

## **PRIVACY NOTICE**

### **HP-HRVATSKA POŠTA d.d.**

#### **General Information**

HP-Hrvatska pošta d.d. having its registered office address in Zagreb, Jurišićeva 13, Croatian tax number (PIN) 87311810356, (hereinafter referred to as the “HP” or “Company”), registered with the Commercial Court in Zagreb and assigned the company registration number 080266264, as a data collector hereby declares its general rules of conduct in connection with personal data processing in compliance with the operational and security requirements of the Company and the existing legislation, including 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 Directive 95/46/EC (General Data Protection Regulation), (hereinafter referred to as the “Regulation”).

HP processes personal data of data subjects in compliance applicable laws and regulations, applying the principles and meeting the requirements for personal data processing established by the Regulation. HP collects and processes data in a manner the ensures the appropriate level of personal data security, including protection from unauthorised or illegal processing and accidental loss, destruction or damage, by implementing appropriate technical and organisational measures.

#### **Definition of terms**

- ‘Personal data’ is any information related to an identified or identifiable natural person (“Data subject”);
- ‘Data subject’ is an identifiable natural person, i.e. a person 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;
- ‘Personal data 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;
- ‘Data controller’ means any natural or legal person, public authority, agency or other body which, operating alone or jointly with others, determines the purposes and means of personal data processing; where the purposes and means of such processing are determined by EU or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;
- ‘Data processor’ means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the data controller;
- ‘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;

- '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, agrees to the processing of personal data relating to him or her;
- '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;

### **Contact Information**

HP contact information: HP-Hrvatska pošta d.d., Jurišićeva 13, Zagreb

Data Protection Officer contact information: [zastitaosobnihpodataka@posta.hr](mailto:zastitaosobnihpodataka@posta.hr)

### **Purposes and the legal basis for personal data processing**

HP processes personal data of the data subjects for the purpose of entering into or performance of a contract, to comply with its legal obligations or for a HP's legitimate interest and therefore (excluding when the data subject has consented to the processing) the data subject is required to provide his or her personal data to the Company. The Company also processes personal data on behalf of and at the request of other data collectors (e.g. HPB d.d.) in which case the Company is the data processor and the data subjects may exercise their rights by sending requests exclusively to the data collector.

#### *Performance of a contract – postal services*

HP is a provider of postal services under the existing Postal Services Act and subordinate legislation and, in the context of the provision of postal services, a data collector. HP is also the universal service provider, which is defined in the Postal Services Acts as a service of general economic interest.

In connection with the provision of postal services, HP processes personal data of postal item recipients and senders (users) in full compliance with the Postal Services Act, i.e. in a manner that ensures the secrecy of postal items and the confidentiality of users' personal data.

Personal data processing, in relation to the provision of postal services, is based on the performance of a postal services contract and the purposes for processing are described in more detail in the Company's general terms and conditions for the provision of postal services available on [www.posta.hr](http://www.posta.hr) (General Terms and Conditions for the Provision of a Universal Postal Service, General Terms and Conditions for the Provision of Other Postal Services and General Terms and Conditions for the Provision of Replacement Services).

If the personal data of postal item recipients have been provided by the user of postal services, the user shall be responsible for their accuracy and for making sure that the data have been collected in a lawful and fair manner, in accordance with applicable laws and regulations.

Postal users who are also engaging in electronic commerce are obliged to ensure on their official websites that the personal data of postal item senders and recipients are collected in a due and legal manner and are liable for assuring the accuracy and completeness of the data submitted to HP. Further, postal users engaging in e-commerce have to inform their users in an appropriate manner of the purposes and means of data processing, their rights as data subjects and the fact that their data will be transferred to third parties for the purpose of postal item delivery.

### *Performance of a contract - other services*

In addition to postal services HP provides other services, including telegram and postal order services, delivering television programming through an electronic communications network and digital television (evotv), Žuti klik web shop, ePošta services and My Post Loyalty Program.

Personal data of the data subjects, i.e. users of other services provided by the Company, are processed for the purpose of contract performance or taking actions at the request of the data subject prior to contract signing, and include actions required for establishing the user's identity, checking whether the preconditions for contract signing have been met and actions relating to the realisation of the contractual relationship and contract-related rights and obligations.

The purposes and the legal basis for personal data processing are described in further detail in the general terms and conditions specific to each of the offered services.

For the purpose of contract realization, HP processes personal data of the legal representatives of legal persons, proxies or attorneys, as well as contact persons assigned by legal persons to monitor the realisation of a contract, and their personal data will be processed in an identical manner as the data of other data subjects.

### *The law and a legitimate interest as a basis for processing*

Personal data of the users are also processed under existing legislation for the purpose of compliance with legal obligations HP is subject to, such as the Anti-Money Laundering and Terrorist Financing Act.

