

## INFORMATION CLAUSE FOR SUPPLIERS, PAYERS AND OTHER BUSINESS PARTNERS

EFFECTIVE FROM 14.06.2024

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**DaVita spółka z ograniczoną odpowiedzialnością** with its registered office in Wrocław, ul. Legnicka 48 bud. F, 54-202 Wrocław, entered in the Register of Entrepreneurs of the National Court Register, kept by the District Court for Wrocław-Fabryczna, 6th Commercial Division of the National Court Register, under KRS number 0000402438, Tax Identification Number [NIP]: 5252521356, REGON 145884498 (hereinafter: "**We**" or "**DaVita**") acts as a data controller with respect to the collection, use, transfer and processing (hereinafter collectively: "processing") of certain information that identifies you ("**Personal Data**").

Whenever this clause refers to a business partner or potential business partner, it shall mean **suppliers, potential suppliers, contractors, potential contractors, payers, potential payers or other business partners and potential business partners of DaVita.**

### 1. What Personal Data do we process?

DaVita may process the following categories of Personal Data in connection with the relationship between you or the organisation on whose behalf you act, work or provide services and DaVita. Personal Data may vary depending on the above relationship,

- a) **If you are a business partner who is a natural person or a potential business partner who is a natural person,** DaVita processes the following categories of Personal Data:

**Basic data:** identification data, contact data, business data, national identification number, signature;

**Contractual Data:** all Personal Data relating to the conclusion and performance of a contract or business relationship with you.

**Data necessary to establish compliance with the law:** data disclosed and collected in connection with compliance with DaVita internal policies and procedures.

- b) **If you are an employee of a business partner or potential business partner of DaVita, who is a natural person, providing services to a business partner or potential business partner of DaVita, or a person acting for or on behalf of a business partner or potential business partner of DaVita,** DaVita processes the following categories of Personal Data:

**Basic data:** identification data, contact data, national identification number.

**Data necessary to establish compliance with the law:** data disclosed and collected in connection with compliance with DaVita internal policies and procedures.

### 2. What is the source of my Personal Data?

Where Personal Data has not been collected directly from you, the Personal Data has been obtained from a business partner of DaVita on whose behalf or for whose benefit you act, work or provide services. Your Personal Data may also have been obtained from such business partner's websites or publicly available records, whereby the data may have been collected directly by DaVita or made available to it by third parties whose services it uses.

**3. For what purpose do we use and process Personal Data? What is the legal basis for the Processing?**

DaVita processes your Personal Data for the purposes and on the legal basis listed below:

**3.1 If you are a business partner who is a natural person or a potential business partner who is a natural person, DaVita processes Personal Data when:**

- a) **Processing is necessary for the conclusion and performance of the contract (Article 6(1)(b) of the GDPR) to which you are a party.**

We process your Personal Data, in particular basic data and contractual data, in connection with activities aimed at concluding a contract with you, including those aimed at taking all necessary steps prior to concluding the aforementioned contract.

- b) **Processing is necessary to fulfil a legal obligation (Article 6(1)(c) of the GDPR)**

We process your Personal Data, in particular basic data and contractual data, in particular in connection with keeping records for tax purposes, issuing or storing invoices, and providing information to public administration or law enforcement agencies.

- c) **Processing is necessary for the purpose of pursuing legitimate interests (Article 6(1)(f) of the GDPR).**

- **In order to ensure security** on DaVita premises, DaVita may process, in particular, basic data.
- **Where appropriate, for the purpose of establishing, asserting and defending claims,** DaVita may process, in particular, basic data, contractual data, data necessary to establish compliance with regulations, as well as other Personal Data provided by you.
- **In order to maintain the information technology ("IT") systems,** DaVita may process, in particular, basic data and contractual data.
- **Where appropriate, for the purpose of internal reporting** by DaVita or its affiliated companies, including: management reporting, reporting of accounting irregularities, internal accounting inspections, auditing, as well as combating bribery, financial and economic crimes, DaVita may process basic data, contractual data and data necessary to determine compliance with the law.
- **Where appropriate, for the purpose of monitoring and detecting irregularities** in accounting, internal accounting controls, auditing, potential conflicts of interest, violation of ethical principles including receipt of financial interests, bribery, banking

offences, whistleblowing, DaVita may process basic data, contractual data and data necessary to establish compliance with the law.

