

NOTICE OF INFORMATION ON PERSONAL DATA PROCESSING

1. Identity and contact details of the Controller(s) processing the personal data and contact details of the Data Protection Officer

1.1. Personal data will be processed by the company **ECHINOX PROPERTY SERVICES S.R.L.** (also referred to herein as the “Controller”), with its registered seat in Bucharest, Romania, 40-44 Banu Antonache Street, third floor, district 1, Bucharest, Trade Register registration number J40/6332/24.05.2011, Fiscal Code RO 28533585, telephone +4 021 310 3100, email: gdpr@cwechinox.com.

1.2. The contact details of the Data Protection Officer can be found at www.cwechinox.com to the extent that the appointment of a Data Protection Officer was necessary.

2. Purpose(s) of processing - Compatible purposes

2.1. Personal data (referred to herein as “personal data”), which is the personal data of the individual (also referred to herein as the “data subject”) who contacts the Controller and which are provided by the data subject, will be processed for any (communication) purpose in relation to the matters indicated / requested by the data subject, including, without limitation to any action to be taken for the conclusion by the data subject of a contract with the Controller and / or with third parties, as appropriate and if applicable, and for any compatible, related and related purposes.

2.2. Personal data may also be processed in any cases where processing is necessary for the legitimate interests pursued by the Controller or a third party, if such legitimate interests exist, unless the interests or the fundamental rights and freedoms of the data subject prevail, which require the protection of personal data.

2.3. The Controller will process in each case only the personal data of the data subject that are / will be appropriate, relevant and limited to what is necessary for the purposes for which they are processed.

2.4. Personal data is to be collected, recorded, organized, structured, stored, consulted, and used.

3. Legal basis for processing

The legal basis for processing is/can be, as appropriate, Article 6 (1) (a), (b), (c) and (f) of the (EU) Regulation 2016/679 (the “Regulation”), namely: “... (a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes; (b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract; (c) processing is necessary for compliance with a legal obligation to which the controller is subject; ... (f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third

party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data”

4. Recipients or categories of recipients of personal data.

The recipients to whom personal data about the data subject will be disclosed and sent, as the case may be, are all those to whom information is to be sent in order to achieve the above mentioned purposes and include, as appropriate: a) employees and/or representatives and/or subcontractors and/or other collaborators of the Controller; (c) third parties with whom the data subject may wish to have relation with/conclude a contract.

5. Transfer of personal data to a third country

No personal data is transferred to a third country.

A potential transfer or set of transfers of personal data to a third country or an international organization may take place under one of the following conditions:

- (a)** the data subject has expressly given his/her consent to the proposed transfer after having been informed of the possible risks that such transfers may involve for the data subject as a result of the lack of a decision on the appropriateness of the level of protection and appropriate safeguards;
- (b)** the transfer is necessary for the performance of a contract (e.g. license agreement on the use of the application by the client) between the data subject and the Controller or for the application of pre-contractual measures adopted at the request of the data subject;
- (c)** the transfer is necessary for the conclusion of a contract or for the performance of a contract concluded in the interest of the data subject between the Controller and another individual or legal entity;
- (d)** the existence of a decision on the appropriateness of the level of protection in accordance with the Regulation or appropriate safeguards in accordance with the Regulation;
- (e)** any other situation permitted by the applicable legal regulations in force.

6. Period for which personal data will be stored / Criteria used to determine this period

Personal data will be stored by the Controller from the date of you contacting the Controller and until one year will have passed since the last communication between the Controller and the data subject, but not less than the period provided for by the legal regulations in force.

If the data were collected for other purposes and / or on other legal basis, personal data will (continue to) be stored for the period set for these purposes and / or on this basis if this period is longer than that previously mentioned.

7. Obligation to provide personal data and potential consequences of non-compliance with this obligation. Updating personal data

The provision of personal data did not/does not represent a contractual obligation or a legal obligation, unless personal data have (also) been collected on another legal basis.

