

PERSONAL DATA PROTECTION POLICY OF BILIJUN PARTNER d.o.o.

I GENERAL PROVISIONS

Article 1

The Company is subject to the application of the General Data Protection Regulation.

Pursuant to Article 4(7) of the General Data Protection Regulation, the Company acts as the controller of personal data.

As the controller of personal data, the Company determines the purposes and means of processing personal data in accordance with the General Data Protection Regulation, the applicable legislation of the Republic of Croatia (hereinafter: the Republic of Croatia or "RC"), the law of the European Union (hereinafter: "EU"), and other internal acts of the Company governing the protection of personal data.

Subject of the Policy

Article 2

This Personal Data Protection Policy (hereinafter: **the Policy**) establishes rules for the protection of personal data in the procedures of collection and processing of personal data relating to natural persons which the Company obtains during the course of its regular business activities.

The purpose of personal data protection is to safeguard private life and other human rights and fundamental freedoms in the collection, processing and use of personal data.

Personal data protection within the Company is ensured for every natural person regardless of nationality or residence and irrespective of race, skin colour, gender, language, religion, political or other opinion, national or social origin, property, birth, education, social status or any other characteristic, in accordance with the provisions of the General Data Protection Regulation.

The right to the protection of personal data belongs to all data subjects equally and under equal conditions, and all data subjects are equal in exercising this right.

Article 3

This Policy contains provisions consistent with the legal acts of the European Union: Article 8(1) of the Charter of Fundamental Rights of the European Union (the "**Charter**"), Article 16(1) of the Treaty on the Functioning of the European Union (**TFEU**), which establish that everyone has the right to the protection of personal data concerning them, the General Data Protection Regulation, and the applicable legislation of the Republic of Croatia governing the protection of personal data.

Terms and Definitions

Article 4

For the purposes of this Policy, the following terms shall have the meanings set out below:

"General Data Protection Regulation" means the Regulation adopted by the European Commission in April 2016, which has binding legal force for all Member States of the European Union. The Regulation governs rights and obligations in the field of protection of personal data of natural persons.

"Personal Data" means any information relating to an identified or identifiable individual.

"Data Subject" means any individual (natural person) from whom the Company collects and processes personal data within the meaning of the General Data Protection Regulation.

"Controller" for the purposes of this Policy means the Company. The Company determines the purposes and means of the processing of personal data.

"Processor" means a natural or legal person, public authority or other body that processes personal data on behalf of the controller.

"Processing" means any operation or set of operations which is performed on personal data or on sets of personal data, whether by automated or non-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.

“Filing System” means any structured set of personal data which is accessible according to specific criteria.

“Recipient” means a natural or legal person, public authority or other body to which personal data are disclosed.

“Consent of the Data Subject” means any freely given, specific, informed and unambiguous indication of the data subject’s wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her for one or more specific purposes.

“Data Protection Officer” means the person appointed by the Company who is responsible for ensuring the legality of personal data processing and the exercise of the right to personal data protection.

“Personal Data Breach” means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

“Pseudonymisation” means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data cannot be attributed to an identified or identifiable individual.

“Supervisory Authority” means the Personal Data Protection Agency.

II PROCESSES AND RULES IN THE PROCESSING OF PERSONAL DATA

Processing of Personal Data

Article 5

The Company processes personal data only under the conditions laid down in the General Data Protection Regulation and other internal acts of the Company governing the protection of personal data.

The Company processes personal data lawfully, fairly and transparently. Only personal data that are adequate and relevant shall be processed, exclusively for specified, explicit and legitimate purposes, and they shall not be further processed in a manner incompatible with those purposes.

Personal data must be accurate, complete and up to date.

Personal data that are inaccurate shall be erased or rectified without delay.

The Company processes personal data exclusively in a manner that ensures appropriate security of personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, by implementing appropriate technical and organisational measures.

The Company retains personal data only for as long as necessary for the purposes for which the personal data are processed. Exceptionally, personal data may be stored for longer periods if they are processed solely for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes.

Purpose of Collecting Personal Data

Article 6

The Company collects personal data for purposes of which the data subject has been informed, which are explicitly specified and in accordance with the General Data Protection Regulation and the applicable legislation of the Republic of Croatia.

Personal data shall be further processed only for the purpose for which they were collected, or for a purpose compatible with the original purpose of collection.

The Company shall not collect personal data to a greater extent than necessary to achieve the established purpose.

Personal data shall be used only for the period necessary to achieve the specified purpose, unless a longer retention period is prescribed by the General Data Protection Regulation and/or special legislation of the Republic of Croatia or the European Union. Upon expiry of that period, the Company shall erase the personal data.

Legal Bases for the Collection and Further Processing of Personal Data

Article 7

The Company processes personal data only and to the extent that at least one of the following conditions is fulfilled:

the data subject has given consent to the processing of their personal data for one or more specific purposes;

processing is necessary for the performance of a contract to which the data subject is a party;
processing is necessary for compliance with the legal obligations of the Company;
processing is necessary in order to protect the vital interests of the data subject or another natural person;
processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Company;
processing is necessary for the purposes of the legitimate interests pursued by the Company or a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, particularly where the data subject is a child.

