

Edelaraudtee AS
PRIVACY POLICY

This privacy policy sets out the principles of personal data processing of Edelaraudtee AS.

1. TERMS AND DEFINITIONS

- 1.1. **Data subject** means a natural person about whom Edelaraudtee AS holds information that makes it possible to identify the natural person. Data subjects are, for example, customers who are natural persons, visitors, partners and employees whose personal data are held by the company.
- 1.2. **Personal data** mean any information relating to an identified or identifiable natural person.
- 1.3. **Personal data processing** means any actions pertaining to the personal data of a data subject. For example, collecting, storing, organising, retaining, modifying and disclosing personal data, granting access to them, performing searches and creating excerpts, using, transmitting, cross-using, merging, blocking, erasing or destroying.
- 1.4. **Customer** means any natural or legal person who uses, has used or has expressed their wish to use the services of Edelaraudtee AS.
- 1.5. **Contract** means a contract entered into between Edelaraudtee AS and the customer for the provision of services or any other contract.
- 1.6. **Visitor** means a person who visits Edelaraudtee AS's office or website.
- 1.7. **Services** mean all the services offered by Edelaraudtee AS. Edelaraudtee AS's services portfolio includes maintenance and repair of railway infrastructure.
- 1.8. **Cookies** mean data files that are stored on a website visitor's device.
- 1.9. **Controller** means Edelaraudtee AS aka the person who determines the purposes and means of personal data processing.
- 1.10. **Processor** means a person who processes personal data on behalf of the controller (AS Edelaraudtee).

2. GENERAL PROVISIONS

- 2.1. Edelaraudtee AS is a legal entity with registry code 10786958, located at Kaare 25, 72213 Türi.
- 2.2. Edelaraudtee AS may use processors for personal data processing. Edelaraudtee AS ensures that processors process customer data in accordance with the instructions and applicable law, and implement appropriate security measures.
- 2.3. All employees and partners of Edelaraudtee AS who come into contact with the personal data held by Edelaraudtee AS are guided by the rights and obligations specified in the privacy policy.
- 2.4. Edelaraudtee AS has the right to update, specify and supplement the privacy policy at any time based on changes in legislation and the services provided by Edelaraudtee AS.

3. PRINCIPLES

3.1. Edelaraudtee AS always adheres to the rights of data subjects when processing personal data.

3.2. Edelaraudtee AS is a responsible personal data processor and follows best practice.

3.3. All Edelaraudtee AS's processes, guidelines, operations and activities related to personal data processing are based on the following principles:

3.3.1. lawfulness;

3.3.2. fairness and transparency;

3.3.3. integrity and confidentiality;

3.3.4. purpose limitation, i.e. personal data are collected for specified purposes and are not further processed in a way that is incompatible with these purposes;

3.3.5. data minimisation, i.e. the personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed. If the personal data are no longer necessary or relevant for the purposes for which they were collected, the personal data will be erased;

3.3.6. accuracy, i.e. personal data are accurate and, where necessary, kept up to date while taking every reasonable step to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay. In this case, the data subject may send an e-mail to edel@edel.ee.

3.4. Personal data are kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data were collected. If Edelaraudtee AS wishes to keep personal data for longer than is necessary for the purpose of their collection, Edelaraudtee AS changes the data in such a way that the data subject is no longer identifiable. Data received by Edelaraudtee AS from customers or otherwise is stored by Edelaraudtee AS in accordance with best practice. Data processed on the basis of consent are generally stored by Edelaraudtee AS until the withdrawal of consent. The retention periods for data processing are specified in internal documents or legislation, for example, accounting documents.

4. CATEGORIES OF PERSONAL DATA

4.1. Edelaraudtee AS may collect, among others, the following categories of personal data:

4.1.1. personal data disclosed by the data subject to Edelaraudtee AS;

4.1.2. personal data generated as a result of ordinary communication between the data subject and Edelaraudtee AS;

4.1.3. personal data obviously disclosed by the data subject (e.g. in social media);

4.1.4. personal data arising from the use of services;

4.1.5. personal data generated as a result of visiting and using the website (e.g. cookie information);

4.1.6. personal data recorded on the territory of Edelaraudtee AS, including with the help of video and surveillance cameras in public spaces and work sites;

4.1.7. personal data received from third parties;

- 4.1.8. personal data created and combined by Edelaraudtee AS (e.g. e-mail correspondence with the customer or order history).

