CODE: NG.FER.CU-06

TITLE: Personal Data Protection Policy

VERSION : 3

SCOPE: General

DATE OF FIRST PUBLICATION: 29/01/2018

CANCELS: Last Version (April, 25, 2023)

DATE OF PUBLICATION OF THE CURRENT VERSION: 9/05/2024

ORIGINAL VERSION LANGUAGE: English

APPROVED BY: Chief Executive Officer

ISSUING AREA: Compliance and Risk Department

Review history

Edition	Date of entry into force	Reasons for and summary of the changes	Cancels/Replaces
1	29/01/2018	first NPSI 101 version	N/A
2	25/04/2023	Adaptation to the new Privacy Governance Model	NPSI 101 (29/01/2018)
3	9/05/2024	Reviewed as consequence of listing in Nasdaq Stock Exchange and Amsterdam Stock Exchange	Previous version NG.FER.CU-06 (25/04/2023)

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I. INTRODUCTION

Information is a key factor in the development of Ferrovial's activities. Therefore, it is essential to protect the personal data handled in daily work, such as that related to employees, trainees, candidates, clients, suppliers, providers, and professional contacts.

In this regard, Ferrovial's Code of Business Ethics establishes that Ferrovial will take all necessary measures to preserve the confidentiality of personal data and provides that employees who, in the course of their professional activity, have access to information of other employees will respect and foster the confidentiality of such information and will use it responsibly and professionally.

Ferrovial's values reflected in the Code of Business Ethics, imply a commitment to the highest standards of integrity, transparency, respect for the law and human rights. Ferrovial therefore demands that its business be conducted in accordance with these principles and with the utmost respect for applicable national and international laws.

II. OBJECT

The purpose of this policy is to establish the general guidelines for action to be observed in the Processing of Personal Data, as well as to establish the roles for the different agents involved in the Processing of Personal Data by Ferrovial reflected in a data protection governance regime ("**Privacy Governance Model**") which is attached to this policy as **Annex 1.**

III. SCOPE

This policy must be observed by Ferrovial, as well as by all its Employees who, in the exercise of their functions, are directly or indirectly involved in the Processing of Personal Data.

The Processing of Personal Data shall be carried out in accordance with (i) the applicable legislation on Personal Data protection, (ii) Ferrovial's Code of Business Ethics and (iii) this policy.

In the event that a potential conflict is presented by complying with this policy and with local data protection legislation, the CPO shall verify whether this policy is compatible with the data protection legislation applicable in the jurisdictions in which Ferrovial is present (or which otherwise applies to Ferrovial) and, if necessary, shall adopt the appropriate measures for its adaptation and specific application in those jurisdictions.

IV. DEFINITIONS

- **Supervisory Authority**: the independent public authority established by a Member State in accordance with the provisions of Article 51 of the GDPR or established by the legislation applicable in the jurisdiction in question.

- **Ferrovial** or **Group**: For the purposes of this Code, "**Group**" or "**Ferrovial**" refer to both Ferrovial SE and to the business group headed by that company, which includes all

companies that are directly or indirectly controlled by Ferrovial SE. "**Control**" is understood to exist when the majority of the voting rights is held in all governing bodies.

- **Employees**: all Ferrovial employees who, in the exercise of their duties, are directly or indirectly involved in the Processing of Personal Data.

- **Personal Data**: any information about an identified or identifiable natural person (the "data subject"). An identifiable natural person is any person whose identity can be established, directly or indirectly, in particular by means of an identifier, such as a name, an identification number, location data, an online identifier or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person.

- **Processing**: any operation or set of operations which is performed upon Personal Data or set of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

- **GDPR**: collectively, the 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, repealing Directive 95/46/EC (the "**EU GDPR**") and the UK General Data Protection Regulation as defined by the UK Data Protection Act 2018 as amended by the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (the "**UK GDPR**").

- **Privacy Governance Model**: Personal Data protection governance regime at Ferrovial.

V. DEVELOPMENT

V.I GENERAL OBLIGATIONS IN THE PROCESSING OF PERSONAL DATA: CONFIDENTIALITY

The following obligations must be observed by Ferrovial and its Employees when, in the exercise of their functions, they are directly or indirectly involved in the Processing of Personal Data:

a) Confidentiality and Privacy of Employees' Personal Data

- Only those Personal Data of Employees that are necessary to ensure the effective management of their employment relationship or which must be collected in accordance with applicable regulations will be requested and used.
- The necessary measures shall be taken to preserve the confidentiality of the Personal Data held and to ensure that the transmission of such Personal Data, where necessary, complies with the legislation in force.
- Employees who in the course of their professional activity have access to information of other Employees shall respect and promote the confidentiality of such information and shall use it in a responsible and professional manner.

All of the above is without prejudice and subject to the provisions of the Procedure for the Use of Technological Means (PG.FER.RH-SI-001) and any other internal rule that replaces, develops or complements it, and always within the framework of the legislation applicable at any given time.

b) Confidentiality regarding Personal Data of third parties

- The confidentiality and privacy of the Personal Data of third parties that are processed shall be guaranteed, without prejudice to legal, administrative, or judicial provisions that require them to be disclosed to third parties or made public.
- The rights of interested third parties to consult and promote the modification or rectification, when necessary, of their Personal Data shall be guaranteed.
- Ferrovial Employees, in the performance of their professional activity, shall keep the confidentiality of Personal Data according to the terms set out above and shall refrain from any inappropriate use of such data.

