

## **NOTIFICATION ON PERSONAL DATA PROCESSING TO CLIENTS, CLIENTS' REPRESENTATIVES, COOPERATION PARTNERS, WEBSITE VISITORS AND OTHER RELATED PERSONS**

### **1. INFORMATION ABOUT THE CONTROLLER**

Your personal data controller is **JSC Latvijas Gāze**, registration number: 40003000642, legal address: Aristida Briāna Street 6, Riga, LV-1001, Latvia; telephone number +371 67869866, e-mail address: [lietvediba@lg.lv](mailto:lietvediba@lg.lv).

### **2. CONTACT INFORMATION FOR COMMUNICATION ON THE ISSUES OF PERSONAL DATA PROTECTION**

If you have any questions in relation to this notification or processing of your personal data, you may contact with us by using our communication channels mentioned above or by contacting with our personal data officer by writing to the e-mail address: [lietvediba@lg.lv](mailto:lietvediba@lg.lv).

### **3. GENERAL DESCRIPTION OF PERSONAL DATA PROCESSING PERFORMED BY US**

This notification describes how we perform personal data processing of our clients, representative/contact persons of clients, cooperation partners, website visitors and other persons, whose data may appear at our disposal within the framework of commercial activity performed by us.

We assume that before using our website or becoming our client, you have read this notification and have accepted the terms and conditions thereof. This is an up to date wording of the notification. We reserve the right to make amendments and to update this notification as per the need.

Please, be advised that some of our contractual framework documents may contain additional terms and conditions regarding personal data processing as well as a certain terms and conditions of your personal data processing might be reflected in the legal documents of legal entity you are representing.

The purpose of this notification is to provide the general insight to you about the activities of personal data processing performed by us and purposes, however, please, take into account that also in other documents (such as service contracts, cooperation contracts, terms and conditions for use of cookies) additional information regarding your personal data processing may be provided.

This is to inform you that regulations on the personal data processing covered by this notification refer only to processing of personal data of natural persons.

We are aware of the fact that personal data is your value and we will process them in compliance with the confidentiality requirements and taking care for security of your personal data being at our disposal.

### **4. FOR WHAT PURPOSES DO WE PROCESS YOUR PERSONAL DATA AND WHAT IS THE LEGAL BASIS FOR PROCESSING OF PERSONAL DATA?**

We will process your personal data only in accordance with the previously defined legitimate purposes, including:

a) **Commencement and provision of services, as well as fulfilment and provision of liabilities laid down in the contract (including cooperation contract)**

Within the framework of this purpose, it should be necessary for us to identify you, to identify the site, where the service will be provided, to ensure appropriate calculation of payments and to ensure payment performance process, to contact with you on the issues related to provision of the service and/or fulfilment of the contract (including also sending of invoices), in certain cases also to ensure recovery of unpaid payments, as well as to ensure provision of high quality service.

For this purpose and the above mentioned underlying purposes, at least the following personal data would be necessary for us:

- commercial client – natural person: name, surname, personal ID code, telephone number, e-mail address of the client and contact person of the client, communication address, address of the site, owner of the site, relation of the client with the site (in case of not being an owner), bank account number, information on gas consumption, data of personal identity documents and other data;
- commercial client – legal entity: representative's name, surname, personal ID code, telephone number, e-mail address, communication address, address of the site, owner of the site, data of personal identity documents and other data.

Principal legal grounds to be used for achievement of these purposes are:

- conclusion and performance of a contract with the data subject (Article 6 (1)(b) of the GDPR<sup>1</sup>, *for example, when you (as commercial client – natural person) agree to submit information about your account No., in order to return your overpaid payment for use of natural gas;*
- legitimate interests pursued by the controller (Article 6(1)(f) of the GDPR), *for example, identification of you as a representative of a client, identification of the owner of the site and provision of communication with your company where you are appointed as a contact point;*
- compliance with a legal obligation (Article 6 (1)(c) of the GDPR).

b) **Performance of the requirements laid down in the regulatory enactments with regards to service provision or performance of requirements prescribed by other regulatory enactments**

For this purpose it would be necessary for us to perform the requirements of *Estonian Natural Gas Act, EU Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market, Estonian Information Society Services Act* and other regulatory enactments as well as the requirements of supervisory authorities.

For this purpose it should be necessary for us to process personal data required for performance of activities determined in each regulatory enactment, for example,

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<sup>1</sup> 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).

to collect information about gasified objects, to exchange (transfer) information about the supplied gas with natural gas system operators and other persons set forth in regulatory enactments, including state authorities and courts.

