

## PRIVACY STATEMENT

### CARGO PARTNER d.o.o.

#### Contact information

CARGO-PARTNER d.o.o.

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#### General information

CARGO-PARTNER d.o.o. headquartered in Zagreb, Jankomir 25 J, OIB: 84596041174, court registry number 080065481, registered with the Commercial court of Zagreb (hereinafter: CP), as a data controller, hereby describes and outlines rules and procedures regarding personal data protection policy, according to necessary business and security requirements of the company, as well as applicable laws, 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: Regulation).

CP processes personal data of data subjects in accordance with applicable regulations, applying principles and data processing requirements as determined by the Regulation. CP collects and processes personal data in a manner that ensures appropriate security of personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical and organizational measures.

#### Definitions

- ‘personal data’ means any information relating to an identified or identifiable natural person (‘data subject’);
- ‘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;

- ‘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;
- ‘processor’ means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the 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, signifies agreement 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 authorized to process personal data;

## **The purpose and lawfulness of personal data processing**

CP processes personal data of data subjects for the purpose of entering and executing contracts, for the compliance with legal obligations and for the purposes of the legitimate interests of the company, in which cases (excepting the case of data processing on the basis of consent), data subjects are obligated to provide personal data to CP. CP can process personal data in the name of and by order of another data controller, whereupon it shall be considered a data processor, in which case data subjects will send their requests for the protection of personal data exclusively to the data controller.

### *Contract execution – freight forwarding and freight transport*

CP is a provider of freight forwarding services in accordance with the Civil Obligations Act and other applicable regulations, and as a service provider is considered a data controller.

As a provider of freight forwarding services, CP processes personal data of senders and receivers of goods, while acting fully in accordance with the Civil Obligations Act.

Personal data processing undertaken for the purpose of providing freight forwarding services is based on executing freight forwarding contracts, with the purpose and lawfulness of data processing described in the relevant General Terms & Conditions of cargo-partner d.o.o. and General Conditions of the International Freight Forwarders' Association of Croatia. Furthermore, data processing is undertaken for the purposes of representation before customs authorities in accordance with relevant regulations.

If personal data of a recipient of goods has been provided by a forwarding service user, such a user is responsible for providing accurate data on the recipients of goods, and is responsible for the lawfulness of collection of the data, in accordance with relevant regulations.

Furthermore, such service users are obligated to inform their users of the purposes and means of data processing, as well as the fact that their data can be provided to third parties for the purposes of delivery of goods.

Personal data of data subjects and users of services CP provides are processed for the purpose of fulfilling contractual obligations and undertaking of actions based on the request of the data subject before entering into a contract, which includes actions for the purposes of identifying a user, analysis of the conditions for entering into a contract, as well as actions for the purposes of fulfilling contractual obligations, rights and privileges based on the contract.

For the purposes of fulfilling a contract, CP processes personal data of all authorized representatives of subjects, as well as contact information of persons engaged in activities related to fulfilling a contract (such as employees of a service user), which will be processed in the same way as personal data of other data subjects.

### **Legal obligations and legitimate interest as a basis for processing**

Personal data of users are processed for the purposes of fulfilling legal obligations, for instance the obligations stemming from the Money Laundering and Terrorism Financing Act, as well as applicable tax and customs obligations.

In specific instances personal data can be processed in cases where it is necessary for the purposes of legitimate interests pursued by the company, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject. Data can be processed for the purposes of direct marketing with regards to business relations with business partners.

Data can also be processed for the legitimate interests of the company to prevent and discover fraudulent practices, as well as undertaking legal action.

### **Consent**

Other than the above described purposes of data processing, the company processes personal data on the basis of consent, which is given independently of a specific service a data subject is using. The purposes of data processing in this case are explicitly and clearly stated in the consent, and will not be used for any other purpose. The data subject is able to withdraw a given consent at all times.

### **Recipients of personal data**

CP ensured that personal data is processed exclusively by authorized employees, based on their job position. Any transfer of data to third parties will be undertaken only if it is necessary for the purposes of fulfilling contractual obligations.

CP will transfer personal data exclusively to state authorities according to orders or lawful requests, as well as data processors for the purposes of executing contractual rights and obligations (IT service providers, debt enforcement agencies, printing services, etc.). Data processors will process personal data exclusively by order and in the name of CP.

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

For the purposes of providing freight forwarding or transport services, depending on the location of the recipient or sender, personal data can be transferred to countries outside the European union (including countries that do not provide adequate means of protection).

## Data storage period

CP stores personal data only as long as it is necessary for the purposes for which the data has been processed, and as long as the storage and archiving of the data is mandated by applicable regulation on the storage of business documentation.

## Rights of data subjects

**Right of access** - The data subject shall have the right to obtain from the company confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data, the purposes of the processing, the categories of personal data concerned, the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations, where possible, 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 from the company rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing, the right to lodge a complaint with a supervisory authority, where the personal data are not collected from the data subject, any available information as to their source, and the existence of automated decision-making;

**Right to rectification** - The data subject shall have the right to obtain from the company without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed;

**Right to erasure ('right to be forgotten')** - The data subject shall have the right to obtain from the company the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay in cases where one of the conditions of Article 17. of the Regulation applies.

**Right to restriction of processing** - The data subject shall have the right to obtain from the company restriction of processing if one of the conditions of Article 18. of the Regulation applies.

**Right to data portability** - The data subject shall have 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 have the right to transmit those data to another controller without hindrance from the company to which the personal data have been provided, if the processing was based on consent or a contract and if the processing is 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 undertaking an action in the public interest or necessary for the legitimate interests of the controller, including profiling based on that processing.

#### **Right to object to the supervisory authority**

In accordance with the Regulation and the General Data Protection Regulation Enforcement Act, the data subjects has the right to object to the Croatian Personal Data Protection Agency.

#### **Application**

This Statement will apply from 25th of May 2018.

CARGO-PARTNER d.o.o.

May, 2018.g.