

REGULATIONS
ON PERSONAL DATA PROCESSING AND
PROTECTION
of the company
EUROMARINE d.o.o.

In Zagreb, 21 May, 2018

These Regulations stipulate in greater detail:

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Pursuant to the provisions of 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, and repealing the Directive 95/46/EC (Official Journal of the European Union, L 119/1, 04 May, 2016), hereinafter, "General Data Protection Regulation" or "the Regulation") and the Act on the implementation of the General Data Protection Regulation (The Official Gazette 42/2018, hereinafter, "the Act"), the Management Board of the company **EUROMARINE d.o.o.**, with the seat in Zagreb, Radnička cesta 32, PIN: **02761102585** (hereinafter: "the Company") represented by director, Mr. Mario Knego, which represents the Company independently and severally, passes on 21 May, 2018, the following

REGULATIONS ON PERSONAL DATA PROCESSING AND PROTECTION

I. BASIC PROVISIONS

Article 1

(1) These Regulations on data processing (hereinafter: "the Regulations") regulate and determine the rights of individuals regarding personal data processing and the rules connected with free movement of personal data regarding the personal data that are collected, processed, stored and forwarded by the Company.

(2) These Regulations determine the personal data processing procedures in the sense of processing as it is stipulated by these Regulations, specifically, in connection with the actual processing procedures that are carried out by the Company regarding the personal data.

(3) The provisions of these Regulations apply completely and directly to all the personal data of the individuals whose personal data are processed by the Company.

(4) The words and term groups used in these Regulations, which have a similar meaning, regardless of whether they are used in the masculine or feminine gender, refer to the masculine and feminine gender in the same way.

II. DEFINITIONS

Article 2

(1) In the sense of these Regulations, the following terms have the following meanings:

"personal data" means all the data that refer to an individual whose identity is ascertained or can be ascertained

"the data subject" means the individual whose identity can be ascertained, it is the person which can be identified directly or indirectly, particularly, with the help of the identifiers, such as the name, identification number, the data about the location, the network identifier or with the help of one or more factors characteristic for the physical, physiological, genetic, mental, economic, cultural or social identity of that individual;

"processing" means every procedure or a set of procedures that are carried out on the personal data or on the sets the personal data, either by automatic or non-automatic means, such as collecting, recording, organization, structuring, storage, adaptation or modification, finding, checking, use, disclosing by transfer, dissemination or putting at disposal in another way, harmonization or combining, limiting, deleting or destroying;

"limiting of the processing" means marking of the stored personal data with the goal of limiting their processing in the future;

"creating a profile" means every form of automated personal data processing which consists of the use of the personal data for appraisal of particular personal aspects connected with the individual, particularly for the analysis or anticipating the aspects regarding the performance, economic status, health, personal preferences, interests, reliability, behaviour, location or movement of that individual;

"pseudonymisation" means personal data processing in such a way that they may no longer be ascribed to a particular data subject without the use of additional information, providing that such additional information is kept separately, and that it is subject to technical and organizational measures for the purpose of ensuring that the personal data cannot be ascribed to the individual whose identity is ascertained or can be ascertained;

"storage system" means every structured set of the personal data available according to special criteria, regardless of whether they are centralized, decentralized or dissipated according to the functional or geographical basis;

"controller" means a physical or legal person, public authority, agency or another body which determines the purposes and means of personal data processing itself or with others; when the purposes and means of such processing are determined by the law of the Union or the law of a member country, the controller or special criteria for his appointment can be anticipated by the law of the Union or the law of a member country, and, in the sense of these Regulations, they represent the Company;

"processor" means a physical or legal person, public authority, agency or another body which processes the personal data on behalf of the controller, and is appointed by the Company as the data controller for the specially prescribed purposes, such as the payroll calculation, records of occupational health and safety, etc.;

"recipient" means a physical or legal person, public authority, agency or another body to which the personal data are disclosed, regardless of whether he is a third party. However, the public authorities that can receive the personal data within a specific investigation in accordance with the law of the Union or a member country are not considered recipients; processing of those data that is carried out by those public authorities must be in accordance with the applicable data protection regulations according to the purposes of processing;

"third party" means a physical or legal person, public authority, agency or another body that is not the data subject, controller, processor, or the persons authorized for proceedings of the personal data under the direct control of the controller or of the processor;

"consent" of the data subject means every voluntary, separate, informed and unambiguous expressing of the wishes of the data subject by which he gives a consent for personal data processing that refer to him by a declaration or a clear affirmative action;

"violation of the personal data" means a violation of security that leads to an accidental or illegal destruction, loss, modification, unauthorized disclosing or access to the personal data that are transferred, stored or processed in another way;

