

## DECLARATION Beneficial Owner

\_\_\_\_\_, on \_\_\_\_\_  
(place) (date)

Are the Company's securities admitted to trading on a regulated market subject to the transparency requirements that result from European Union legislation or similar legislation of another country:

- Yes
- No\*

*\*If you answered "□" No please complete the below form.*

Name of Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

NIP/VAT: \_\_\_\_\_

KRS [National Court Register]: \_\_\_\_\_

Contact Details (phone, email): \_\_\_\_\_

ID DUNS (optional): \_\_\_\_\_

### Beneficial Owner Declaration

I, the undersigned, hereby represent that I possess Beneficial Owner status in the understanding of European Union and the Council Directives, including the 6th EU Directive on combating money laundering (6AMLD) and previous versions, as well as in the understanding of the law on combating money laundering and financing terrorism of 1 March 2018 (Dz.U. [Journal of Laws] item No 2018.723)

Beneficial Owner's data: \_\_\_\_\_

Name and surname: \_\_\_\_\_

Nationality: \_\_\_\_\_

Date of birth: \_\_\_\_\_

### REPRESENTATIVE/AUTHORISED PERSON'S data\*\*

Name and surname: \_\_\_\_\_ Position: \_\_\_\_\_

I, the undersigned, hereby represent that I have read the information clause included as Annex 2 on the processing of my personal data contained in this declaration by ORLEN Południe S.A. (hereinafter: ORLEN Południe S.A.) I undertake to transfer on behalf of ORLEN Południe S.A. as the administrator of data in the understanding of the current binding laws on personal data protection, without delay and no later than 30 (thirty) days from the date of submission of this declaration, the information obligation towards natural persons whose data is included in this declaration. The obligation referred to in the preceding sentence should be fulfilled by providing such natural persons with the information clause included as Annex 2 to this declaration.

\_\_\_\_\_  
Representative/Authorised person's signature\*\*

#### Annexes:

Annex 1 - Clarification regarding completion of the declaration

Annex 2 - Information clause

*\*\*Delete as necessary*

**Instructions on how to complete the declaration:**

Remember that only a natural person or natural persons can be a Beneficial Owner. The corporate or ownership links within your company must be verified to the extent that the identity of the natural person or natural persons that control you is certain.

In order to determine who your Beneficial Owner is, firstly check whether there is a person or persons within your organization that has direct or indirect control over you through authority that results from legal or factual circumstances which allow the person to exercise a decided influence on any actions or measures you may undertake.

If you are a limited company or a private stock company, your Beneficial Owner may be one of the following:

- a. Any natural person who, as a stakeholder or shareholder, has legal ownership of more than 25% of your company's total stakes or shares;
- b. Any natural person who holds more than 25% of the total voting rights within the company's authoritative body, including as a pledgee, usufructuary or under agreement with other persons entitled to vote;
- c. Any natural person that controls a legal person or legal persons who between them have legal ownership of more than 25% of your company's total stakes or shares, or hold more than 25% of the total voting rights within the company's body, including as a pledgee, usufructuary or under agreement with other persons entitled to vote;
- d. Any natural person who exercises ultimate control.

When identifying your Beneficial Owner you must decide which of the above circumstances is relevant. In case more than one of the above is relevant, you should decide which subject has the greater authority.

Should you find that none of the circumstances in points a to d above are relevant in your case, your Beneficial Owner will be the person who occupies the most senior management position.

If you are a trust, your Beneficial Owner is the founder, trustee, caretaker (where established), beneficiary or other person in control of the trust.

If you are a natural person that runs their own business and there are no indications or circumstances that suggest that another natural person or persons has control over you, you will also be recognised as the company's Beneficial Owner.

