

INFORMATION NOTE ON THE PROCESSING OF PERSONAL DATA

CERTSIGN S.A. (hereinafter referred to as “certSIGN”), with the registered office in Bucharest, 207A, Sos. Oltenitei, building C1, 1st floor, room 16 , S4, registered with the Trade Register Office under the no. J2006000484402, CUI 18288250, telephone: 0311 011 870, Fax: 021 311 9905, E-mail: office@certsign.ro, as Personal Data Controller, processes personal data in order to provide trust service under the provisions of (UE) 910/2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (eIDAS), and the applicable Romanian legislation of standards applicable to trust services, as well as with the provisions of EU Regulation 2016/679 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ("GDPR") and other provisions of the Union or national law relating to data protection and remote electronic identification using video means..

Contact information of the certSIGN data protection officer:

- Email: dpd@certsign.ro;
- Address: 29A, Tudor Vladimirescu Bvd., AFI Tech Parc 1 building, 2nd floor, Bucharest, sector 5.

Section 1. To whom it is addressed

Individuals who want to use or are using the trust services provided by certSIGN, such as the issuance of a digital certificate for electronic signature or web server or for the use of certSIGN remote signing platforms or services for automatic validation of qualified electronic signatures and seals;

Underaged individuals who electronically sign with a digital certificate electronic documents in relation with their employers or other legal entities, under the conditions provided by law;

Individuals representing legal entities for which certSIGN issues a digital certificate for electronic seal or web server.

Section 2. Where do we get the data from

- directly from you when you request us to provide a trusted service,

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- from your employer or from the legal entity with whom you wish to sign electronic documents using a digital certificate for electronic signature, with your consent and, where applicable, that of your parent or guardian under the conditions provided by law, and based on appropriate safeguards, in accordance with Article 26 or 28 of the GDPR, as applicable,
- from the competent authorities in the regulated fields, in accordance with OUG 140/2020 for the establishment of measures concerning the use of documents in electronic form in the fields of construction, architecture and town planning if you request a digital certificate for electronic signature to be used in these fields.

Section 3 Purpose and grounds for the processing of personal data

The purposes of processing your personal data are:

- a) to provide trust services for the issuance of digital certificates, the use of the certificate for the electronic signing of documents by the certificate holder, to deliver the digital certificate and the token, if the digital certificate is issued on cryptographic device (token), as well as to provide services for the automatic validation of qualified electronic signatures and seals, including the payment of the trust service if applicable, according to Article 6 (1) (b) of GDPR;
- b) to identify the holder of a digital certificate or of the person designated by the holder of a certificate for electronic seal or web server and, for qualified certificates, the validation of his identity by verifying the identity data from the identity document that also contains the photograph of the data subject or by using cerTME as an electronic identification tool, as the case may be, operations carried out for the purpose of issuing the digital certificate, according to Article 6 (1) (c) of the GDPR in conjunction with Article 24 (1) of the eIDAS Regulation and applicable standards;
- c) to photocopy the identity document and to take a screenshot of your image in case of remote video identification for the purpose of issuing qualified digital certificates, as per art. 6 (1) (a) of GDPR and art. 24(1) of the eIDAS Regulation and applicable standards, in conjunction with art. 16 (1) of the Norms of the Authority for Digitization of Romania regarding the regulation, recognition, approval or acceptance of the procedure for the remote identification of an individual using video tools approved by the Decision of the Authority for Digitization of Romania no. 564/2021 (ADR Norm);
- d) your unique identification by processing biometric data, namely the processing of the facial image transposed into biometric data, if the identification was made by video means, according to art. 6 (1) (a) and art. 9 (2) (a) of GDPR;
- e) recording the audio video session if the identification is performed remotely by video means in accordance with Art. 6 (1) (a) of GDPR, the use of this identification method to obtain a qualified digital certificate being made with your consent;
- f) verification, where applicable, of the right of signature and professional qualifications of the certificate holder by querying information systems or, where appropriate, by consulting the official public lists of the competent authorities in the regulated fields, in accordance with