"genetic data" means the personal data that refer to the inherited or acquired genetic features of an individual that provide a unique information about the physiology or health of that individual, and which were obtained particularly obtained by the analysis of a biological sample of the said individual;

"biometric data" means the personal data obtained by special technical processing regarding the physical features, physiological features or the

behavioral features of an individual which enable or confirm the unique identification of that individual, such as photographs of the face or dactyloscopic data;

"data concerning health" means the personal data connected with physical or mental health of an individual, including providing of health care services, which reveal information about his/her health status;

"representative" means a physical or legal person established in the Union which was appointed by the controller or processor in writing in accordance with Article 27 of the Regulation, which represents the controller or the processor regarding his obligations based on the Regulation;

"enterprise" means a physical or legal person that is engaged in an economic activity, regardless of the legal form of that activity, including partnerships or associations which are engaged in an economic activity;

"group of entrepreneurs" means the entrepreneur in the leading position, and the entrepreneurs subordinate to him;

"binding corporate rules" means the personal data protection policies which are observed by the controller or processor established in the state territory of a member country for all the transfers or groups of transfers of the personal data to the controller or the processor in one or more third countries within a group of entrepreneurs or a group of enterprises that are engaged in a common economic activity;

"supervisory body" means Personal Data Protection Agency or another independent public authority founded by the Republic of Croatia, which is responsible for monitoring the implementation of the Regulation and the Act for the purpose of protecting the fundamental rights and freedoms of individuals regarding the processing and facilitating the free flow of the personal data within the European Union.

"subject supervisory body" means the supervisory body that is connected with personal data processing because:

- a. the controller or the processor is established in the state territory of the member country of that supervisory body;
- b. processing has a considerable effect or it is probable to have a considerable effect on the data subjects residing in the member country of that supervisory body; or
- c. a complaint has been submitted to that supervisory body.

"cross-border processing" means either:

- a. personal data processing that is carried out in the Union within the activities of the establishments of the controller or the processor in more than one member country, while the controller or processor is established in more than one member country; or
- b. personal data processing that is carried out in the Union within the activities of the only establishment of the controller or the processor, but which has a considerable effect or is probable to have a considerable effect on the data subjects in more than one member country.

"relevant and explained complaint" means a complaint to the draft of a decision, as well as to whether a violation of this Regulation has arisen, or whether the action anticipated regarding the controller or the processor is in accordance with this Regulation, which clearly shows the importance of the risk represented by the draft of the decision regarding the fundamental rights and freedoms of the data subject and, if applicable, the free flow of the personal data within the Union;

"employee" every person employed with the Company on the basis of a work contract or a management contract

(2) Other terms used in these Regulations have the meaning in accordance with the Regulation and the Act.

III. TYPES OF DATA

Article 3

(1) We classify the personal data according to the categories of persons to:

- the personal data of the employees;
- the personal data of potential employees
- the personal data of physical persons of the supplier and/or the representative of the supplier
- the personal data of physical persons of customers and/or representatives of the customers

(2) Under the personal data according to the types of the personal data are understood in particular, but are not limited only to:

- name and surname,
- the record registration number, PIN;
- date of birth;
- number of the ID card;
- number of the passport;
- father's and mother's name;
- residence and address;

- place of birth;
- health insurance number;
- pension insurance number;
- pension insurance II;
- type of the employment (temporary, permanent, service contract);
- workplace;
- qualifications (secondary school, college, university);
- vocation of the data subject;
- number of the bank account;
- years of service before the employer;
- date of establishing the employment;
- date of the termination of the employment;
- reason for the termination of the employment (retirement, dismissal, etc.);
- working hours of the employee;
- data about the realized rights from the employment (e.g. maternity leave, sick leave, etc.);
- status employed/unemployed;
- school/vocation;
- class;
- name and surname of the parents (legal guardians);
- number of the ID card of the parents (legal guardians)

(3) Collecting and processing of the personal data that reveal the racial or ethnic origin, political opinions, religious beliefs or membership in a union and processing of the genetic data, biometric data, the data that refer to health and the data about the sex life or sexual orientation of individuals is forbidden, except in particular cases prescribed by the Regulation.