5. PURPOSES OF AND GROUNDS FOR PERSONAL DATA PROCESSING

- 5.1. Edelaraudtee AS processes personal data exclusively on the basis of consent or law. The grounds for processing personal data arising from the law are, among others, legitimate interest or a contract between the data subject and Edelaraudtee AS.
- 5.2. Edelaraudtee AS processes personal data on the basis of consent exactly within the limits, to the extent and for the purposes specified by the data subject. In the case of consent, Edelaraudtee AS proceeds from the principle that each consent must be clearly distinguishable from other matters and in an understandable and easily accessible form, in clear and plain language. Consent may be given in writing, electronically or verbally. The data subject gives consent voluntarily, specifically, knowingly and unambiguously, for example by ticking a box on an application, consent form, annex to a contract, website or similar application.
- 5.3. Upon entry into and performance of a contract, personal data processing may be additionally set out in the specific contract, but Edelaraudtee AS may process personal data for the following purposes:
 - 5.3.1. to perform actions prior to entering into a contract;
 - 5.3.2. to identify a customer to the extent required by the due diligence obligation;
 - 5.3.3. to perform obligations to the customer in respect of the provision of services;
 - 5.3.4. to communicate with the customer;
 - 5.3.5. to ensure the performance of the customer's payment obligation;
 - 5.3.6. to establish, exercise and defend claims.
- 5.4. For the purposes of entering into an employment contract and fulfilling our legitimate interests, the processing of personal data of a job applicant of Edelaraudtee AS comprises the following:
 - 5.4.1. processing of data provided to Edelaraudtee AS by the applicant for the purpose of entering into an employment contract;
 - 5.4.2. processing of personal data obtained from the person indicated by the job applicant as a reference;
 - 5.4.3. processing of personal data collected from national databases and registers and from public (social) media. In the event that the job applicant is not selected, Edelaraudtee AS will keep the personal data collected for the purpose of entering into an employment contract for up to one year so that Edelaraudtee AS can make employment offers to the job applicant when a suitable position becomes available. After one year from the submission of the job application, the personal data of the non-selected job applicant will be erased.
- 5.5. On the basis of law, Edelaraudtee AS processes personal data if there is a legitimate interest. In particular, on the basis of a legitimate interest, the processing of personal data may be carried out for the following purposes:
 - 5.5.1. to ensure a trusting customer relationship, such as processing of personal data, which is strictly necessary to identify the actual beneficiaries or to prevent fraud;
 - 5.5.2. to organise campaigns, including personalised and targeted campaigns, carry out customer and visitor satisfaction surveys and measure the effectiveness of marketing activities;

- 5.5.3. to ensure the security of the company's assets, customers and other persons, including the use of monitoring devices (video surveillance). Edelaraudtee AS conducts video surveillance in its administrative territory to ensure the security of employees, customers and other persons;
 - 5.5.4. for organisational purposes. In particular, for financial management and transfer of personal data within the group for internal administrative purposes, including the processing of personal data of customers or employees;
 - 5.5.5. to establish, exercise or defend legal claims.
- 5.6. Edelaraudtee AS also processes personal data for the performance of obligations provided by law. For example, the law imposes obligations regarding payment processing and anti-money laundering.
- If the purpose of personal data processing changes, Edelaraudtee AS will carefully assess the permissibility of the new purpose and if necessary, ask the consent of the data subject for processing data in accordance with the new purpose.

6. DISCLOSURE AND/OR TRANSFER OF CUSTOMER DATA TO THIRD PARTIES

- 6.1. Edelaraudtee AS cooperates with persons to whom Edelaraudtee AS may transfer data related to data subjects, including personal data, within the framework and for the purpose of cooperation.
- Such third parties may include Edelaraudtee AS [persons belonging to the same group; partners], legal and marketing partners, companies conducting customer satisfaction surveys, debt collection service providers, payment default registers, IT partners, persons, institutions and organisations mediating or providing mail or e-mail services.

7. SECURITY OF PERSONAL DATA PROCESSING

- 7.1. In order to ensure the security of data, Edelaraudtee AS has established guidelines and rules of procedure (for example, the procedure for the use of the computer network and information system, the rules of internal procedure).

8. RIGHTS OF DATA SUBJECT

- 8.1. The data subject has the right to:
- 8.1.1. access the information specified in Article 15 (1) and (2) of the Regulation¹;
 - 8.1.2. request the correction of personal data;
 - 8.1.3. have their personal data erased (right to be forgotten);
 - 8.1.4. restrict the processing of their personal data;
 - 8.1.5. receive personal data concerning them which they have provided to the controller and transmit the data to another controller (right to data portability);
 - 8.1.6. object at any time to the processing of personal data concerning them which is performed for the purposes of a legitimate interest, including profiling based on a legitimate interest.

¹ General Data Protection Regulation (<https://gdprinfo.eu/en-article-15>)

9. EXERCISE OF RIGHTS AND SUBMISSION OF REQUESTS

9.1. Exercise of rights:

9.1.1. The data subject has the right to contact Edelaraudtee AS at edel@edel.ee if they have any questions, requests or objections regarding personal data processing.

9.1.2. Edelaraudtee AS responds to requests and objections submitted by the data subject within 20 days of the receipt of the request or objection. This period may be extended, where appropriate, by one month, taking into account the complexity or volume of the request or objection. Edelaraudtee AS notifies the data subject of the extension of the deadline for submitting a response and the reasons for the delay within one month of the receipt of the request or objection. If the data subject submits a request or objection electronically, the response will also be submitted electronically if possible, unless the data subject wishes otherwise.

9.1.3. Edelaraudtee AS has the right to reject an application for the exercise of the data subject's rights if Edelaraudtee AS is unable to identify the data subject.

9.1.4. If Edelaraudtee AS does not satisfy the data subject's request or objection, Edelaraudtee AS notifies the data subject of the reasons for the refusal within 30 days of the receipt of the request or objection.

9.2. Submission of complaints:

9.2.1. The data subject has the right to file a complaint with Edelaraudtee AS, the Data Protection Inspectorate or a court if the data subject considers that their rights have been violated during personal data processing.

9.2.2. The contact details of the Data Protection Inspectorate (AKI) can be found on its website at <https://www.aki.ee/en/contact>.