**GENERAL INFORMATION ON DANA PROCESSING**

Addiko is aware of importance of your personal data protection and it takes appropriate care of your personal data in accordance with valid regulations. In compliance with requirements laid down in the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and 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 Addiko, being the controller, shall provide natural persons, whose personal data are processed, with information on the processing of their personal data. On that note, focusing its attention on the principles of a transparent and fair personal data processing, Addiko herewith provides all information concerning the personal data processing.

Personal data may be obtained by Addiko from various sources. As is mostly the case, Addiko acquires the data directly from a person to whom such personal data refer in his/her capacity as a client (user), who chooses a particular product or service of Addiko. In addition to it, Addiko acquires personal data indirectly in the course of the very usage of Addiko products and services, while certain data are created by Addiko itself within its processing for reporting or analysis purposes and the like. Moreover, Addiko is entitled to use other information relating to the client as available or made available via public sources (public registers, databases, internet applications, social networks and other public information sources). All collected personal data are processed by Addiko staff solely for purposes in the context of accomplishment of the staff’s work tasks.

Any personal data shall be stored and protected by Addiko properly, so that unauthorised disclosure or disclosure to unauthorised persons cannot occur.

Terms of relevance for the processing of personal data

Personal data is any information relating to a natural person, who is directly or indirectly identifiable on grounds of such data.

Processing of personal data is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Profiling** means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, personal preferences, interests, reliability, behaviour, location or movements.

**Controller** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data, e.g. Addiko.

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

**Data subject** is a natural person who is identified or identifiable to whom the personal data relate. The concept of the data subject encompasses, for example, clients, website users, natural persons on contact lists/list of e-mail recipients or persons listed on marketing data bases, employees, contractors, suppliers etc.

Third country is a state that is not a member of the European Union, regarding which the European Commission has not decided that in this country, territory and specified sectors within a third country an adequate level of protection is ensured.

**Supervisory authority** is the Data Protection Agency.

**Particulars of the controller**

**Addiko Bank Plc.** (Addiko), with registered office in Zagreb, Slavonska avenija 6, tax identification number (*OIB*): 14036333877, company number: 080072083, registered with the Commercial Court Zagreb, website: www.addiko.hr, e-mail: [info.hr@addiko.com](mailto:info.hr@addiko.com), toll-free phone[[1]](#footnote-1): 0800 1414, chargeable[[2]](#footnote-2) contact number[[3]](#footnote-3): +385 1 6030 000.

**Particulars of the data protection officer**

Bank data Protection Officer is available at e-mail address:

[sluzbenik.zast-os-podataka.hr@addiko.com](mailto:sluzbenik.zast-os-podataka.hr@addiko.com)

Categories of personal data collected and processed by Addiko

Within the scope of its activities of a financial and credit institution Addiko collects and processes personal data, which are necessary for conclusion of contracts with Addiko, enforcement of rights and performance of duties under the contracts concluded with Addiko, namely personal data of importance for compliance with legal requirements as set out in regulations governing business operations of Addiko, which encompass particular personal data categories such as identification data, main address, postal address data, contact details, employment data, socio-demographic data, data concerning marital partners/cohabitants, details of personal documents.

For the sake of clarity, below-mentioned are examples of personal data by single categories:

* identification data: name, surname, sex, PIN, social security number, residence, date of birth, place and country of birth, citizenship, type, number and issuer of a personal document, politically exposed person, residence permit;
* main address details: street and house number, postal code and place, municipality, county, country;
* postal address details: street and house number, postal code and place, municipality, county, country;
* contact details: phone number, cellphone number, e-mail address;
* employment data: employment status and type, occupational category, employer, date of employment with current employer, employer’s industry, job title, profession, total period of service;
* particulars of marital partner/cohabitant; PIN:
* socio-demographic data: family status, number of children, number of dependants, habitation and educational level

Addiko maintains a record on the processing of individual personal data as required by law.

Special categories of personal data

Processing of special categories of personal data from Article 9 of the General Data Protection Regulation is carried out solely on grounds of an explicit special written consent of the data subject in so far as it is applicable in accordance with valid regulations.