Article 4

(1) The Company collects the following personal data:

- a. the basic personal data: name and surname, address of the residence, personal identification number (PIN), date of birth, sex, mobile phone number and the contact data (home address, e-mail, telephone number), information on the type of the contractual relationship and content;
- b. other personal data, which the data subject or a third party put at the Company's disposal during the working, business or another relationship, i.e. during the term of the working, business or another relationship, such as the data from the ID card, bank account, authorizations for signing or representation, whereby the data sensitive from the aspect of data protection do not belong here, particularly the data on the racial or ethnic belonging, political or religious beliefs or point of view, genetic data or data about the health condition;

- c. data about the use of the products and services of the Company and their contents, e.g. the description of the bought and used products and services, the way of use.
- (2) The personal data are collected either directly from the data subject (verbally and in writing) or indirectly from third parties.
- (3) Depending on the type and on the purpose of the personal data, the collected data are processed, archived and possibly forwarded, all in accordance with the presentation given in Schedule 1 of the Regulations.

IV. DATA PROCESSING

Article 5

- (1) The personal data of the data subject are processed for the following purposes:
- a. Establishing the employment of the data subject – complying with the legal obligations of the Company as the employer
 - b. Realization of business relationships - concluding of Contracts of the Company with the data subjects (customers/suppliers)
 - c. Ensuring the security and protection of the Company property – records of entering and leaving the Company premises by the data subject, and surveillance cameras
 - d. Solving of the complaints of the data subject (of customers, suppliers)
- (2) Personal data are processed in the Company:
- a. on the basis of the legal and sublegal regulations when that is necessary for the purpose of compliance with the legal obligations of the Company, i.e. particularly in accordance with the current Labour Act, Accounting Act, Trade Act, Consumer Protection Act, Companies Act, Services Act, Civil Obligations Act, General Data Protection Regulation, the Company Labour Regulations and other applicable regulations, and for the purpose of fulfilling the tasks that are carried out in the public interest;
 - b. on the basis of the consent of the data subject for processing of his personal data for one or more special purposes;

- c. when processing is necessary for execution of a contract in which the data subject is a party or for the purpose of undertaking actions at the request of the data subject before concluding the contract;
- d. on the basis of the Company bylaws, when processing is necessary for the needs of the legitimate interests of the Company;
- e. for the purpose of collecting the receivables and contacting the data subject - as a rule, the personal data are deleted upon the end of the contractual relationship, at the latest upon the expiry of all the legal obligations connected with keeping of the personal data, except in case that an enforcement procedure of the unsettled claims is initiated, all until the completion of the procedure, i.e. for the purpose of contacting the data subject during the contractual relationship, as well as upon the termination of the contractual relationship, during the period of one year, getting in touch by communication channels for which the Company got the consent of the data subject, i.e. by an electronic mail (e-mail), a social network and in writing (by mail).

Article 6

(1) The Company ensures all the legal, technical and organizational preconditions for observing the basic principles of personal data processing.

(2) The personal data must be:

- a. processed legally, fairly and transparently with respect to the data subject;
- b. collected for special, explicit and legal purposes and they may not be further processed in a way that is not in accordance with those purposes, whereby further processing for the purposes of archiving in the public interest, for the purpose of scientific or historical research or for statistical purposes are not considered not harmonized with the original purpose;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- d. correct and, as necessary, updated, while the Company undertakes every reasonable measure for the purpose of ensuring that the personal data that are not correct, with respect to the purposes for which they are processed, are deleted or corrected without delay;
- e. kept in the form that enables the identification of the data subject only as much as that is necessary for the purposes due to which the personal data are processed, whereby the personal data can be stored for longer periods if the personal data will be processed exclusively for the purposes of archiving in the public interest, for the purposes of scientific or historical

research or for statistical purposes, which is subject to the implementation of technical and organizational measures;

- f. processed in the way which ensures adequate security of the personal data, including protection from unauthorized or illegal processing, and from accidental loss, destruction or damage by implementation of the adequate technical or organizational measures.

Article 7

(1) Personal data processing through the video surveillance refers to collecting and further processing of the personal data that comprises creating of a recording that makes or is intended to make a part of the storage system.

(2) Personal data processing by video surveillance is carried out in accordance with the Decision on video surveillance, specifically, only for purpose that is necessary and justified for protection of persons and property.

(3) Video surveillance covers only the premises or parts of the premises the surveillance of which is necessary for achieving the purposes from the previous paragraph.

(4) The structure, i.e. a particular room in it that is under video surveillance, is marked in such a way that the marking is visible during entering the perimeter of recording at the latest.

(5) The notification on the marking from the previous paragraph should contain all the relevant information in accordance with the provision of Article 13 of these Regulations, and particularly a simple and easily understandable image with the text by which the data subjects are given the following information:

- that the area is under video surveillance,
- details about the Company (the controller),
- contact details of the controller's commissioner for personal data protection, by which data the subject can realize his rights.

(6) The right of access to the personal data collected through video surveillance has the Company's responsible person and/or the person authorized by it.