Principal legal grounds to be used for the achievement of these purposes are:

- compliance with a legal obligation (Article 6 (1)(c) of the GDPR).

**c) Provision of marketing activities**

Within the framework of this purpose, we could send you commercial notices and client surveys.

At least the following personal data should be necessary for this purpose:

- commercial client – natural person: name, surname, telephone number, e-mail address of the client or contact person of the client and/or cooperation partner, description of activities performed on the internet environment;
- commercial client – legal entity: representative's name, surname, telephone number, e-mail address description of activities performed on the internet environment.

Principal legal grounds to be used for achievement of these purposes are:

- conclusion and performance of a contract with the data subject (Article 6 (1)(b) of the GDPR);
- legitimate interests pursued by the controller (Article 6 (1)(f) of the GDPR).

**d) For ensuring of proper provision of services and ensuring cooperation with service providers and other cooperation partners.**

Within the framework of this purpose, it should be necessary for us to perform maintenance and improvement of technical systems and IT infrastructure, use of technical and organizational solutions that may also use your personal data with a purpose to ensure proper provision of services as well as to process your data specified as a contact person by cooperation partners, in order to ensure valuable communication with the cooperation partner.

Principal legal grounds to be used for achievement of these purposes are:

- legitimate interests pursued by the controller (Article 6 (1)(f) of the GDPR).

## **5. WHO COULD HAVE ACCESS TO YOUR PERSONAL DATA?**

We perform appropriate measures in order to process your personal data in accordance with the applicable legal acts and ensure that third persons, who do not have any legal grounds for processing of your personal data, could not have access to your personal data.

The following persons could have access to your personal data as per the need:

- 1) our employees or directly authorized persons, who shall require it for the performance of work duties;
- 2) personal data processors according to services provided by them and only in the necessary scope, such as auditors, finance management and legal advisors, technical maintainer of the data base, security service provider, other persons, being related to provision of services to us;

- 3) state and local authorities in cases prescribed by legal acts, such as law enforcement authorities, local governments, tax administrators, sworn bailiffs, courts, supervisory authorities;
- 4) third persons, upon carefully evaluating whether such data transfer has appropriate legal basis, for example, debt recovery service providers, courts, extrajudicial dispute settlement authorities, administrators of the insolvency proceedings, third persons, maintaining registers (such as registers of debtors, credit information offices etc.).

## **6. WHAT COOPERATION PARTNERS FOR PERSONAL DATA PROCESSING OR PERSONAL DATA PROCESSORS DO WE CHOOSE?**

We perform relevant measures in order to ensure your personal data processing, protection and transfer to data processors, in accordance with the applicable legal acts. We carefully select the personal data processors, and when performing the transfer of data, we evaluate the need thereof and volume of data to be transferred. Data transfer to processors is being performed in compliance with the personal data confidentiality and safe processing requirements.

Currently we can cooperate with the following categories of personal data processors:

- 1) outsourcing accountants, auditors, translators, finance management and legal advisors;
- 2) IT infrastructure, data base owner/ developer/ technical maintainer;
- 3) debt recovery service providers;
- 4) other persons, being related to provision of our services.

Personal data processors may change time after time, regarding which we will make changes also in the present document.

## **7. ARE YOUR PERSONAL DATA TRANSFERRED OUTSIDE OF THE COUNTRIES OF THE EUROPEAN UNION (EU) OR EUROPEAN ECONOMIC AREA (EEA)?**

We do not transfer your data to the countries outside of the European Union or European Economic Area unless such transfer is not contemplated for the fulfilment of contractual obligations.

## **8. FOR HOW LONG WE WILL STORE YOUR PERSONAL DATA?**

Your personal data will be stored as long as the storage of them will be necessary in accordance with the appropriate purposes for personal data processing, as well as in accordance with the requirements of the applicable legal acts.

When evaluating the duration of storage of personal data, we take into account the requirements of regulatory enactments being in force, aspects of performance of contractual liabilities, your instructions (for example, in case of consent) as well as our legitimate interests. In case your personal data will not be necessary anymore for the set purposes, we will erase or destroy them.

Please, find below the most common time periods for storage of personal data:

- personal data required for performance of contractual liabilities - we will store until the contract will be fulfilled and as long as other terms of storage will be performed (see below);
- personal data to be stored in order to perform the requirements of legal acts - we will store for the relevant time period stipulated by regulatory enactments;

- data in order to ensure data recovery - we will store backup copies until the time, when the minimum number of newer backups will be established in order to be able to delete the previous backups;
- data in order to prove the fulfilment of our liabilities - we will store for the general limitation period of the claim, in accordance with the limitation periods for claims prescribed by regulatory enactments.