In some instances, personal data processing is based on a legitimate interest of the Company, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data. This involves personal data processing for the purposes of direct marketing in connection with a particular service used by the user, e.g. to offer new program packages to evotv users or information about new issuers as part of the ePošta service, and processing aimed at improving a service or procedure.

Processing of personal data for the purpose of preventing and discovering fraudulent activities and when necessary for a court acting in its judicial capacity is a legitimate interest of the Company.

### *Consent*

In addition to the previously identified bases for processing, the Company processes personal data based on consents given regardless of the service the data subject may be using. The purposes for processing the data subject's personal data based on his or her explicit and clear consent are precisely defined in the consent and will not be processed or used by the Company for any other purpose whatsoever. The data subject may withdraw consent at any time.

To receive a particular service the user may, simply and without requiring identification, subscribe to receive notifications about that service (newsletter). In such cases the data will be processed without identification of the data subject and the user may at any time and in an easy way unsubscribe and stop receiving such notifications.

## **Recipients of personal data**

HP ensures that personal data processing will be entrusted only to employees having proper authorisation, based on the obligations arising from their job description requirements. Some of the services provided by HP are also provided by third parties with whom personal data of the data subjects will be shared only when necessary for the performance of a contract.

The Company will disclose personal data of the data subjects exclusively to an official authority in accordance with the official order or request based on the law and to data processors for the purpose of the fulfilment of rights and obligations under a contract (such as IT system providers, debt collection agencies, printing service providers and similar), which is described in further detail in the relevant general terms and conditions for each of the services supplied by HP. Data processors will process personal data only at the request and on behalf of the Company.

## **Transfer to third countries or international organisations**

For the purpose of providing postal services and depending on address of the recipient or the sender, personal data may be transferred to third countries outside the EU (including those not ensuring the adequate level of protection) and to international postal organisations gathering postal service operators. Such transfer will be made based on international treaties and documents of the Universal Postal Union.

## **Retention periods**

Under the Archives and Archival Institutions Act, HP is on the list of creators of archives and registries. HP processes personal data to the extent necessary for the purposes of processing and the data are kept and archived in accordance with the obligations HP has under the provisions of the Archives and Archival Institutions Act, which is described in more detail in the relevant general terms and conditions for each of the services provided by HP.

## **Rights of the Data Subject**

**Right of access** - The data subject has the right to obtain from the Company confirmation whether his or her personal data are being processed and, if that is the case, right of access to the personal data and information about the purposes of the processing, categories of personal data concerned, the recipients or categories of recipients, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period, the existence of the right to request rectification or erasure of personal data or restriction of processing, the right to lodge a complaint with a supervisory authority and the information on the existence of automated decision-making;

**Right to rectification** – The data subject has the right to obtain from the Company, without undue delay, the rectification of inaccurate personal data and the right to have incomplete personal data completed;

**Right to be forgotten (erasure)** - The data subject has the right to obtain from the Company the erasure of personal data concerning him or her without undue delay and the Company shall have the obligation to erase personal data without undue delay if the conditions described in Article 17 of the Regulation have been met;

**Right to restriction of processing** – The data subject has the right to obtain from the Company restriction of processing (right to restriction of processing) if any of the conditions listed in Article 18 of the Regulation has been met;

**Right to data portability** - The data subject has the right to receive the personal data concerning him or her, which he or she has provided to the Company, in a structured, commonly used and machine-readable format and shall also have the right to transmit such data to another controller without hindrance from the Company if the processing was based on consent or a contract and was carried out by automated means.

**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 which is based on the performance of a task carried out in the public interest or necessary for the purposes of the legitimate interests pursued by the controller, including profiling based on such processing.

The data subjects can exercise any of the above rights by filing a request using a properly completed form that has to include the data subject's first and last name and personal identification number. Request forms can be submitted at any post office or by other means, if permitted under the general terms and conditions applicable to the service in question. The request has to be accompanied by a document serving as a proof of the requestor's identity.

The Company reserves the right to ask the data subject to submit additional documents for identification and verification purposes. If the requests from a data subject are manifestly unfounded or excessive, in particular because of their repetitive character, HP has the right to charge a reasonable fee or refuse to act on the request.

To make the use of rights easier for data subjects, we have made the forms available at the following link: <https://www.posta.hr/sluzbenik-za-zastitu-osobnih-podataka/5607>

### **Right to lodge a complaint with the supervisory authority**

Pursuant to the Regulation and the GDPR Implementing Act, the data subject has the right to lodge a complaint with the Personal Data Protection Agency (Martićeva 14, Zagreb).

### **Effective date of the Privacy Notice**

This Notice will take effect on 25 May, 2018 and HP will make sure it is regularly updated in case any procedural changes occur. This Notice will be posted on the website [www.posta.hr](http://www.posta.hr) and be available in all HP post offices.

HP-Hrvatska pošta d.d.

May 2018