

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 General Data Protection Regulation (Official Gazette 42/2018, hereinafter "the Law") of the commercial administration of ALFA STAN 2, D.O.O., Sv. Martin 138, Podstrana, PID: 46649642286, (hereinafter: "Company") represented by director Andrea Bogdanović brings 1<sup>st</sup> February 2022 the following

## **REGULATION ON THE PROCESSING AND PROTECTION OF PERSONAL DATA**

### **I. FUNDAMENTAL PROVISIONS**

#### **Article 1**

This Regulation lays down rules relating to the protection of natural persons with regard to the processing of personal data and rules relating to the free movement of personal data related to personal data processed by the Company.

The provisions of this Regulation apply fully and directly to all personal data of individuals whose personal data is processed by the Company.

#### **Article 2**

Definitions for the purposes of this Regulation:

- (1) 'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
- (2) 'processing' means 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;
- (3) 'restriction of processing' means the marking of stored personal data with the aim of limiting their processing in the future;
- (4) '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, health, personal preferences, interests, reliability, behaviour, location or movements;
- (5) '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 are not attributed to an identified or identifiable natural person;
- (6) 'filing system' means any structured set of personal data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis;
- (7) '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; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;
- (8) 'processor' means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
- (9) 'recipient' means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;
- (10) 'third party' means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are

authorised to process personal data;

- (11) '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;
- (12) '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;
- (13) 'enterprise' means a natural or legal person engaged in an economic activity, irrespective of its legal form, including partnerships or associations regularly engaged in an economic activity;
- (14) 'supervisory authority' means the Personal Data Protection Agency or another independent public authority body established by the Republic of Croatia, which is responsible for monitoring the application of the Regulation and the Law in order to protect the fundamental rights and freedoms of individuals with regard to processing and facilitate the free flow of personal data within the European Union.

Other terms used in this Regulation have the meaning in accordance with the Regulation and the Law.

## II. TYPES OF DATA

### Article 3

We divide personal data according to the categories of persons to:

- personal data of employees;
- personal data of potential employees
- personal data of natural persons of suppliers and/or representatives of suppliers
- personal data of natural persons who use the services and/or representatives of the users of the services

According to the types of personal data, personal data includes, but is not limited to:

- name and surname,
- personal registration number, PID;
- date of birth;
- Number of ID;
- passport number;
- father's or mother's name;
- residence and address;
- birth place;
- health insurance number;
- MIO insurance number;
- MIO II insurance;
- type of employment (fixed, indefinite, employment contract);
- working place;
- vocational education (high school, bachelor's degree, master's degree);
- title of the respondent;
- bank account number;
- work experience before the employer;
- date of employment;
- the date of termination of employment;
- reason for termination of employment (pension, dismissal, etc.);

- working hours of employees;
- data on the realized rights from employment (eg maternity leave, sick leave, etc.);
- employed/unemployed status;
- school/occupation;
- class;
- name and surname of parents (guardians);
- ID card number of the parent (guardian)

#### **Article 4**

(1) The Company collects the following personal information:

1. basic personal data: first and last name, residential address, personal identification number (OIB), date of birth, gender, mobile phone number and contact information (residential address, e-mail, phone number), information on the type of contractual relationship and content ;
2. other personal data, which the respondent or third parties make available to the Company in the course of a work, business or other relationship, i.e. during the duration of a work, business or other relationship, such as data from an identity card, bank account, signing authority, or representation, when this does not include sensitive data from the data protection regulation, especially data on racial or ethnic affiliation, political or religious beliefs or worldview, genetic data or data on health status;

Personal data is collected either directly from the respondents (verbally and in writing) or indirectly from third parties.

Depending on the type and purpose of the personal data, the collected personal data is processed, archived and possibly forwarded.

### **III. PERSONAL DATA PROCESSING**

#### **Article 5**

Personal data of respondents are processed for the following purposes:

1. Establishing the respondent's employment relationship - fulfilling the Company's legal obligations as an employer
2. Realization of business relations - conclusion and execution of Company Agreements with respondents (customers/suppliers)
3. Resolving complaints from respondents (customers, suppliers)

Personal data are processed in the Company:

1. on the basis of legal and sub-legal regulations when it is necessary to comply with the Company's legal obligations, i.e. in particular in accordance with the applicable Labor Act, Accounting Act, Trade Act, Real Estate Brokerage Act, Consumer Protection Act, Companies Act, Services Act , the Law on Obligatory Relations, the General Regulation on Data Protection and other applicable regulations and in order to fulfill tasks performed in the public interest;
2. based on the consent of the respondent for the processing of their personal data for one or more special purposes;
3. when the processing is necessary for the execution of a contract in which the respondent is a party or in order to take actions at the request of the respondent before concluding the contract;
4. when the processing is necessary for the legitimate interests of the Company;

5. for the collection of claims and for the purpose of contacting the respondent - personal data are in principle deleted upon termination of the contractual relationship, and at the latest upon the expiration of all legal obligations related to the storage of personal data, except in the case that the procedure for forced collection of unpaid claims has been initiated, until the final completion of the procedure that is, to contact the respondent during the contractual relationship, as well as after the termination of the contractual relationship, during a period of one month,

#### **Transfer of Personal Data to third countries**

The company reserves the right to transfer personal data to third parties, respecting the principle of an appropriate level of legal protection for the rights and freedoms of users.

Transfer of personal data is carried out only if at least one of the following conditions is met:

- The transfer is necessary for the performance of contractual obligations/services;
- The transfer is necessary for the implementation of pre-contractual measures taken in response to the client's request;
- The transfer is necessary for the conclusion or execution of a contract concluded with a third party in the interest of the client;
- The transfer is legally required based on important public interests;
- The transfer is necessary for the establishment, exercise or defense of legal claims;
- The transfer is necessary to protect the vital interests of the user.