**Information clause for Contracting Party/Beneficial Owner/ Contracting Party's Representative being a natural person conducting economic activity, including a partner of a civil-law partnership**

*(Fulfilment of the information obligation of articles 13 (1) and (2) and 14<sup>1</sup> (1) and (2) of the General Data Protection Regulation of 27 April 2016)*

1. ORLEN Południe S.A. with its registered office in Trzebinia, ul. Fabryczna 22 ("ORLEN Południe S.A.") is the administrator of your personal data. You may contact them on the following phone numbers: (+ 48) 24 201 00 00, (+ 48) 24 201 00 01.
2. You can contact the Data Protection Officer at ORLEN Południe S.A. by e-mail at: [rodo.poludnie@orlen.pl](mailto:rodo.poludnie@orlen.pl). The Data Protection Officer's details are available at [www.orlenpoludnie.pl](http://www.orlenpoludnie.pl) in the *Contact* tab.
3. Your personal data is processed for the following purposes:
  - a) taking actions aimed at the conclusion and performance of an agreement to which you are a party in the process of establishment of the Beneficial Owner;
  - b) verification of the Beneficial Owner against sanction lists;
  - c) avoidance of the creation of a tax scheme;
  - d) handling, investigation and defence in the event of mutual claims;
  - e) fulfillment of ORLEN Południe S.A.'s legal obligations, in particular the obligations of the Obligated Institution, resulting from the law on combating money laundering and terrorist financing of 1 March 2018 (the AML law) as well as tax provisions.
4. The legal grounds for the processing by ORLEN Południe S.A. of your personal data for the purpose defined in Section 3 above include:
  - a) taking actions aimed at the conclusion and performance of the agreement (in compliance with Article 6(1)(b) of the GDPR) to which you are a party;
  - b) fulfilment of legal obligations (Article 6(1)(c) of the GDPR) connected with payment of taxes, including maintaining and storing books of accounts and documents connected with maintaining books and storage of accounting evidence. The legal grounds for the processing of personal data are the legal obligations under the tax provisions (the Tax Code, the Goods and Services Tax Act, the Corporate Income Tax Act) and accounting provisions (the Accounting Act), and fulfilment of the obligation as the Obligated Institution under the Prevention of Money Laundering and Financing Terrorism Act.
  - c) legitimate interest of ORLEN Południe S.A. (in compliance with Article 6(1)(f) of the GDPR), for the purpose of ensuring the security of ORLEN Południe S.A.'s interests (economic, branding) when entering into business relationships, providing or receiving services, as well as pursuing and defending mutual claims, if any;
5. Your personal data<sup>2</sup>, which has been transferred to ORLEN Południe S.A. by .....<sup>3</sup> - an entity providing services or intending to provide services to ORLEN Południe S.A. (has submitted an offer of cooperation) of which you are the Beneficial Owner, includes your name, surname, date of birth and nationality.
6. Your personal data may be disclosed to entities cooperating with it (recipients), in particular entities providing services in the scope of invoicing, settlement of liabilities, delivery of correspondence and shipments, legal services, debt recovery services and archiving services.
7. Your personal data are processed for the term of the agreement and the period stipulated in legal provisions in force, but not shorter than the expiry of mutual claims arising from the agreement. The provision of personal data is voluntary but necessary for the conclusion and performance of the agreement.
8. In connection with the processing of your personal data you have the following rights:
  - the right of access to the content of your data;
  - the right to rectification of your personal data;
  - the right to erasure of your personal data or restriction of its processing;
  - the right to data portability, i.e. the right to receive from ORLEN Południe S.A. your personal data in a structured, commonly used and machine-readable format. You may send the received data to another data administrator or request ORLEN Południe S.A. to do so. However, this request may only be met by ORLEN Południe S.A. where technically feasible. The right to data portability may only be exercised with regards to the data processed under an agreement concluded with you;
  - the right to object to processing of your personal data by ORLEN Południe S.A. on the basis of its legitimate interest; the objection may be made in special circumstances and submitted by e-mail to [rodo.poludnie@orlen.pl](mailto:rodo.poludnie@orlen.pl) or in writing to the address of the registered office of ORLEN Południe S.A. marked for the attention of "Inspektor Ochrony Danych" [Data Protection Officer].
9. You may file a complaint with the President of the Personal Data Protection Office.

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<sup>1</sup> Applies only to Beneficial Owners

<sup>2</sup> Applies only to Beneficial Owners

<sup>3</sup> Enter the name of the entity providing data