

REGULATIONS GOVERNING THE PROVISION OF SERVICES BY ELECTRONIC MEANS OF COMMUNICATION IN INFORMATION EXCHANGE SYSTEM

§ 1

General provisions

1. Pursuant to Art. 8 (1) point 1 of Act of 18 July, 2002 on Providing Services by Electronic Means (Journal of Laws No. 2017.1219, as amended) the Gas Transmission Operator GAZ-SYSTEM S.A. with its registered office in Warsaw (hereinafter: GAZ-SYSTEM S.A.) hereby determine a “Regulations governing the provision of services by electronic means of communication in Information Exchange System” hereinafter referred to as the “Rules”.
2. Using the Information Exchange System by the User shall be equivalent to constitute an Agreement as well as to acceptance of these Rules, which is an integral part of the Agreement concluded with the User.
3. The Information Exchange System, hereinafter referred to as the “IES”, is owned by the GAZ-SYSTEM S.A. with its registered office in Warsaw.
4. The IES is a comprehensive system available via the Internet.
5. Access to the IES is obtained by logging in with the use of the login and the Password.
6. Use of the IES is free of charge.
7. Terms and expressions used herein shall have the following meaning:

Personal data controller – GAZ-SYSTEM S.A.

IES Administrator – a person who manages the IES on behalf of the GAZ-SYSTEM S.A.

Administrator inside the organisation – an User entitled to carry out specific activities in IES within the scope of the registration of new Users under the Organisation based on power of attorney granted by the Organisation.

Password – a sequence of symbols defined by the User in accordance with § 7 these Rules which combined with the login is used to User’s account authorization.

User account – set of resources and rights under IES assigned to a given User.

Monitoring – a chronological recording containing an information about the activities and events in the SWI.

Organisation – an entity with legal personality using the IES under the Agreement.

Processor – an entity which processes personal data on behalf of the Personal data controller under the agreement.

Rules – “Regulations governing the provision of services by electronic means of communication in Information Exchange System”.

GDPR – 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).

Company – GAZ-SYSTEM S.A.

Agreement – agreement for the provision of electronic services by IES.

Service – a service/services provided by electronic means by the IES described in § 2 hereof.

User – a person who has access to the IES authorized by the Password entitled to carry out specific activities in the IES.

§ 2

Types and the scope of services provided in the IES by electronic means

1. The User has access only to the IES Services to which he has appropriate rights given by the IES Administrator at the request of the Administrator inside the organisation.
2. Within the IES the Company allows the User to use the following Services:
 - a) the User's and Organisation contact data entry and applying for User's rights;
 - b) applying for User's contact data and rights amendments;
 - c) access to the contents in the IES regarding transmission system operation and to the data and information connected with the gaseous fuels transportation service provided by the Company to Organisation in accordance with the rights of the given User;
 - d) submission of requests and declarations on behalf of Organisation including in particular:
 - applications for transmission contract,
 - applications for definition of the terms of connection to the transmission grid,
 - applications for conclusion of the capacity allocation and/or transmission ability allocation,
 - nominations/renominations and forecasts,
 - operative and settlement allocations.
3. The IES owner shall ensure that the information provided by the Company through the IES will be up to date, coherent and reliable.
4. Use of the Service is on voluntary basis and free of charge.

§ 3

Terms of conclusion and termination of the Agreement

1. An acceptance of these Rules by the User shall be equivalent to constitute an Agreement.
2. The GAZ-SYSTEM S.A. undertakes to launch Services provided by electronic means through the IES at the latest two business days after the fulfilment necessary requirements by the User for account activation.
3. In case of the registration of the first User within the given Organisation shall be required to:
 - a) register in IES,
 - b) acceptance these Rules, and
 - c) submit an original version of power of attorney to act in the IES available on the Company website.
4. In case of the registration of another Users within the same Organisation shall be required to:
 - a) input the new User's data to the IES by the Administrator inside the organisation or register in IES on its own by the User,
 - b) acceptance these Rules by the new User, and
 - c) submit an original version of power of attorney to act in the IES available on the Company website in case of obtaining the access to the Services described in § 2 (a)-(b).
5. The User may terminate electronically supplied services through the IES at any time by submitting an appropriate statement using one of the following form:
 - a) by the notification of account's removal via IES ("User" tab), or



- b) by an e-mail to klent@gaz-system.pl or any other IES Administrator e-mail addresses available at the IES home page and in the §12 hereof.

§ 4

Registration

1. Registration of the first User within the Organisation means at the same time the registration of that Organisation in the IES.
2. The registration form is available at the IES login page (“Registration”).
3. Users who are part of an Organisation that already has an account in IES should contact their contact the Administrator inside the organisation or IES administrators with the request to provide an access to the system (contact information are described in § 12 hereof).
4. During registration, the user is required to provide accurate and true details.
5. Upon completion of the registration form a verification and the account activation by the IES Administrators shall take place.
6. An acceptance of these Rules is a necessary for activation of the User’s account.
7. The registration form provides an opportunity for the User to give a consent for receiving by the electronic means an up-to-date information regarding Services providing by the GAZ-SYSTEM S.A. Consent is voluntary and the User may withdraw consent in written or electronic form at any time.