Categories of recipients and intended transfer to third countries

Within the scope of Addiko’s activities, and in the course of execution of business processes and activities relating to the provision of services of a financial and credit institution, Addiko may submit personal data to certain categories of recipients, such as state authorities and other public authorities, Addiko Group member banks, other banks within the scope of provision of services of a financial and credit institution, legal and natural persons, who have established business relationship with Addiko so as to provide Addiko with particular services or deliver particular goods.

When processing personal data certain personal data can be transferred to third countries. The transfer to third countries can only take place if and to the extent such transfer is permitted by law, while ensuring that personal data are transferred to third countries if and to the extent the country of final destination ensures an appropriate level of security, or to be more specific, if the country provides for appropriate safeguards, and on condition that enforceable data subject rights and effective legal remedies for data subjects are available.

Activities related to third countries transfers are regulated by appropriate safeguards, such as standardized data protection clauses accessible via the following link <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32010D0087>.

**Legal basis and purposes of processing**

Addiko processes personal data on valid legal grounds:

* + - 1. Where processing is necessary for the performance of a contract under which data subject is a party, or for the purpose of activities upon request of the data subject prior to entry into the contract

As with regard to this necessity, personal data are processed only with the objective of establishing a contractual relationship upon request of the data subject, or for the purpose of enforcement and observance of rights, namely exercising rights and performing obligations resulting from such contractual relationship as established in compliance with relevant regulations of the Republic of Croatia and the European Union.

The processing based on the necessity as provided for in this item shall continue as long as there is a need arising from the contractual relationship. According to strict requirements set out in regulations governing provision of services of credit and financial institutions, personal data which are collected and processed for the purpose of enforcement and observance of rights, exercising rights and performing obligations resulting from such contractual relationship must be kept until expiry of the eleven-year period (11), following the end of the year in which the contractual relationship ceased to exist. Where, following the expiry of the term from the preceding sentence, the existence and/or exercising of rights from a contractual relationship are subject to legal proceedings (litigation, enforcement, criminal procedure and the like), the data shall be processed and kept for this purpose until the eleven-year period (11) has elapsed, starting from completion of the proceedings.

With regard to a data subject who approached Addiko with a request for establishment of a contractual relationship, however without establishing a contractual relationship relating to a product or a service of Addiko being credit and financial institution, personal data shall be processed as long as there is a need arising from the request for establishment of the contractual relationship. Once the need arising from the request for establishment of the contractual relationship has ceased to exist, personal data shall be kept six (6) months following the cessation of the need, solely for purposes of fraud prevention, and shall be erased upon expiration of the term. Where prior to the expiration of the term from the preceding sentence a necessity for initiation of legal proceedings is identified, personal data may also be kept longer for the purposes of establishment, exercise or defence of legal claims, however no longer than by expiration of the eleven-year (11) term following completion of the proceedings.

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* + - 1. Processing necessity for the purpose of compliance with Addiko’s legal obligations

Based on this necessity personal data are processed exclusively in order to enforce, comply with and fulfil obligations which are imposed on Addiko, which is a business entity providing services of a credit and financial institution, by the laws of the Republic of Croatia and European Union or any other applicable law.

Below-mentioned are legal regulations on grounds of which Addiko may process data from this item: Civil Obligations Act, Credit Institutions Act, Act on Prevention of Money Laundering and Financing of Terrorism, Payment System Act, Capital Market Act, Consumer Credit Act, Act on Consumer Housing Loans, Civil Procedure Act, Execution Act, ATCA (*Foreign Account Tax Compliance Act*), CRS (*Common Reporting Standard*) etc.

The processing resting upon necessity from this item shall last as long as there is the Bank’s legal obligation, whereas data are kept until the expiration of deadlines imposed by the laws of the Republic of Croatia and the European Union, or any other applicable law.

* + - 1. The data subject has given his or her consent to processing of his or her personal data for a particular purpose

Where the consent to the personal data processing is in place, Addiko processes data on the basis thereof, and the data are processed only for purposes for which the consent has been given.