(7) The recordings from the video surveillance may not be used contrary to the purpose determined in Paragraph 2 of this Article.

(8) The video surveillance system is protected from access of unauthorized persons.

(9) The controller and/or the processor are obliged to establish a log system for recording the access to the recordings of the video surveillance which will contain

the time and the place of access, as well as the designation of the persons that accessed the data collected through video surveillance.

(10) The recordings obtained through video surveillance can be kept for 6 months at the most, in accordance with the Act on the implementation of the General Data Protection Regulation, unless another act prescribes a longer term of keeping or if they are an evidence in a court, administrative, arbitration or other equivalent proceedings.

(11) Processing of the personal data of employees through the video surveillance system of the working premises can be carried out only if, besides the conditions determined by the Act on the implementation of the General Data Protection Regulation, the conditions determined by the regulations that stipulate the occupational safety and health have also been met and if the employees were advised about such a measure in advance, and if the employer informed the employees before making the decision on setting up a video surveillance system.

(12) Video surveillance of the working premises may not comprise the rooms for rest, personal hygiene and changing of clothes.

Article 8

(1) The Company keeps the records of the processing activities electronically and in writing.

(2) In the records, the purpose of processing, which personal datum is processed and the basis and way of data collecting, where they are kept, the period of keeping the data and the type of the protection will be stated for each category of the data subject.

(3) The director of the Company will determine the person in charge of keeping the processing activities records by his decision.

Article 9

(1) As a rule, the personal data that are collected and processed are deleted when the purpose for which they were collected ceases, at the latest upon the expiry of all the legal obligations connected with keeping of the personal data.

(2) The personal data of the data subject - employee are kept with the duration determined by the Act, sublegal regulations or the company bylaws.

(3) The personal data of the data subject interested in employment with the Company are kept as long as the activity for which they are processed, but not longer than 2 (two) years.

(4) The personal data of the data subject as a visitor to the premises of the Company are kept as long as the activity for which they are processed lasts, but not longer than 1 year.

Article 10

Consents of the data subject that are given for contacting and other purposes, and are beyond the bases for collecting of the personal data prescribed by the act, are valid until they are revoked, and they can be revoked at any moment.

Article 11

(1) The persons authorized for processing of the personal data process the personal data on the basis of the description of the jobs they carry out. The persons authorized for processing of the personal data sign the Declaration of Confidentiality, by which they undertake to keep the confidentiality of all the personal data to which they have the authorization of access and processing, and that they will use them exclusively for the purpose for which they are processed.

(2) During collecting of any personal data, the Company employees are obliged to inform the data subject about the purpose and legal basis of processing for which the data are intended.

V. RIGHTS OF DATA SUBJECT

Article 12

(1) **Right to correction:** if the Company processes the personal data that are incomplete or incorrect, the data subject may ask the Company to correct or supplement them at any moment.

(2) **Right to deletion:** The data subject may request the deletion of his personal data if the Company processed them without a valid purpose, illegally.

(3) **Right to limitation of processing:** the data subject may request the limitation of processing of his data in the following cases:

- the data subject contests the correctness of the personal data, for the period in which the controller is enabled to check the correctness of the personal data;
- processing is illegal and the data subject objects the deletion of the personal data, and requests the limitation of their use instead;
- the controller does not need the personal data for the needs of processing anymore, but the data subject requests them for making, realizing and defending the legal requests;

- the data subject filed a complaint on processing pursuant to Article 21, Paragraph 1 of the Regulation expecting the confirmation whether the legitimate reasons of the controller have the priority over the reasons of the data subject.

(4) **Right to the possibility of transfer of data:** The data subject may request the transfer of his personal data to another data controller in a structured and machine readable format, specifically if the Company processes those data on the basis of the data subject's consent or for the purpose of fulfillment of the contractual obligations and processing is done by means of automated processes.

(5) **Right to complaint:** The data subject has the right, on the basis of his special situation, to file a complaint on processing of the personal data that refer to him at any moment. The Company may not process the personal data anymore, unless there are convincing legitimate reasons for processing, which supersede the interests, rights and freedoms of the data subject or for the purpose of making, realizing or defending the legal requests.

(6) **Right to appeal:** If the data subject considers that the Company violated the Croatian or European regulations on protection of personal data during processing of the data, he has the right to get an explanation and answers to questions connected with protection of the personal data of the Company within the term of 15 (fifteen) days from the delivery of a written complaint and questions to the Company. If the data subject does not get the answer/explanation in the term given on the basis of this paragraph or if he still believes that the Company violates the Croatian or European regulations on protection of personal data during processing of the data even after the received answer/explanation, the data subject has the right to file a complaint to the Agency, i.e. another competent body of public authority and the supervisory body within the European Union.