Informing the Data Subject

Article 8

During the processing of personal data, the Company shall provide the data subject, in an appropriate manner (in writing or directly verbally), with all information relating to the processing of his or her personal data, in particular concerning: the identity of the Company as the controller; the purpose of the data processing; the legal basis for the processing; legitimate interests; the intention to transfer personal data to third parties; the period for which the personal data will be stored; the right of access to personal data and the right to rectification or erasure of personal data and restriction of processing; the right to lodge an objection.

Handling Requests of Data Subjects

Article 9

The Company shall, without delay and no later than within one month from the date of submission of the request by the data subject:

inform the data subject of the purpose of the processing of his or her personal data, the categories of personal data processed, the recipients or categories of recipients to whom the personal data have been or will be disclosed, the envisaged storage period, and where personal data are not collected from the data subject, the source of such data;
provide the data subject with a printout of the personal data relating to him or her contained in the filing system;
rectify inaccurate data or supplement incomplete data;
erase personal data relating to the data subject where the personal data are no longer necessary for the purposes for which they were collected or where the data subject withdraws the consent on which the processing is based.

The period referred to in paragraph 1 of this Article may, where necessary, be extended by an additional two months, taking into account the complexity and number of requests. The Company shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay.

Where the request is submitted electronically, the Company shall provide the information electronically where possible, unless the data subject requests otherwise.

If the Company refuses the request referred to in paragraph 1 of this Article, it shall inform the data subject of the reasons for such refusal without delay and no later than one month from receipt of the request.

Article 10

The Company shall provide the information referred to in Article 8 of this Policy free of charge. Exceptionally, where requests from a data subject are manifestly unfounded or excessive, the Company may charge a reasonable fee taking into account the administrative costs of providing the information or communication.

Managing Incidents Related to Personal Data Breaches

Article 11

Activities and procedures relating to the management of incidents involving personal data breaches apply to all organisational units and all employees of the Company and include:

- recording reports of personal data breaches;
- sending notifications of personal data breaches;
- notifying the supervisory authority of personal data breaches.

The activities to be undertaken in the event of a personal data breach are set out in detail in the Procedure for Handling Personal Data Breaches.

Control and Supervision of Personal Data Processing

Article 12

Control and supervision of personal data processing procedures fall within the competence of the Data Protection Officer and the Personal Data Protection Agency.

Reporting on Personal Data Protection

Article 13

Data subjects shall address requests and complaints to the Data Protection Officer and have the right to receive information on personal data protection and to be notified of personal data breaches in the event of such a breach.

Record of Processing Activities

Article 14

The Company collects and processes the following categories of personal data:

- personal data of employees of the Company;
- personal data of pupils and students undertaking internships with the Company;
- personal data of candidates participating in recruitment procedures;
- personal data of external associates;
- personal data of customers;
- personal data of suppliers.

The Company collects and processes various types of personal data, such as name and surname, address, date of birth, personal identification number (OIB), educational qualifications, e-mail address and other personal data for the purposes defined in this Policy and other internal acts governing personal data protection.

The Company collects and processes personal data for the purpose of:

- maintaining records of employees, pupils and students undertaking internships and payroll calculation; fulfilling contractual obligations of the Company towards clients (accounting records of customers and suppliers);
- fulfilling the Company's legal obligations; marketing purposes.

Article 15

For the personal data referred to in Article 14 of this Policy, the Company maintains a record of processing activities for all collected personal data, which is attached to this Policy and forms an integral part thereof.

Article 16

The record of processing activities shall contain the following information:

- the name and contact details of the Company; the purposes of processing; a description of the categories of data subjects and categories of personal data; the categories of recipients to whom personal data have been or will be disclosed; where applicable, transfers of personal data to a third country or international organisation; where possible, the envisaged time limits for erasure of the different categories of data (retention periods); security measures (a general description of technical and organisational security measures).

The record referred to in paragraph 1 of this Article must be maintained in written form, including electronic form.

The Company shall make the record referred to in paragraph 1 of this Article available to the authority responsible for supervising personal data protection in accordance with the legislation of the Republic of Croatia and the European Union.

Article 17

The Company shall appoint a Data Protection Officer in accordance with the provisions of this Policy.

Entrusting Personal Data Processing Tasks to a Processor

Article 18

Taking into account business needs and justification, the Company may, on the basis of a contract, entrust certain tasks related to personal data processing within its business operations to another natural or legal person, i.e. a processor. In such cases, the contract between the Company and the processor must be concluded in writing.

The Company shall entrust personal data processing tasks only to a processor that is registered to perform such activities and that provides sufficient guarantees regarding the implementation of appropriate personal data protection measures, or classified data protection where applicable, in accordance with the requirements of special regulations governing information security.