The processing resting upon the consent shall last by a revocation of the consent or by the expiration of the eleven-year (11) term, following the end of the year in which the contractual relationship ceased to exist, whichever is earlier.

The data subject may revoke his or her consent personally or by proxy in writing through a branch office.

The lawfulness of processing of personal data, resting upon the consent that was valid in the period prior to the revocation of the consent, shall remain unaffected by the revocation. Once the consent has been revoked, the processing resting upon the consent shall end with immediate effect, while personal data shall be kept for the period necessary for the data to be erased in accordance with technical possibilities of the information system.

Granting of consent or revocation thereof shall not be made conditional on anything by Addiko, and the data subject, who decides to revoke his or her consent will not suffer any adverse consequences nor incur costs as a result of such consent revocation.

* + - 1. Necessity of processing for the purposes of the legitimate interests pursued by Addiko or by 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, in particular where the data subject is a child.

Based on this necessity personal data are processed only when there is a need resting upon the legitimate interests pursued by Addiko or by 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, in particular where the data subject is a child.

The processing resting upon necessity from this item shall last until the data subject objects to the processing, and there are no overriding legitimate grounds for the processing.

**Erasure or anonymisation**

Following the cessation of the purpose of the processing, depending on individual legal grounds for the processing, the data will be erased or rendered anonymous by the Bank. A personal data has been erased or rendered anonymous if, upon undertaking of specific operations in the information system, the personal data can no longer be permanently attributed to a specific data subject.

For the purposes of establishment, exercise or defence of legal claims, an audit record on consultation, performed erasure or anonymisation of personal data is kept by Addiko until five (5) years have lapsed from the day of such erasure or anonymisation. Such audit records may be processed only and exclusively for the purpose for which these are being kept. Inspection of such records may be allowed exclusively to a specifically authorised person of Addiko.

**Automated decision-making**

Addiko may use specific automated processes in which a natural person may reach a decision, which produces or has a bearing on legal effects concerning him or her (such as creditworthiness). In the event of existence of an automated decision, the natural person shall be notified in advance, and shall have the right not to be subject to a decision based solely on automated processing.

The afore-mentioned provision shall not apply if the decision is necessary for entering into, or performance of a contract, based on a consent or authorised by the laws of the Union or the Republic of Croatia.

Addiko shall be entitled to create profiles of customers in certain cases, for example, when it is necessary to assess the borrower’s creditworthiness.

**Rights of the data subject**

Within the scope of processing of personal data Addiko shall grant to the data subjects all rights in accordance with valid regulations, such as:

*RIGHT TO ERASURE (“RIGHT TO BE FORGOTTEN”)* – the data subject shall have the right to obtain from Addiko the erasure of personal data concerning him or her and Addiko shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

* the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed,
* the data subject withdraws consent on which the processing is based, and where there is no other legal ground for the processing,
* the data subject objects to the processing and legitimate grounds for exercising of a right to erasure outweigh the legitimate interests of Addiko to process and/or keep the personal data,
* the personal data have not been processed lawfully, or ought to be erased for the purpose of compliance with a legal obligation.

Notwithstanding that one of the above prerequisites has been met, the right to erasure shall not apply as required by valid regulations if the processing is necessary for exercising the right of freedom of expression and information; for compliance with a legal obligation which requires processing by Union or member state law to which Addiko is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in Addiko; for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with regulations in so far as the right to erasure is likely to render impossible or seriously impair the achievement of the objectives of that processing; or for the establishment, exercise or defence of legal claims.

The right to erasure can be exercised in person or by proxy by submitting a written request to a branch office of Addiko.

*RIGHT TO HAVE ACCESS TO DATA* – the data subject shall have the right to obtain from Addiko confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, the data subject has the following rights: access to the personal data and to information on the purposes of the processing, data categories, potential recipients to whom the data will be disclosed, the envisaged period during which the personal data will be stored or, if not possible, information on the criteria used to determine the period.