The data subject was not/is not obliged to provide personal data unless personal data have (also) been collected on another legal basis and the data subject was/is obliged to provide the data under that legal basis.

Refusal to provide (personal) (contact) data may lead (as a consequence of non-compliance with the obligation to provide and/or update that data) to being unable to communicate with you using that (contact) data and / or unable to take steps to conclude a contract and / or to submit the relevant data to the persons to whom you wish to be presented / with whom you wish to conclude the contract, as the case may be and if applicable. In the case of refusal to provide and / or update other (personal) (contact) data, there will be no consequences.

If your personal (contact) data has changed since you last provided them and / or you wish to update them, please send us a request to update them on any communication channel, including the e-mail referred to in (1) of this notice of information.

8. Right of access of the data subject

8.1. The data subject has the right to obtain from the Controller a confirmation as to whether that personal data concerning him / her are being processed and, if so, to access that data and the following information:

- (a)** the purposes of the processing;
- (b)** the categories of personal data concerned;
- (c)** the recipients or categories of recipients to whom personal data has been or is to be disclosed, in particular recipients from third countries or international organizations;
- (d)** where possible, the period for which the personal data are expected to be stored or, if that is not possible, the criteria used to determine that period;
- (e)** the existence of the right to require the Controller to rectify or erase personal data or to restrict the processing of the personal data relating to the data subject or the right to object to processing;
- (f)** the right to lodge a complaint with a supervisory authority;
- (g)** where personal data are not collected from the data subject, any available information on their source;
- (h)** the existence of an automated decision making process including the creation of profiles, referred to in the Regulation as well as, at least in those cases, relevant information on the logic used and on the significance and expected consequences of such processing for the data subject.

8.2. Where personal data are transferred to a third country or an international organization, the data subject has the right to be informed of the appropriate transfer safeguards.

8.3. The Controller shall provide a copy of the personal data subject to processing. For any other copies requested by the data subject, the Controller may charge a reasonable fee based on administrative costs. If the data subject sends the request electronically and unless the data subject requests a different format, the information shall be provided in an electronic format that is currently used.

8.4. The right to obtain a copy referred to in 8.3 is without prejudice to the rights and freedoms of others.

9. Right to rectification

The data subject has the right to obtain from the Controller, without undue delay, the rectification of inaccurate personal data relating to him/her. Taking into account the purposes for which the data were processed, the data subject has the right to obtain the completion of incomplete personal data, including the provision of an additional statement.

10. Right to erasure of data ("right to be forgotten")

10.1. The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- (a)** the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed
- (b)** the data subject withdraws his/her consent on the basis of which the processing takes place, if the processing takes place on the basis of the consent of the data subject to the processing of his or her personal data, for one or more specific purposes and where there is no other legal ground for the processing;
- (c)** the data subject objects to the processing on the grounds of his / her particular circumstances, in accordance with the Regulation, and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing of personal data for direct marketing purposes, and there is no other legal basis for processing;
- (d)** the personal data have been unlawfully processed;
- (e)** the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- (f)** the personal data have been collected in relation to the offer of information society services to a child in accordance with the Regulation;

10.2. Where the controller has made the personal data public and is obliged pursuant to paragraph 10.1 to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

10.3. Paragraphs 10.1 and 10.2 shall not apply to the extent that processing is necessary:

- (a)** for exercising the right of freedom of expression and information;
- (b)** for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- (c)** for reasons of public interest in the area of public health in accordance with the Regulation;

(d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with the Regulation, in so far as the right referred to in paragraph 10.1 is likely to render impossible or seriously impair the achievement of the objectives of that processing;

or

(e) for the establishment, exercise or defence of legal claims.

11. Right to restriction of processing

11.1. The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:

(a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;

(b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;

(c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims; or

(d) the data subject has objected to processing for reasons relating to his/her particular circumstances, in accordance with the Regulation, pending the verification whether the legitimate grounds of the controller override those of the data subject.