(7) **Realizing of rights:** The Legal representative of the Company will appoint a commissioner of the Company as the personal data controller as the person in charge of protection of the personal data, and the persons that are, beside the Company as the employer, authorized to supervise, collect, process, use and submit the personal data. Before collecting of the personal data, the employees of the Company will inform the data subject about the identity of the commissioner of the Company to keep the protection of the personal data and about the purpose of the processing for which the personal data are intended. The Company is obliged to provide to each data subject (i.e. his legal representative or proxy), at the latest within the term of 30 days from submitting of the request, the following information:

- the identity and contact details of the controller
- the contact of the controller's commissioner for managing the personal data protection;
- the purpose of processing and the legal basis for processing of the personal data;
- the recipients or personal data recipient categories (if any);
- if applicable, the fact that the controller intends to transfer the personal data

to a third country on the basis of the decision about the adequacy in accordance with Article 45 of the Regulation.

VI. PERSONAL DATA PROTECTION MEASURES

Article 13

If he wishes to realize one of the stated rights from Art. 12. of these Regulations, the data subject may address the appointed person from Article 12, Paragraph 7 of these Regulations, which is obliged to respond in writing within the term of 30 days from the day of the submission of the data subject's request.

Article 14

(1) The Company is obliged to carry out the corresponding technical, personnel and organizational measures to enable the efficient implementation of the data protection principles, for the purpose of protecting the collected data from accidental loss or destruction, from unauthorized access or unauthorized modification, unauthorized publishing and every other misuse.

(2) If particular personal data are processed by a third party (processor) on behalf of the Company, the obligation of observing the personal data protection rules prescribed by the Act and these Regulations is contracted with the same.

(3) The obligation of observing the personal data protection rules from the previous paragraph is contracted with each legal or physical person that has access to the personal data, during maintenance of the applications, i.e. IT system of the Company.

Article 15

(1) The employee authorized for processing of a particular personal datum is obliged to inform the personal data controller's commissioner of the Company about a violation of the data as soon as he learns about that.

(2) In case it is probable that the violation of the personal data will cause a risk for the rights and freedoms of the individual, the controller's commissioner and/or director of the Company or the person he authorizes for that will, if that is feasible, advise the Personal Data Protection Agency (hereinafter: the Agency) about the violation of the personal data at the latest within 72 hours from learning about the violation, by delivering the form of the Report on the Violation of the Personal Data, delivered as Schedule 2 to these Regulations. If the Company does not advise the Agency within 72 hours, it shall explain the reason for proceeding in that way.

(3) In case it is probable that the violation of the personal data will cause a risk for the rights and freedoms of the individual, the director of the Company or the person he authorizes for that will advise the data subject about the violation without delay.

(4) Advising from Paragraph 3 of this Article is not obligatory if the Company undertook corresponding technical and organizational protection measures and applied them on the personal data that were violated, and if it undertook subsequent measures which ensure that it is no longer probable that a high risk for the rights and freedoms of the data subject will arise.

(5) The processor, if any, is obliged to advise the Company after he learns about the violation of the personal data without undue delay.

VII. TRANSITIONAL AND FINAL PROVISIONS

Article 16

Before entering into force, these Regulations on operation are published on the bulletin board of the Company, and they enter into force and are implemented since 25 May, 2018.

Director

MARIO KNEGO

Schedule 1.

Types of proceeding regarding the personal with respect to the purpose

1. Collecting

- Employees
- Potential employees
- Customers
- Suppliers
- Video surveillance of all persons having access to business premises

2. Processing

- Employees
- Potential employees
- Customers
- Suppliers
- Video surveillance is processed as necessary

3. Archiving

- Employees in accordance with mandatory regulations
- Potential employees up to 2 years
- Customers/suppliers up to 1 year upon termination of contractual relationship and/or enforcement procedure
- Video surveillance up to 6 months

4. Transfer to EU

- Data on employees are transferred to the Mother company

Schedule 2.

Form of Report on Violation of Personal Data

1. Identification number:
2. Date and time of report:
3. Date and time of discovering:
4. Date and time of arising:
5. Duration of violation:
6. Name and function of the person that noticed the violation first:
7. Contact of the controller's personal data protection commissioner
8. Short description of the event:
9. Exposed quantity of personal data:
10. Types of personal data:
11. Impact on the data subjects:
12. Description of the impact on the data subjects:
13. Have the data subjects been notified? When and in what way were they notified?
14. Description of the measures undertaken for resolving