V.II ADDITIONAL OBLIGATIONS FOR THE PROCESSING OF PERSONAL DATA OF INDIVIDUALS LOCATED WITHIN THE EUROPEAN UNION AND THE UNITED KINGDOM

In addition to the General Obligations established in section 5.1 above, the following obligations must be observed by the entities of the Group established in the European Union or the United Kingdom (the "**UK**"), or those entities to which the GDPR is of application, as well as by all Employees of such entities who, in the performance of their duties, are directly or indirectly involved in the Processing of Personal Data.

1. **Data Protection Principles** - The following principles shall be respected in the Processing of Personal Data:

- **Lawfulness, fairness, and transparency**: Personal Data shall be processed lawfully, fairly and transparently.
- **Purpose limitation**: Personal Data shall be collected for specified, explicit and legitimate purposes and may not be further processed in a way that is incompatible with those purposes.
- **Data Minimisation**: only Personal Data that are adequate, relevant and limited to what is necessary in relation to the purposes for which they were collected will be processed.
- **Accuracy**: Personal Data processed will be accurate and will be updated if necessary.
- **Storage limitation**: Personal Data shall be kept in a form that, by default, does not allow the identification of data subjects for longer than is necessary for the purposes of their Processing.
- **Integrity and confidentiality**: adequate security shall be ensured by implementing appropriate risk-based measures.

- **Accountability**: Personal Data protection obligations must be complied with in a verifiable manner.

2. **Lawfulness of Processing –** The Processing of Personal Data will only be lawful if one of the following conditions is met:
   - Consent of the data subject by a clear affirmative act reflecting a freely given, specific, informed, and unambiguous indication of his or her wishes.
   - Processing necessary for the performance of a contract to which the data subject is a party or for the implementation, at the data subject's request, of pre-contractual measures.
   - Processing necessary for compliance with a legal obligation applicable to the controller.
   - Processing necessary for the protection of vital interests.
   - Processing necessary for the public interest or the exercise of public authority.
   - Processing necessary for the fulfilment of legitimate interests overriding the fundamental rights and freedoms of the data subject.

3. **Information and transparency –** Appropriate measures shall be taken to provide the data subject with all the information relating to the Processing of his or her Personal Data provided for in the applicable regulations from time to time. The information shall be provided in a concise, transparent, intelligible and easily accessible manner, using clear and simple language.

4. **Accountability** - Appropriate technical and organisational measures must be implemented to ensure and be able to demonstrate that the Processing of Personal Data is in compliance with the law, in particular:
   - Risk analysis of the Processing of Personal Data.
   - Privacy Impact Assessment in cases of high risk.
   - Internal recording of Processing activities.
   - Privacy by Design and by Default.
   - Security measures based on the risk detected.
   - Notification of "personal data breaches" within 72 hours to the Supervisory Authority which are likely to result in a risk to data subjects, and to data subjects without undue delay which are likely to result in a high risk to data subjects.
   - Designation of a Data Protection Officer in certain cases.

5. **Data Protection Rights** - The rights of data subjects, such as access, rectification or erasure, restriction and objection, as well as the right to portability of Personal Data and the right not to be subject to a decision based solely on automated Processing of their Personal Data, including profiling, shall be guaranteed.

6. **International Transfers of Personal Data –** Personal Data may only be disclosed outside the European Union (EU) and the UK (as applicable) in one of the following cases: (i) if the European Commission considers that the recipient country offers an adequate level of

protection, (ii) if there are adequate safeguards for the protection of the Personal Data, (iii) if the consent of the data subject is given, or (iv) if there is any other exception provided for in the applicable rules on the protection of Personal Data.

V.III ADDITIONAL OBLIGATIONS FOR THE PROCESSING OF PERSONAL DATA OUTSIDE THE EUROPEAN UNION

In addition to the General Obligations established in section 5.1 above, the following obligations must be observed by the entities of the Group whose registered office is not located in the European Union or UK and/or who Process Personal Data for which the GDPR is not of application, as well as by all Employees of such entities who, in the performance of their duties, are directly or indirectly involved in the Processing of Personal Data:

1. Identification of applicable regulations

The CPO shall examine the data protection legislation applicable from time to time in the jurisdictions in which Ferrovial is present or which otherwise may apply to Ferrovial.

2. Adaptation of the Personal Data Protection Policy

If, in view of such legislation, any adaptation of this policy is necessary, the CPO will take appropriate steps to adapt this policy and its specific application to such jurisdictions.

In particular, consideration will be given in how to comply with local obligations relating to:

- Principles governing the Processing of Personal Data;

- identification of grounds and lawfulness bases for the Processing of Personal Data;

- the provision of information to data subjects about how their Personal Data are processed;

- the traceability and accreditation of compliance with local regulations and with this Policy;

- the management of data subjects' rights;

- the management of security incidents involving Personal Data;

- the existence of a supervisory authority to which it is mandatory to submit queries and/or notifications (e.g. to notify security incidents);

- the applicable obligations regarding disclosure of Personal Data to third parties (e.g. suppliers/providers with access to Personal Data);

- the obligations applicable to the export outside the relevant jurisdiction of Personal Data.

To the extent that they do not contravene any locally applicable provisions, Ferrovial entities established outside the European Union or the UK, or which are not otherwise subject to GDPR, shall observe and take as their standard of reference the obligations set out in section 5.2 of this policy.