- OUG 140/2020 for the establishment of measures on the use of electronic documents in the fields of construction, architecture and urban planning, pursuant to Article 6 (1) (a) of GDPR, the processing of personal data for this purpose being carried out with your consent;
- g) publication of digital certificate data in the Electronic Certificate Repository in accordance with Article 6 (1) (b) and (c) of the GDPR, in conjunction with Article 14 of Law 214/2024 on the use of electronic signature, time stamp and the provision of trust services based on them
- h) your access and use of CERTSIGN Paperless signing or validation platforms, according to Article 6 (1) (b) of GDPR;
- i) identification and authentication of the data subject for the use of Paperless applications for automatic signing or validation of electronic signatures and seals, belonging to certSIGN, according to Article 6 (1) (c) of GDPR or with your consent according to art. 6 (1) (a) of the GDPR if the signer is identified using the Paperless flowSIGN platform for electronic signature of documents without a digital certificate;
- j) renewal of a digital certificate at the request of a data subject, under art. 6 (1) (b) of GDPR;
- k) to confirm validity of an electronic signature certificate, at the request of the holder or at the request of a person whose conduct is based on the trust services provided by certSIGN or within a judicial procedure, as applicable, pursuant to:
- article 6 (1) (b) of GDPR for the validation at the request of a data subject or
 - article 6 (1) (c) of GDPR in conjunction with Article 24 (2) (h), (3) (4) of the eIDAS Regulation for the validation in other situations;
- l) to revoke/suspend a certificate according to the conditions laid down in the agreement according to article 6 (1) (b) of GDPR or as a result of a legal binding of certSIGN as per article 6 (1) (c) GDPR in conjunction with article 24 (3) (4) of eIDAS Regulation;
- m) to issue the report of automatic validation of qualified electronic signatures and seals;
- n) if you made a purchase of a remote trust service, we would also process your data in order to respect the right of withdrawal you have exercised according to OUG 34/2014 on the consumers' rights in contracts concluded with professionals, as well as for amending and supplementing some normative acts, in conjunction with article 6 (1) (c) of GDPR;
- o) to ensure the security of systems and databases according to Article 6 (1) (c) of GDPR in conjunction with Article 24 (2) (e), (f), (i) of the eIDAS Regulation;
- p) the prevention and/or identification of frauds according to Art. 6 para. (1) letter (c) GDPR in conjunction with Art. 24 para. (2) letter (g) of the eIDAS Regulation;
- q) compliance with the legal obligations of the Data Controller (e.g. transmission of information that represents personal data at the request of the competent state authorities, establishment and permanent update of the database of electronic signature certificates according to Article 6 (1) (c) GDPR in conjunction with the provisions of the eIDAS Regulation (Article 24 (2) k);
- r) storing the data, including the copy of the identity document if the identification was made by means of the certME electronic identification, for a period of 10 years after the expiry of the digital certificate. This data may also be used in the context of legal proceedings, in addition to the purpose of ensuring the continuity of the trust services provided by the Data Controller in accordance with Art. 6 para. (1) lit. (c) GDPR in conjunction with Art. 24 para. (2) lit. (h) of

the eIDAS Regulation the Romanian Law no. 214/2024 on the use of electronic signature, time stamp and the provision of trust services based on them, as well as art. 16 paragraph (2) and art. 22 of the ADR Norm;

- s) transmission of newsletters, promotional materials, marketing communications, commercial offers or any other relevant information regarding certSIGN products and services of if you have given your consent in this regard, or recording phone calls to improve our services, according to art. 6 (1) (a) GDPR;
- t) to pursue the legitimate interests of the Data Controller or a third party, such as for:
- management of contracts or supporting and accounting documents,
 - audit or verification of internal processes,
 - sending commercial communications relating to products or services similar to those you purchased
 - conducting activities aimed at increasing customer satisfaction and, to this end, questionnaires on customer satisfaction with the services offered by our company and our products or services, sending customer satisfaction surveys by sms or e-mail, to carry out internal performance and efficiency studies, cost studies, to establish performance indicators, studies on the allocation of resources in the relevant markets,
 - resolving requests or complaints and defending the rights of the Data Controller, such as the recovery of claims held by the Data Controller,

as per art. 6 (1) (f) of GDPR.

The legal bases of the data processing operations refer to Article 6 (1) (a), (b), (c) and (f) of the GDPR and Article 9 (2) (a) of the GDPR respectively, as detailed above.