11.2. Where processing has been restricted under paragraph 11.1, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

11.3. A data subject who has obtained restriction of processing pursuant to paragraph 11.1 shall be informed by the controller before the restriction of processing is lifted.

12. Notification obligation regarding rectification or erasure of personal data or restriction of processing

The controller shall communicate to each recipient to whom personal data were disclosed any rectification or erasure of personal data or restriction of processing carried out in accordance with (9) paragraph 10.1 and paragraph 11, unless this proves impossible or involves disproportionate effort. The controller shall inform the data subject about those recipients if the data subject requests it.

13. Right to data portability

13.1. The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-

readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where:

- (a) the processing is based on consent or on a contract; and
- (b) the processing is carried out by automated means.

13.2. In exercising his or her right to data portability pursuant to paragraph 13.1, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.

13.3. The exercise of the right referred to in paragraph 13.1 of this Article shall be without prejudice to Article 17. That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

13.4. The right referred to in paragraph 13.1 shall not adversely affect the rights and freedoms of others.

14. Right to object

14.1. The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her for the legitimate interests pursued by the data controller or a third party, including profiling based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

14.2. Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing.

14.3. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes. Where the data subject opts for processing of personal data for the purpose of direct marketing, separately and without any link to another action, including by activating any accept button with regard to the processing of personal data for direct marketing purposes, the latest personal data provided in any way will be processed for direct marketing purposes.

14.4. At the latest at the time of the first communication with the data subject, the right referred to in paragraphs 14.1. and 14.2. shall be explicitly brought to the attention of the data subject and shall be presented clearly and separately from any other information.

14.5. In the context of the use of information society services, and notwithstanding Directive 2002/58/EC, the data subject may exercise his or her right to object by automated means using technical specifications.

14.6. Where personal data are processed for scientific or historical research purposes or statistical purposes pursuant to the Regulation, the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

15. Automated individual decision-making, including profiling

15.1. The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.

15.2. Paragraph 15.1 shall not apply if the decision:

- (a)** is necessary for entering into, or performance of, a contract between the data subject and a data controller;
- (b)** is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or
- (c)** is based on the data subject's explicit consent.

15.3. In the cases referred to in points (a) and (c) of paragraph 15.2, the data controller shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.

16. Right to lodge a complaint with a supervisory authority

16.1. Without prejudice to any other administrative or judicial remedy, every data subject shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of his or her habitual residence, place of work or place of the alleged infringement if the data subject considers that the processing of personal data relating to him or her infringes the Regulation.

16.2. The supervisory authority with which the complaint has been lodged shall inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy pursuant to Article 17.

17. Right to an effective judicial remedy against a supervisory authority

17.1. Without prejudice to any other administrative or non-judicial remedy, each natural or legal person shall have the right to an effective judicial remedy against a legally binding decision of a supervisory authority concerning them.

17.2. Without prejudice to any other administrative or non-judicial remedy, each data subject shall have the right to an effective judicial remedy where the supervisory authority which is competent pursuant to the Regulation does not handle a complaint or does not inform the data subject within three months on the progress or outcome of the complaint lodged pursuant to Article 16.

17.3. Proceedings against a supervisory authority shall be brought before the courts of the Member State where the supervisory authority is established.

17.4. Where proceedings are brought against a decision of a supervisory authority which was preceded by an opinion or a decision of the Board in the consistency mechanism, the supervisory authority shall forward that opinion or decision to the court.

18. Right to an effective judicial remedy against a controller or processor

18.1. Without prejudice to any available administrative or non-judicial remedy, including the right to lodge a complaint with a supervisory authority pursuant to the Regulation, each data subject shall have the right to an effective judicial remedy where he or she considers that his or her rights under the Regulation have been infringed as a result of the processing of his or her personal data in non-compliance with the Regulation.

18.2. Proceedings against a controller or a processor shall be brought before the courts of the Member State where the controller or processor has an establishment. Alternatively, such proceedings may be brought before the courts of the Member State where the data subject has his or her habitual residence, unless the controller or processor is a public authority of a Member State acting in the exercise of its public powers.

