do not exclude the possibility that your personal data will be processed for the purposes of legitimate interests of the Administrator of Personal Data (Art. 6 Act 1 pt. f of the GDPR) either, which involve:

a. the activities related to the execution of contracts and orders, in particular the transfer of information on the order or contract and the entities which are involved in the execution thereof: the initial and end clients or subcontractors,

b. a possible pursuance of claims and the protection of rights,

✓ Your data may also be processed on the basis of Art. 6 Par. 1 Let. c of GDPR (the fulfillment of the Administrator's legal obligations) - e.g. the transfer of data to authorities, issuing VAT invoices,

✓ Your personal data has been obtained from contracts, orders, commercial inquiries, commercial offers, public registers (CEIDG¹),

✓ we process the following categories of your personal data: contact details, details necessary for billing and invoicing, identification numbers (NIP-VAT No., REGON-Co. Reg. No.), and in some cases it is also possible to process such details as the

¹ Central Register and Information on Economic Activity

registration number of the vehicle (to the extent that it is necessary to "prenotify" the goods or the driver).

b. if you are a person employed by the entrepreneur or by any persons acting on their behalf:

✓ Your personal data is processed by us in order to execute the contract concluded between us and the entrepreneur on whose behalf you act on the basis of the legally justified interest of the Administrator of Personal Data (Art. 6 Par 1 Let. f, GDPR) whereas this justified interest is:

1. ensuring the possibility of the execution of the contract concluded between the Administrator and the entrepreneur on whose behalf you operate, and your personal data is processed only for the purposes and to the extent necessary for the proper execution of this contract,
2. possible pursuance of claims against the entrepreneur and the protection of rights,
 - ✓ if you have not provided us with your personal data, it means that we have obtained it from contracts, orders, commercial inquiries, commercial offers, transport stock exchanges or directly from the entrepreneur on behalf of which you operate. Your data could also have been obtained from public registers (CEIDG, KRS), if your authorization to act on behalf of the entrepreneur was disclosed in such register,
 - ✓ we process the following categories of your personal data: business contact details, e.g. name, e-mail address, telephone number.
3. The recipients of personal data may be institutions authorized by law, co-workers, subcontractors, contractors and clients of the Personal Data Administrator, if it is required for the execution of contracts, orders or legitimate interests of the Administrator, the web hosting provider, IT services provider, the entities providing accounting, postal and courier services, entities providing legal and debt collection services.
4. Personal data in principle will not be transferred to any third countries or international organizations, however, we cannot exclude that the execution of a specific order or contract will require the transfer of personal data to countries outside the EU or the EEA, in which case you shall be informed.
5. Personal data will be stored for the period necessary to execute contracts and orders and fulfill the legitimate interests of the Administrator, and the billing details will be stored for a period of 5 years counted from the end of the year in which the settlement was made.
6. You have the right to demand access to your personal data, the right of correction, deletion or limitation, objection against processing, transfer of your personal data. The execution of the rights mentioned above may be limited by law.
7. Currently, your data are not processed on the basis of a consent; if the processing of data will take place on the basis of a consent, then, to such extent – the consent for the processing of personal data may be withdrawn at any moment. The withdrawal of consent will not affect the compliance of personal data processing before the withdrawal of consent.

8. Providing personal data is not a statutory requirement and it is voluntary, however, your personal data is necessary for the execution of contracts and orders, and the failure to provide them or failure to consent to their processing may prevent from the execution of an order or continuing cooperation with you or the entrepreneur on whose behalf you operate.

9. If in your opinion the processing of your personal data is unlawful, you have the right to lodge a complaint with the supervisory authority, i.e. the President of the Personal Data Protection Office.

10. Personal data will not be a subject to automated decision making, including profiling.

11. In the case when the Administrator of Personal Data wants to use personal data for purposes other than the purpose for which they were transferred or collected, before such further processing, the Administrator of Personal Data will inform you of such other purpose and provide you with all the information required by the information right.