Section 4. Categories of personal data we process

Your personal data that we process are, where applicable, the following:

- your name, surname, personal numerical code, identity card number and serial number, address, and all other personal data included in your identity card, a copy of your identity card,
- telephone number, e-mail address,
- your image and voice,
- biometric data for the purpose of your unique identification by processing your facial image translated into biometric data;
- professional qualifications, for digital certificates issued in accordance with OUG 140/2020
- data contained in the digital certificate,
- electronic signature and the number of signatures granted/used in the case of digital certificates for remote signing, as well as the date of signing
- ownership of the certificate holder to the account of a customer who submitted to certSIGN the request for a digital certificate,
- OTP/TOTP authorization code,
- IBAN code, as applicable,

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- shipping address for delivery of the digital certificate and token, where the certificate is delivered on a cryptographic device (token),
- logs/ IPs,

- your location data if you use the Paperless flowSIGN signing platform to sign documents electronically without a digital certificate,
- handwritten signature,
- as a person designated by the holder of a digital certificate for electronic seal or web server,
- reference – encrypted code generated by certME application of certSIGN necessary for identification using the certME electronic identification tool.
- reference – the unique random code generated by the certME issuing application necessary for identification via certME electronic identification tool.
- other data found in electronic documents subject to the trust service of automatic validation of qualified electronic signatures and seals.

The processing of biometric data mentioned above involves obtaining and comparing the biometric templates from the photo of the identity card and from the photo of your face and is done through the videoID application (<https://www.electronicid.eu/en/solutions/videoid>).

The biometric template represents the digital reference of the distinct characteristics that were extracted from a biometric sample. Biometric templates are used during the video identification process. Basically, what is compared are not the photos (from the identity document and the one obtained during the identification session), but the biometric templates of the two photos.

Section 5. Processing of personal data involving automated decision making

In order to fulfil our obligations under applicable law and standards for trust services or our contractual obligations, in some cases certSIGN makes decisions using automated processes that may produce effects for you, based on algorithms, which involve the use of personal data:

- if you exceed the maximum number of attempts to enter the PIN or PUK code, the token on which the digital certificate is stored is blocked and the digital certificate can no longer be used;
- if you do not validate the e-mail address provided, the digital certificate will not be issued;
- if you do not complete the remote video identification process or the identification process fails, the qualified digital certificate will not be issued. In order to issue the certificate, you will be required to present yourself in person at certSIGN or partner's premises to identify yourself by physical presence (face to face with a certSIGN agent) or to transmit to certSIGN a statement authenticated to a notary or Romanian consulate;
- if the e-mail address provided for the provision of services has already been registered by another user, you will not be able to use certSIGN Paperless signature platforms.

Section 6. Use of personal data and the consequences of not providing them

The processing of personal data is necessary mainly for the signing of documents with electronic signature or the application of electronic seals, respectively for the issuance of digital certificates for electronic signature or for electronic seal or for the use of Paperless signing applications of certSIGN, or for the issuance of digital certificates for web server or the provision of the trust service for automatic validation of electronic signatures and seals.

Personal data are also necessary to verify the identity of the data subject or, where appropriate, its professional qualifications for the issuance of digital certificates.

Personal data mentioned in Section 4 above are processed directly by certSIGN or with the help of other processors of personal data with whom we associate in order to identify the future certificate holders or the persons designated by the holders of digital certificates for electronic seal or web server and to register the applications for certificates, in compliance with art. 26 of GDPR.

Also, certSIGN, may process personal data in order to identify future certificate holders or designated persons and to register applications for certificate issuance and by persons mandated to offer adequate guarantees, in accordance with art.28 of GDPR. Such persons may be legal entities to whom powers of delegated registration authority of certSIGN have been delegated or providers of video identification solutions.

Refusing the processing of your personal data required for the issuance of the digital certificate and the provision of the trust services leads to the impossibility of issuing the certificate, respectively of using the electronic signature or the electronic seal or the web server certificate, or to the impossibility of providing the trust service for automatic validation of qualified electronic signatures and seals.

Should you no longer agree to the processing of your personal data involved in the remote identification process using the video identification tools provided for in Section 3, letters c) – e), you can go to certSIGN office or to a partner of the Controller (the list of certSIGN partners being available at www.certsign.ro) to obtain a digital certificate for electronic signature through face-to-face identification by an agent of certSIGN.

Section 7. Duration of personal data processing

Once the digital certificate is issued, the personal data related to the identification of the certificate holder and the digital certificate will be stored for 10 years from the end of validity of the certificate issued to you, in particular in order to be able to prove the certification in a possible dispute and for the purpose of ensuring the continuity of the service according to Article 6 (1) (c) of GDPR in conjunction with Article 24 (2) (h) of the eIDAS Regulation and Romanian law 214/2024 on the use of electronic signature, time-stamping and the provision of trust services based thereon.

The data may also be processed after this date, when there is a legal obligation or a legal justifying ground.