## **9. WHAT ARE THE RIGHTS OF YOU AS A DATA SUBJECT WITH REGARDS TO YOUR PERSONAL DATA PROCESSING?**

Please be advised, that execution of certain rights provided to you by the GDPR may be at the same time the subject of certain terms and conditions reflected in the legal documents of legal entity you are representing. Thus, the execution of such rights should be addressed in accordance with the policies of legal entity you are representing. Nevertheless, you are entitled to address us any GDPR related matter and we will kindly reply to the request.

### **Personal data update**

In case if any changes have occurred in the personal data you have provided to us, please, contact us via your legal entity you are representing or yourself, if you are commercial client – natural person, and submit to us the updated data in order we could achieve the relevant purposes of the personal data processing.

### **Your right to access your personal data and rectify them**

In accordance with the provisions of the GDPR, you have the right to request us to have access to your personal data, being at our disposal, to request rectification, erasure, restriction of processing, to object to processing of your personal data as well as the right to data portability in cases and in accordance with the procedure prescribed by the GDPR.

We respect your right to have access to your personal data and to control them, therefore, in case of receipt of your request, we will reply to it within the time periods set forth in regulatory enactments (usually not later than within a time period of one month, if it will not contain any special request requiring longer period of time for preparation of a reply, regarding which we will inform you) and, if it will be possible, we will accordingly rectify or erase your personal data.

You may obtain information about your personal data being at our disposal or implement any other rights of you as a data subject in any of the following ways:

- 1) by submitting the relevant submission, sending it to us via mail to the address: Aristida Briāna Street 6, Riga, LV-1001, Latvia;
- 2) by submitting the relevant submission, sending it to our e-mail address: [lietvediba@lg.lv](mailto:lietvediba@lg.lv); it should be preferred to sign it with a safe electronic signature.

When receiving your submission, we will evaluate the content thereof and a possibility of your identification, and depending on the relevant situation we reserve the possibility to request you to additionally identify yourself in order to ensure your data safety and disclosure to the relevant person.

### **Withdrawal of a consent**

As the case may be, if the processing of your personal data is based on the consent provided by you (you will be duly informed about such processing), you have the right to withdraw it at any time and further on we will not process your personal data that we processed on the basis of your consent for the relevant purpose.

However, we would like to inform that withdrawal of consent shall not affect processing of such personal data, which is necessary for performance of requirements of regulatory enactments, or which is based on the contract, our legitimate interests or other grounds prescribed by regulatory enactments for lawful data processing.

You may also object to processing of your personal data if the processing of personal data is based on legitimate interests or is used for marketing purposes (such as sending of commercial notices). If the commercial notices are addressed to the legal entity you are representing, the legal entity is entitled to address this matter.

#### **10. WHERE CAN YOU SUBMIT A COMPLAINT IN RELATION TO THE ISSUES RELATED TO PROCESSING OF PERSONAL DATA?**

If you have any questions or objections in relation to the processing of your personal data performed by us, please, turn to us at first.

If you still consider that we have failed to mutually settle the arising issue and you consider that we violate your right to the personal data protection, you have the right to lodge a complaint with the Estonian Data Protection Inspectorate (<https://www.aki.ee/en>).

#### **11. WHY DO YOU HAVE TO SUBMIT YOUR PERSONAL DATA TO US?**

Primarily we collect your information in order to fulfil the undertaken contractual liabilities, to perform legal obligations binding to us and in order to implement our legitimate interests. In such cases the acquisition of certain information is necessary for us in order to achieve certain purposes, therefore, failure to provide such information may make difficult the commencement of business relations or fulfilment of a contract. If data will not be mandatory required, but submission thereof could help to improve the service or offer you more beneficial provisions of the contract and/or offers, we will indicate at the collection of data that the provision of data is voluntary.

#### **12. HOW DO WE ACQUIRE YOUR PERSONAL DATA?**

We may acquire your personal data in any of the following ways:

- 1) during the process of conclusion of a mutual contract, acquiring data from the legal entity you are representing or directly from you as commercial client – natural person;
- 2) if the contract is concluded with a third person and it has specified you as a contact person or a person related with the site, or submitted documents, where your data are showed;
- 3) from you, if you will submit to us any submissions, e-mails or call us;
- 4) on the website, using cookies
- 5) in certain cases from data bases of third persons, for example, when assessing your creditworthiness or establishing your right to represent the company, we may obtain data from third persons in order to achieve the purpose.

#### **13. ARE YOUR PERSONAL DATA USED FOR AUTOMATED DECISION MAKING?**

We will not use your data for automated decision making.