19. Representation of data subjects

19.1. The data subject shall have the right to mandate a not-for-profit body, organisation or association which has been properly constituted in accordance with the law of a Member State, has statutory objectives which are in the public interest, and is active in the field of the protection of data subjects' rights and freedoms with regard to the protection of their personal data to lodge the complaint on his or her behalf, to exercise the rights referred to in Articles 16, 17 and 18 on his or her behalf, and to exercise the right to receive compensation on his or her behalf where provided for by Member State law.

19.2. Member States may provide that any body, organisation or association referred to in paragraph 19.1 of this Article, independently of a data subject's mandate, has the right to lodge, in that Member State, a complaint with the supervisory authority which is competent pursuant to Article 16 and to exercise the rights referred to in Articles 17 and 18 if it considers that the rights of a data subject under the Regulation have been infringed as a result of the processing.

20. Right to compensation and liability

20.1. Any person who has suffered material or non-material damage as a result of an infringement of the Regulation shall have the right to receive compensation from the controller or processor for the damage suffered.

20.2. Any controller involved in processing shall be liable for the damage caused by processing which infringes the Regulation. A processor shall be liable for the damage caused by processing only where it has not complied with obligations of the Regulation specifically directed to processors or where it has acted outside or contrary to lawful instructions of the controller.

20.3. A controller or processor shall be exempt from liability under paragraph 20.2 if it proves that it is not in any way responsible for the event giving rise to the damage.

20.4. Where more than one controller or processor, or both a controller and a processor, are involved in the same processing and where they are, under paragraphs 20.2. and 20.3, responsible for any damage caused by processing, each controller or processor shall be held liable for the entire damage in order to ensure effective compensation of the data subject.

20.5. Where a controller or processor has, in accordance with paragraph 20.4, paid full compensation for the damage suffered, that controller or processor shall be entitled to claim back from the other controllers or processors involved in the same processing that part of the compensation corresponding to their part of responsibility for the damage, in accordance with the conditions set out in paragraph 18.2.

20.6. Court proceedings for exercising the right to receive compensation shall be brought before the courts competent under the law of the Member State referred to in paragraph 18.2.

21. Withdrawal of consent

Where processing is based on: (i) the consent of the data subject to the processing of his or her personal data for one or more specific purposes; or ii) on the consent of the data subject for the processing of certain specific categories of personal data for one or more specific purposes, unless Union law or national law provides that the prohibition to process special categories of personal data can not be lifted by the consent of the data subject,

The data subject has the right to withdraw his / her consent at any time without affecting the lawfulness of the processing based on his / her consent prior to withdrawal;

For the avoidance of doubt, withdrawal of consent does not affect the processing of personal data on other grounds.

22. Miscellaneous clauses

22.1. The data subject has all the rights set forth in this notice of information, as well as any other rights provided for by the mandatory legal regulations in force regarding the processing of personal data.

22.2. The rights mentioned in this notice of information may be exercised under this agreement in accordance with the Regulation and any other applicable legal regulations in force.

22.3. Any requests and / or inquiries sent by the data subject to the Controller for the exercise of any of the rights may be made in writing by registered letter to be sent to the Controller's office and / or by e-mail to the Controller's email referred to in paragraph 1 this notice of information and / or by any other means provided for / permitted by applicable legal regulations.

22.4. The data subject may request, as appropriate, and, where applicable, obtain, free of charge in particular, access to personal data as well as rectification or erasure thereof, restriction of processing, data portability and exercise of the right to object as and the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning the data subject or similarly affects him or her to a significant extent, but also with regard to the breach of personal data security.

22.5. The terms used in this notice of information will have the meaning defined in the Regulation if the context does not expressly state otherwise.

22.6. Nothing in this information notice shall be intended, deemed or interpreted to mean that the Controller grants any warranty and / or assumes any obligation towards (for the conclusion of any contract with / presentation to) third parties to whom the data subject wishes to be presented / with whom the data subject wishes to conclude contracts.