§ 5

Organisation

1. The Organisation in the IES is an entity with legal personality using the IES Services under the Agreement.
2. Each Organisation shall have an User designated as Administrator inside the organization with the necessary powers to be responsible for information exchange regarding all Users of the given Organisation, including i.a. data updating, amendment of the User’s rights, or User’s accounts locking of the given Organisation.

§ 6

Users

1. The IES User is a natural person who expressed its willingness to use the IES and gained an access to the electronic account in the system, recorded in the IES database, which is connected with the given Organisation existing in the IES, on the basis of the terms defined hereof.
2. Each User possesses their own unique login and corresponding Password and a selection of rights enabling access to given Services available in IES.
3. Each User with rights to given functions of the IES is required to store the access information in a safe place, protecting from unauthorized access thereto.
4. The User cannot pass on, sell or make available the access particulars to the IES to any third persons.
5. The IES Administrator should be notified in the event of any cases in which access particulars to the IES could be at threat of unauthorised use.
6. After ninety (90) days without a logging in to account by the User, the account is automatically locked. To unlock the account User may submit a request to the IES Administrator.

7. The Administrator inside the organisation is responsible for update of the Organisation contact data available in the tab: "Contacts for dispatching service".
8. The IES Administrator assumes that the contact data of the Organisation disclosed in the tab: "Contacts for dispatching service" are up to date.
9. Each User is responsible for an update of its personal data on the IES.
10. The IES Administrator assumes that the personal data of the User are up to date.

§ 7

Rules regarding Passwords usage in the IES

1. After the User's account registration process referred to in § 4, User shall receive an email message with the activation link at the address indicated by the User in the registration form which enables the completion of the registration process and creation of the Password.
2. The access Password shall:
 - a) consist of at least eight (8) signs,
 - b) include at least one (1) letter,
 - c) include at least one (1) number,
 - d) include at least one (1) special character (i.e. !@#\$%>? etc.).
3. Each Password shall expire after thirty (30) consecutive days and then a new Password shall be created. A sequence of characters in the new Password must be different from the previous Password in at least seven (7) points. A new Password may contain the same characters than the previous one but in a different sequence.
4. Each User has the possibility of modifying its access Password at any time with the use of a Password modification form which is to be found in User's profile management panel available after logging into the IES.
5. If a User forgets its IES access Password, it has a possibility to create a new access Password. In that case the User shall select a link "Forgot password?" which is to be found at the IES logging panel available at the website www.gaz-system.pl and follow on-screen instructions.

§ 8

Documents in the IES

1. The IES application enables document collection within the performance of services rendered by GAZ-SYSTEM S.A.
2. A document in the IES application is a computer file, constituting existing and approved documents that are divided into external and own documents:
 - a) External documents are documents attached in the form of a computer file that are templates agreed by the Organisation or third persons.
 - b) Own documents are computer files that are templates agreed by the IES application owner.
3. All types of documents are protected from unauthorised access and stored in a proper manner guaranteeing document security.
4. For the best protection of data entailed in the documents, the IES application possesses a mechanism of varied degrees of document display in the IES application.

§ 9

Technical requirements necessary for use of the communication and information system, privacy policy and confidentiality

1. The IES shall be based on the encrypted version of HTTPS (Hypertext Transfer Protocol Secure) protocol.
2. Any use of the User's account is dependent on the fulfilment of the following technical requirements:
 - a) access to the Internet;
 - b) access to the websites and web browsers – Internet Explorer min. version 10, Mozilla Firefox, Google Chrome, Opera in versions not older than the versions from 2010 or any other browser with similar technical parameters enabling the seamless use of the IES,
 - c) activation of the Javascript, cookies and compatibility mode in case of application of the Internet Explorer;
 - d) active e-mail account.
3. The usage of the IES implies the use of the following technology: Javascript, XML, DHTML, cookies. The selected subpages of the IES requires authorised access to the system and using an encrypted protocol SSL.
4. The IES uses a wide variety of advanced security solutions during the use of the account by the User, in particular as regards protection of the:
 - a) data available under the Service providing, referred to in § 2 (2) hereof,
 - b) personal data collecting and processing during the use of the account by the User.
5. The Services are providing constantly (24 hours a day, 7 days a week), provided that any access interruptions to the IES caused by technical difficulties may occurs.