The contract concluded between the Company and the processor shall regulate their mutual rights and obligations, in particular the obligation of the processor to perform tasks only on the instructions of the Company and not to make personal data available to other recipients or process them for any purpose other than the agreed purpose. The processor shall ensure the implementation of appropriate technical, organisational and personnel measures for the protection of personal data in accordance with applicable legislation and the Company's requirements in the field of personal data protection.

Disclosure of Data to Recipients

Article 19

The Company is authorised to provide personal data to other recipients on the basis of a written request from the recipient if this is necessary for the performance of activities within the legally prescribed scope of the recipient's activities.

The written request must contain the purpose and legal basis for the use of personal data as well as the type of personal data requested.

Transfer of Personal Data Abroad

Article 20

Personal data contained in the record of processing activities shall be transferred outside the Republic of Croatia for further processing only if the country or international organisation to which the personal data are transferred ensures an adequate level of personal data protection.

Processing of Personal Data for Marketing Purposes

Article 21

Prior to collecting personal data for marketing purposes, the Company shall inform the data subject of the intended processing of personal data for marketing purposes, obtain the data subject's consent and enable the data subject to object to such processing.

Security of Personal Data Processing

Article 22

In accordance with its capabilities and the results of a data protection impact assessment, the Company shall implement appropriate technical and organisational measures to ensure an appropriate level of security, including where appropriate: pseudonymisation and encryption of personal data; the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services; the ability to restore the availability of and access to personal data in a timely manner in the event of a physical or technical incident; a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of processing.

III DUTIES AND RESPONSIBILITIES

Data Protection Officer

Article 23

The Data Protection Officer is a person employed by the Company (employee) and/or an external associate, i.e. a person with whom the Company has concluded an employment contract or another contractual relationship, depending on what is appropriate for the Company in the specific case.

The Data Protection Officer monitors compliance with the rules and principles of the General Data Protection Regulation and other data protection regulations, raises awareness and trains persons within the Company who participate in processing activities.

The Data Protection Officer shall be appointed on the basis of professional qualifications, particularly expert knowledge of law and practices in the field of personal data protection.

The Data Protection Officer bears the highest responsibility for the compliance of the entire personal data protection system within the Company.

The Data Protection Officer shall be appointed by the Company's Management Board through an internal or external selection procedure.

The Data Protection Officer must understand data processing procedures, information technology and security, and be familiar with the sector and organisation of the Company.

The Data Protection Officer must have the ability to promote personal data protection within the Company.

The Company shall publish the contact details of the Data Protection Officer on its website.

Responsibility of Company Employees

Article 24

All employees of the Company are responsible for the processing of personal data in accordance with the General Data Protection Regulation, other internal acts of the Company governing personal data protection, and the applicable legislation of the Republic of Croatia in the field of personal data protection.

Each organisational unit within the Company, together with the head of the organisational unit, shall undertake and implement appropriate technical and organisational measures.

Employees of the Company are obliged to report all irregularities related to the processing of personal data to the e-mail address: **slaven@bilijun.net**.

The Company shall continuously and in accordance with business needs provide education and training for its employees in the field of personal data protection.

Responsibility of Other Persons

Article 25

All legal and/or natural persons conducting business with the Company are obliged to comply with the provisions of this Policy and other internal acts of the Company governing personal data protection, and the Company shall acquaint them with the rules and procedures of personal data protection within the Company.

IV PROTECTION OF THE RIGHTS OF DATA SUBJECTS

Article 26

No later than 15 days from the submission of a request, the Company shall, at the request of each data subject, or at the request of his or her legal representative or authorised agent: provide confirmation as to whether personal data relating to him or her are being processed; provide information in an intelligible form about the data relating to him or her and whose processing is ongoing, as well as the source of such data; allow inspection of the record of processing activities and access to the personal data contained therein relating to him or her and permit copying thereof; provide extracts, certificates or printouts of personal data contained in the record of processing activities relating to him or her, including an indication of the purpose and legal basis for the collection, processing and use of such data; provide a printout of information on who has received the personal data relating to him or her, for what purpose and on what legal basis; provide information about automated processing relating to him or her.

At the request of the data subject, his or her legal representative or authorised agent, the Company shall supplement, amend or erase personal data if the data are incomplete, inaccurate or outdated, or if their processing is not in accordance with the General Data Protection Regulation and the applicable legislation of the Republic of Croatia.

Regardless of the request of the data subject, if the Company determines that personal data are incomplete, inaccurate or outdated, it shall erase, supplement and/or amend the personal data. The Company shall inform the data subject and the recipient of the personal data about the erasure, amendment and/or supplementation of personal data no later than 30 days from such action.

V FINAL PROVISIONS

Article 27

This Policy shall enter into force on **24 November 2022**.

BILIJUN PARTNER d.o.o.

Slaven Marelja (Director) _____