Besides, where the personal data are not collected from the data subject, he or she has the right to get from Addiko information as to their source. Furthermore, the data subject is entitled to be informed on the existence of automated decision-making, including profiling, and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

The right to such confirmation shall be exercised personally or by proxy through a branch office of Addiko. On first-time application the confirmation is given free of charge. Addiko shall be entitled to charge administrative fee for every subsequent application filed within a three-month period following the initial application, as provided for in the Decision on services fees of Addiko (issuance of various certificates and statements).

*RIGHT TO RECTIFICATION* – the data subject shall have the right to obtain from Addiko without undue delay the rectification of inaccurate and the completion of incomplete personal data concerning him or her. The data subjects are required to update their personal data in the course of their business relationship with Addiko.

The right to rectification can be exercised in person or by proxy through a branch office of Addiko. Users of Addiko EBank Internet Banking services may assert the right to rectification of their contact data also through this application.

*RIGHT TO A TRANSMISSION OF PERSONAL DATA* – the data subject has the right to obtain data concerning him or her, presented by Addiko in xml format, including visualisation for the data subject in pdf format, who is entitled to transmit the data to another controller. In order to receive the mentioned format, the data subject shall provide e-mail address he or she wishes Addiko to send the format to. Addiko will not be held liable for protection and safety of personal data submitted to the e-mail address provided by the data subject. It has to be taken into account that the right to a transmission refers solely to personal data of the data subject.

The right to transmit personal data can be exercised in person or by proxy through a branch office of Addiko.

*RIGHT TO OBJECT* – the data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her.

The data subject shall object in writing at any Addiko branch office, or alternatively, lodge an objection by mailing it to the address of the respecitve Addiko Bank d or to electronic address [sluzbenik.zast-os-podataka.hr@addiko.com](mailto:sluzbenik.zast-os-podataka.hr@addiko.com).

Objections to the supervisory authority can be lodged in accordance with regulations.

*RIGHT TO RESTRICTION OF PROCESSING* – the data subject shall have the right to obtain from Addiko restriction of processing where he or she: contests the accuracy of the personal data; believes that the processing is unlawful and opposes the erasure of the personal data and requests the restriction of their use instead, when Addiko no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims or where the data subject has objected to processing.

The right to restriction of processing can be exercised in person or by proxy by submitting a written request to a branch office of Addiko.

Following submission of the request for exercising of a right to restriction of processing, all data on the Bank data base will be “frozen”, and cannot be altered, and that for a period during which the data subject’s matter in dispute is under consideration. Consultation, and any other processing activities, apart from retention (which remains unaffected from the right to restriction), shall be limited to permitted purposes only (with legal grounds resting upon the following: 1. consent, 2. establishment, exercise or defence of legal claims 3. protection of rights of another natural or legal person 4. for a reason that is important for a public interest of EU or a member state and persons who are employees of Addiko, and are required to, in order to accomplish the permitted purposes, consult the data or perform any other legitimate processing. Upon solving of the matter in dispute Addiko shall inform the data subject on the fact that the restriction of processing ceases to apply.

Addiko provides information on activities undertaken in relation to the request for exercising the right without undue delay, ans as a general rule no later than within one month after the request has been put in, except where it is necessary to extend the one-month period by additional two months because of complexity and/or quantity of requests. The applicant will be informed by Addiko about a possible extension and the reason for it within one month starting from the filing date of the application. Where a request for exercising of rights is obviously unfounded and exaggerated, and in particular in the event of frequently repeated requests, Addiko is entitled to:

1. Charge a fee in accordance with the Decision on services fees of Addiko (issuance of various certificates and statements) for providing with information, or if undertaking of activities upon data subject’s request entails disproportionate cost, Addiko has the right to charge a special reasonable fee to correspond to the level of costs entailed by activities undertaken at the data subject’s request; or
2. Refuse to act on the request, of which Addiko shall notify the requester within one month from the filing date of the application.

On Bank’s demand, the party claiming the exercising of rights in relation to the processing of personal data shall provide additional information as necessary for establishment of such applicant’s identity.

1. domestic calls in the Republic of Croatia [↑](#footnote-ref-1)
2. calls are charged at regular rate of a telecommunications service provider [↑](#footnote-ref-2)
3. calls in the Republic of Croatia and international calls [↑](#footnote-ref-3)