Please note that the biometric data is not stored, being automatically deleted as soon as the result of the comparison operation described in Section 4 above on the categories of data has been generated.

If after providing the data, you no longer wish to issue the digital certificate or do not complete the issuing procedure within 60 days from the request of the digital certificate, certSIGN will delete all your personal data processed for this purpose.

If the process of your remote identification by video means is rejected, the personal data within the audio video session recording shall be kept for a period of 3 years from the date of recording in order to document the reasons for rejection for internal records, for future external controls/audits, in accordance with the provisions of the ADR Norm, as well as in case of any litigation.

Personal data processed for the purpose of providing the trust service for automatic validation of qualified electronic signatures and seals will be stored as follows:

- data from validated electronic signatures and seals are stored for a period of 3 years from the date the validation report was validated,
- the other data from the electronic documents subject to the automatic validation service are deleted when the validation report is issued.

Also, if you withdraw your consent for certain processing purposes, as described in Section 3, certSIGN will no longer process your data for these purposes.

Section 8. Recipients of personal data

Your personal data may be disclosed: to you for the exercise of your rights in accordance with GDPR, to the auditors of certSIGN, to the supervisory body according to the applicable law, to the authorities and public institutions based on the public law obligations, to the competent authorities in the fields governed by OUG 140/2020 to the lawyers in order to represent us in case of any litigation or for consultancy, to the bailiffs for contractual communications or enforcement of any court decision, debt collection companies, contractual partners of certSIGN for the conclusion and performance of the contract (such as: legal persons to whom powers of delegated registration authority were delegated, courier companies, providers of identification services by video means or providers of electronic payment services or of maintenance and support services, affiliates of certSIGN). Also, the data from the certificate may be disclosed to third parties who base their conduct on the certification services provided by certSIGN (in relation to which you use the certificate), and if the third parties are public institutions, other personal data from the identity document may be disclosed, in addition to those from the certificate, in order to prove the certification according to the applicable legal provisions.

Section 9. Transfer of data outside the European Union

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certSIGN does not transfer your personal data outside the European Union/European Economic Area.

Section 10. Rights of Data Subjects

As a data subject, you have the following rights provided by the General Data Protection Regulation (art. 13 – 22 of GDPR):

- Right to information: the right to be informed about the processing operations of your personal data according to Art. 13 and 14 of GDPR;
- Right of access to data: the right to obtain from the data controller the confirmation that the personal data concerning you are processed or not by him/her as well as information on the processing operations of your data according to art. 15 of GDPR;
- Right to rectification: the right to have your inaccurate data rectified, as well as to have your incomplete data completed, as per art. 16 of GDPR;
- Right to erasure under the conditions laid down in article 17 of GDPR;
- Right to restriction of processing your personal data under the conditions laid down in article 18 of GDPR;
- Right to notification by certSIGN of each recipient to whom personal data have been disclosed about any erasure or rectification or restriction of processing carried out in accordance with art. 16, 17 para.(1) and 18 of GDPR, unless this proves impossible or involves disproportionate effort (art. 19 of GDPR).
- Right to portability of data submitted to us, insofar as the data processing operation is based on your consent and has as grounds the agreement concluded with you under article 20 of GDPR.
- Right to object on grounds relating to your particular situation regarding the processing of data carried out in order to pursue the legitimate interests of certSIGN or other third parties, under art. 21 of GDPR.
- Right to not be the subject of a decision based solely on automated processing, including profiling, which produces legal effects concerning the data subject or similarly significantly affects him or her, pursuant to art. 22 of GDPR.

Also, you, as a data subject, have the right to withdraw your consent at any time, insofar as the data processing operation is based on your consent, provided that the lawfulness of processing based on your consent before withdrawal is not affected (art. 7 (3) of GDPR).

Also, we bring to your attention that you have the right to file a complaint to the National Supervisory Authority for Personal Data Processing – ANSPDCP to defend the rights guaranteed by the legislation applicable in the field of personal data protection, which were violated, as well the right to appeal to competent courts.

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To exercise the rights provided for in art. 13-22 and art. 7 (3) of GDPR, as presented above, you can submit a written request, dated and signed, to the Department of Personal Data Protection of certSIGN:

- Email address: dpd@certsign.ro
- 29A, Tudor Vladimirescu Blvd, AFI Tech Parc 1, 2nd floor, Bucharest, sector 5.

Should you submit such request concerning the exercise of your rights under personal data protection legislation, you will receive a response within 30 days, under the conditions provided by GDPR.

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