- **In order to carry out business intelligence (BI)** for the purpose of internal monitoring of the quality of treatment and reporting in the case of external monitoring, DaVita may process, in particular, basic data and contractual data.
- **For the purpose of business development**, DaVita may process basic data and contractual data.
- **For the purpose of counterparty verification** for the detection of risks and the fulfilment of obligations arising from our affiliation with the DaVita Group, including in particular the verification of a business partner or potential business partner on sanctions lists (OFAC), i.e. the lists of entities compiled by the Office of Foreign Assets Control of the US Department of Treasury - SDN, and CSDN, i.e. consolidated sanctions lists, DaVita may process basic data, contractual data and data necessary to establish compliance with the law.

**3.2 If you are an employee of a business partner or potential business partner of DaVita, who is a natural person, providing services to a business partner or potential business partner of DaVita, or a person acting for or on behalf of a business partner or potential business partner of DaVita, DaVita processes the following categories of Personal Data:**

**a) Processing is necessary to fulfil a legal obligation (Article 6(1)(c) of the GDPR)**

We process your Personal Data, in particular basic data in connection with the keeping of records for tax purposes, the issuing or storage of invoices, and the provision of information to public administration or law enforcement agencies.

**b) Processing is necessary for the purpose of pursuing legitimate interests (Article 6(1)(f) of the GDPR).**

- **For the purpose of entering into and performing a contract** with a contractor or supplier, or a potential contractor or potential supplier, DaVita may process basic data.
- **In order to handle enquiries or other messages** regarding contractual relationships with counterparties or suppliers or potential contractors or potential suppliers, DaVita may process basic data.
- **In order to ensure security** on DaVita premises, DaVita may process, in particular, basic data.
- **Where appropriate, for the purpose of establishing, asserting and defending claims**, DaVita may process in particular the basic data and the data necessary to establish compliance with the law, as well as other Personal Data provided by you.
- **In order to maintain the information technology ("IT") systems**, DaVita may process, in particular, basic data.

- **Where appropriate, for the purpose of internal reporting by DaVita or its affiliated companies**, including: management reporting, reporting of accounting irregularities, internal accounting inspections, auditing, as well as combating bribery, financial and economic crimes, DaVita may process basic data and data necessary to determine compliance with the law.
- **Where appropriate, for the purpose of monitoring and detecting irregularities** in accounting, internal accounting inspections, audits, potential conflicts of interest, ethical violations including receipt of financial interests, bribery, banking offences, whistleblowing, DaVita may process basic data and data necessary to establish compliance with the law.
- **Carrying out BI analysis** for internal monitoring of treatment quality and reporting in the case of external monitoring, DaVita may process, in particular, basic data.
- **For the purpose of business development**, DaVita may process, in particular, basic data.
- For the purpose of counterparty verification for the detection of risks and the fulfilment of obligations arising from affiliation with the DaVita Group, including in particular the verification of a business partner or potential business partner on sanctions lists (OFAC), i.e. the lists of entities compiled by the Office of Foreign Assets Control of the US Department of Treasury - SDN, and CSDN, i.e. **consolidated sanctions lists**, DaVita may process basic data, contractual data and data necessary to establish compliance with the law.

DaVita will not process Personal Data for purposes incompatible with those described below, except where such processing is required or permitted by law or you.

#### 4. Under what conditions is Personal Data transferred to Third Parties?

DaVita may transfer Personal Data to third parties for the purposes indicated in Section 3 above in the following manner:

- **DaVita International Limited**, with its registered office in London, United Kingdom, is responsible for global management. DaVita International Limited uses data centres located in Frankfurt and London and may also transfer Personal Data to DaVita Inc. based in Denver, Colorado (USA) using data centres located in the USA.
- **State bodies, authorities, third parties.** If necessary for the purposes described in Section 3, Personal Data may be transferred to state bodies, courts or authorities (e.g. tax and law enforcement authorities), independent third party advisors (e.g. auditors), including entities in jurisdictions where DaVita or DaVita Inc. has its registered office or branch.
- **Other Third Parties.** To the extent permitted by applicable law and necessary for the purposes described in Section 3, your Personal Data may be provided to third parties for processing on behalf of and for the benefit of DaVita pursuant to an agreement obliging such third parties to

implement appropriate technical and organisational security measures to protect your Personal Data, and your Personal Data will be processed only upon DaVita's request.

## 5. Under what conditions is Personal Data transferred to third countries?

In order to ensure adequate protection of the transmission of data, DaVita has implemented the appropriate security measures required by applicable law. DaVita transfers your Personal Data to the USA on the basis of standard contractual clauses approved by the European Commission (standard contractual clauses for controllers 2004/915 / EC and standard contractual clauses for processors 2010/87 / EU).