#### **Article 6**

The company ensures all legal, technical and organizational prerequisites for compliance with the basic principles of personal data processing.

Personal data must be:

- legally, fairly and transparently processed with regard to the respondent;
- collected for specific, explicit and lawful purposes and may not be further processed in a way that is inconsistent with these purposes, whereby further processing for the purpose of archiving in the public interest, for the purpose of scientific or historical research or for statistical purposes, is not considered non-compliant with the original purpose;
- appropriate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- accurate and, if necessary, up-to-date, and the Company takes every reasonable measure to ensure that personal data that is not accurate, taking into account the purposes for which it is processed, is deleted or corrected without delay; (10) Recordings obtained through video surveillance may be stored for a maximum of 6 months in accordance with the Law on the Implementation of the General Regulation on Data Protection, unless another law prescribes a longer storage period or if they are evidence in court, administrative, arbitration or other equivalent proceedings.

#### **Article 7**

Personal data that is collected and processed is, in principle, deleted when the purpose for which it was collected ceases, and at the latest after the expiry of all legal obligations related to the storage of personal data.

Personal data of respondents - workers are kept for the duration determined by the law, by-laws or internal acts of the company.

Personal data of respondents interested in employment in the Company are kept for the duration of the activity for which they are processed, but not longer than 1 (one) year.

The respondents' consents given for contacting and other purposes, which are outside the scope of the legally prescribed basis for collecting personal data, are valid until revoked, and can be revoked at any time.

#### IV. RIGHTS OF RESPONDENTS

##### Article 8.

**Right to rectification:** if the Company processes personal data that is incomplete or incorrect, the subject may at any time request the Company to correct or supplement it.

**Right to erasure:** The respondent may request the erasure of his personal data if the Company processed them without a purpose, illegally.

**Right to restriction of processing:** the subject may request restriction of the processing of his data in the following cases:

- the respondent contests the accuracy of personal data, for the period during which the controller is allowed to verify the accuracy of personal data;
- the processing is illegal and the respondent objects to the deletion of personal data and instead requests the limitation of their use;
- the data controller no longer needs personal data for processing purposes, but the respondent requests them in order to establish, fulfill or defend legal claims;
- the respondent filed an objection to the processing on the basis of Article 21, paragraph 1 of the Regulation, expecting a confirmation as to whether the legitimate reasons of the data controller exceed those of the respondent.

**Right to data portability:** The subject may request the transfer of his personal data to another data processor in a structured and machine-readable format, if the Company processes such data based on the consent of the subject or for the purpose of fulfilling contractual obligations and that the processing is carried out using automated processes.

**Right to object:** The data subject has the right, based on his particular situation, to object to the processing of personal data relating to him at any time. The Company may no longer process personal data unless it proves that there are compelling legitimate reasons for the processing that go beyond the interests, rights and freedoms of the data subject or to establish, exercise or defend legal claims.

**Right to appeal:** In the event that the respondent believes that the Company has violated Croatian or European regulations on the protection of personal data during data processing, he has the right to receive an explanation and answers to questions related to the protection of personal data from the Company within 15 (fifteen) days of delivery of a written complaint and inquiry to the Company. In the event that the respondent does not receive an answer/explanation within the deadline given on the basis of this paragraph, or even after receiving the explanation/answer, he still believes that the Company violates Croatian or European data protection regulations when processing personal data, the respondent has the right to file a complaint with the Agency or other competent public authority and supervisory authority within the European Union.

The company is obliged to provide the following information to each respondent (that is, his legal representative or attorney) no later than one month from the submission of the request:

- identity and contact information of the data controller
- processing manager for managing the protection of personal data;
- purpose of processing and legal basis for processing personal data;
- recipients or categories of recipients of personal data (if any);
- if applicable, the fact that the data controller intends to transfer personal data to a third country based on a decision on adequacy in accordance with Article 45 of the Regulation.

#### V. PERSONAL DATA PROTECTION MEASURES

##### Article 9.



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If the respondent wants to exercise any of the rights listed in Art. 8 of this Regulation, may contact the Company, which is obliged to respond in writing within one month from the date of submission of the respondent's request.

#### **Article 10.**

The company is obliged to implement appropriate technical, personnel and organizational measures to enable effective application of data protection principles, and in order to protect the collected data from accidental loss or destruction, from unauthorized access or unauthorized change, unauthorized publication and any other abuse.

#### **Article 11.**

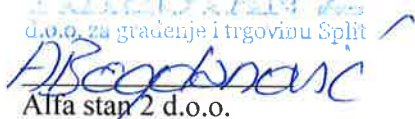
Personal data from Article 3 and Article 4 of this Ordinance are considered a business secret, and employees who, on any basis, learn the data from Article 3 and Article 4 of this Ordinance are authorized to use it exclusively for the performance of their employment obligations.

Violation of the duty to keep a business secret from the previous paragraph is considered a particularly serious violation of an obligation from the employment relationship, which is a reason for the extraordinary termination of the employment contract. If due to the unauthorized disclosure of information that is considered a business secret, property or non-property damage would occur to the Employer, against the person who violated the duty of confidentiality the employer will initiate a procedure for compensation.

#### **VI. TRANSITIONAL AND FINAL PROVISIONS**

#### **Article 12.**

This Regulation on the processing and protection of personal data is published on the Company's notice board before it enters into force, and it enters into force and is applied from February 1, 2022.

  
ALFA STAN 2  
d.o.o. za građenje i trgovinu Split

Alfa stan 2 d.o.o.

Director :

Andrea Bogdanović