§ 10

Personal data collecting and processing in the IES

1. Personal data controller for data collecting and processing in the IES is a GAZ-SYSTEM S.A.
2. The GAZ-SYSTEM S.A. as a Personal data controller processes personal data of the User through the IES in order to enable it to use of services provided in the IES by electronic means pursuant to GDPR provisions and national regulations issued pursuant to GDPR.
3. The legal basis of the processing of Users personal data are:
 - a) Art. 6 par. 1 letter b of GDPR – means that personal data 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.,
 - b) Art. 6 par. 1 letter f of GDPR – means that personal data processing is necessary for the purposes of the legitimate interests pursued by GAZ-SYSTEM S.A. or by a third party mentioned below in point 4 letter d.
4. Personal data of the Users are processing in order to:
 - a) the performance of the Agreement in scope of Services provided by GAZ-SYSTEM S.A. or to taking actions on before concluding the mentioned Agreement,
 - b) managing the rights to the GAZ-SYSTEM S.A. resources and taking actions before concluding the Agreement i.e. recipient identification for the need of providing

Services such as information exchange between GAZ-SYSTEM S.A. and Organisation regarding gaseous fuels transportation service,

- c) ensure the safety of GAZ-SYSTEM S.A. resources in scope of IES,
 - d) realization the purposes resulting from the Personal Data Controller or the third part legitimate interests i.e. the Organisation that would like to use the Services provided by GAZ-SYSTEM S.A. or any administrative body in scope of GAZ-SYSTEM S.A. regulations.
5. Basic identification data required by IES:
 - a) name, surname, login;
 - b) computer IP number recording under the Monitoring;
 - c) contact data: e-mail address, telephone number and/or mobile phone number.
 6. The User has a right to:
 - a) the access to its personal data, that is right to get an information which data, how and for what purpose are processed,
 - b) the rectification its personal data, that is claim to complete the personal data incompleted or incorrect,
 - c) erasure its personal data, that is claim to erasure all or the part of personal data – in the case of the legitimacy of the application the data will be delated immediately,
 - d) the restriction of processing that is claim to processing data only for storage – the restriction of processing may be unblocked if the premises justifying it cease,
 - e) the data portability,
 - f) object to processing of personal data that is ceasing to processing personal data for the mentioned purposes if the User consider that its rights are being infringed within data processing,
 - g) lodge a complaint with the President of Personal Data Protection Office, if the User consider that its personal data processing violates the regulations.
 7. All User's activities within the services providing by electronic means in the IES are registered under the Monitoring. A history of changes for each Users account is stored in a database i.e. any change in the system generates a new record with an information which identifies a User as regards the following:
 - a) category of the operation carried out by the User;
 - b) User's login;
 - c) date of the operation carried out by the User;
 - d) IP address of the User.
 8. The Users personal data are stored in the IES during the entire period of User's account operation in accordance with these Rules and for a period of five (5) consecutive years as of the date of the User's account termination, subject to Art. 19 (1) of Act of 18 July, 2002 on Providing Services by Electronic Means.
 9. The User may realize its rights (or get more information) by contacting Personal data controller at the address: rodo@gaz-system.pl.
 10. The Users are not profiling on the basis of personal data as well as an automated individual decision within the meaning of GDPR are not undertaken.
 11. The provision of personal data is voluntary, however it's a necessary condition to conclude the Agreement for the provision of electronic services and the lack of this data will result in no access to the electronically supplied services by IES.

§ 11

Complaints

1. The User may complain in matters of User's account operation.
2. The complaint may be submitted electronically or by telephone to the IES Administrators.
3. The User should define a scope of its expectations connected with the complaint.
4. The IES Administrators shall review the complaint without undue delay.
5. The User shall be informed about the manner in which such complaint is to be dealt with by:
 - a) an e-mail message in case the complaint was submitted electronically, or
 - b) a telephone in case the complaint was submitted in that way.

§ 12

Contact

1. In the event of any questions or problems arising in relation to the use of the Information Exchange System, please contact the following persons:
 - **Hubert Kabulski**
 - e-mail: hubert.kabulski@gaz-system.pl
 - tel. (+48) 22 220 16 40
 - **Rafał Celiński**
 - e-mail: rafal.celinski@gaz-system.pl
 - tel. (+48) 22 220 16 25
 - **Andrzej Nehrebecki**
 - e-mail: andrzej.nehrebecki@gaz-system.pl
 - tel. (+48) 22 220 15 92
2. Correspondence address:

Gas Transmission Operator GAZ-SYSTEM S.A.
ul. Mszczonowska 4
02-337 Warsaw

§ 13

Final provisions

1. The IES owner is entitled to amend the provisions of these Rules. Information about any modifications of the Rules shall be notified to all Users through the IES at least seven (7) days in advance of their entry into force.
2. Each User with an User account in the IES is required to observe the provisions outlined in the Rules herein.
3. The IES owner retains the right to block access to the IES to given Users as well as to entire Organisations in the event of a breach of these Rules or any other gross negligence concerning the IES.
4. These Rules shall enter into force on 25 of May 2018.
5. These Rules is published on the website: www.gaz-system.pl in a form allowing for downloading, printing and consolidation.