We may use the services of third parties (processors) to process personal data for the purposes set out in section 3. If we use the services of third parties outside the EEA or allow third parties to use downstream processors (sub-processors) to process personal data outside the EEA, except where the processing takes place in a Country Providing an Adequate Level of Protection, we shall first ensure that a legal mechanism is implemented to provide adequate safeguards, such as: standard contractual clauses approved by the European Commission; participation in the EU-US Privacy Shield Programme; or other approved safeguards for the transfer of data, in accordance with applicable law and/or a European Commission decision finding an adequate level of protection.

Details of the transfer of Personal Data to third countries, the security measures applied, as well as a copy of such measures, can be obtained by contacting us using the agreement details provided in this clause.

## 6. What security measures does DaVita apply?

DaVita has implemented appropriate technical and organisational security measures to protect Personal Data in accordance with the best practices in the industry. DaVita ensures the confidentiality and protection of all data by ensuring compliance with legal requirements and data protection legislation.

## 7. How long do we keep your Personal Data?

The storage of Personal Data is carried out in accordance with the provisions on data retention periods. Your Personal Data will be kept for the period necessary for the purposes outlined in Section 3. In addition, Personal Data will be stored for the period indicated in DaVita's data retention schedule, unless a different retention period has been agreed on or a different retention period is required by law.

## 8. What are your rights?

In accordance with the applicable regulations, you are particularly entitled to:

- **access information about your Personal Data** stored by DaVita, i.e., the right to access the Personal Data and to obtain a copy of the Personal Data stored;
- **rectify your Personal Data** – if they are incorrect or incomplete;
- **delete Personal Data ("right to be forgotten")** – in particular when the Personal Data is stored unlawfully or is no longer necessary for the purposes for which it was collected;

- **restrict the processing of Personal Data** – in particular where the Personal Data is inaccurate, is processed unlawfully or is no longer necessary for the purposes of processing and you have objected to the deletion of such Personal Data;
- **transfer Personal Data** – where (i) processing is carried out on the basis of an agreement or on the basis of consent, (ii) processing is carried out by automated means;
- **lodge a complaint with the supervisory authority** – i.e. the President of the Personal Data Protection Office.

If you have given your consent for specific processing activities, you have the right to withdraw your consent at any time. Withdrawal of consent shall not affect the lawfulness of processing carried out on the basis of consent before withdrawal.

If you wish to ask a question or exercise any of your rights, you may contact us using the contact details indicated at the end of this information statement.

#### 9. Can I object to the processing of my Personal Data?

You have the right to object to the processing of Personal Data, including profiling, if: (i) there are grounds relating to your particular situation and (ii) the processing is based on the legitimate interest of DaVita as referred to in Section 3.1(c) or 3.2(b) above (on the basis of Article 6(1)(f) GDPR).

#### 10. Am I required to provide my Personal Data?

- a) **If you are a business partner who is a natural person, or a potential business partner of DaVita who is a natural person**, the provision of Personal Data is required for the conclusion or performance of the contract. Provision of Personal Data may also be necessary to comply with a legal obligation of DaVita. Failure to provide the required Personal Data, depending on the circumstances, may constitute an obstacle to the conclusion or performance of the contract.
- b) **If you are an employee of a business partner or potential business partner of DaVita, who is a natural person providing services to a business partner or potential business partner of DaVita or a person acting for or on behalf of a business partner or potential business partner of DaVita** and you have provided your Personal Data to DaVita, the processing may be necessary for the legitimate interest of DaVita, including for the conclusion and performance of a contract between DaVita and the business partner of DaVita. Failure to provide the required Personal Data, depending on the circumstances, may constitute an obstacle to the conclusion or performance of the contract.
- c) **Provision of other Personal Data is voluntary**, but failure to do so may affect the provision of services to DaVita.

#### 11. How can you contact DaVita?

If you wish to contact us about the processing of your personal data, below you will find the contact details:

- **DaVita contact details:** DaVita sp. z o.o., ul. Legnicka 48 bud. F, 54-202 Wrocław, Phone: 71 342 98 50
- **Data Protection Officer:** PL\_IOD@davita.com.

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## 12. Declaration

I hereby declare that I have received and read this Supplier Information Clause Version 4.

**NAME AND SURNAME** \_\_\_\_\_

**DATE** \_\_\_\_\_

**SIGNATURE** \_\_\_\_\_