

# General Data Protection Regulation (GDPR)

## Privacy Policy

Please read carefully the information in this document as it expresses the Caritatea Foundation's Privacy Policy regarding the processing of personal data.

**Caritatea Foundation**, based in Bucharest, Romania, 3rd District, Dunarea Albastra street no. 6, fiscal code 10916472, e-mail: [dpo@caritatea.ro](mailto:dpo@caritatea.ro) processes personal data in accordance with the European data protection legislation (General Data Protection Regulation - EU Regulation 2016/679). Our Personal Data Protection Officer can be found at the following contact details - Caritatea Foundation's Office for Personal Data Protection – [dpo@caritatea.ro](mailto:dpo@caritatea.ro).

### 1. Definitions:

According to the European legislation, the following terms have the following meaning, as follows:

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" *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. "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;*
4. "Processor" means *a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;*
5. "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;*

6. "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;*

7. "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;*

8. "Main establishment" means:

**(a)** *as regards a controller with establishments in more than one Member State, the place of its central administration in the Union, unless the decisions on the purposes and means of the processing of personal data are taken in another establishment of the controller in the Union and the latter establishment has the power to have such decisions implemented, in which case the establishment having taken such decisions is to be considered to be the main establishment;*

**(b)** *as regards a processor with establishments in more than one Member State, the place of its central administration in the Union, or, if the processor has no central administration in the Union, the establishment of the processor in the Union where the main processing activities in the context of the activities of an establishment of the processor take place to the extent that the processor is subject to specific obligations under this Regulation;*

## **2. Collecting your personal data**

Your personal data will be collected in the following cases:

- when you make a request, address, notification, etc. irrespective of the chosen communication method, namely email, fax, document sent to the institution's registry;
- at the time of concluding a financing contract, a rental contract or an additional act on the aforementioned contracts, as well as during the whole period of the contract's execution;

All of this data is used either to contact you, for contractual purposes, to resolve a claim or complaint that has been addressed to us or to provide technical support. Caritatea Foundation may also ask you to provide other data that might be considered personal data, if this is necessary in order to resolve your grant request.

The legal basis for the processing of these data is the implementation of a contract to which the data subject is a party or to implement the measures requested by the data subject before signing a contract, as well as in order to conclude a contract.

Also, your data processing will be performed based on the following legal grounds:

- in order to comply with a legal obligation;
- will be done under your prior and explicit consent;
- in order to protect your vital interests or the interests of other individuals;

- it is necessary for the legitimate interests of the Caritatea Foundation or for those of a third party, unless your personal interests or fundamental rights and freedoms should prevail over these interests.

You have the right to withdraw your consent at any time. Withdrawal of your consent will not affect the lawfulness of the processing on the basis of your consent given prior to its withdrawal. In order to withdraw your consent for any processing that you have previously consented to, please e-mail us at [dpo@caritatea.ro](mailto:dpo@caritatea.ro) or send us a letter to Caritatea Foundation, Bucharest, Dunarea Albastra Street no. 6, 3rd District. In all cases, consent may be withdrawn in the same way as it was granted.

As a general rule, in those cases where you withdraw your consent, Caritatea Foundation will no longer allow the processing of your data and will take the appropriate actions to delete any records of your personal data. However, if the processing is strictly necessary and it is based on other legitimate grounds provided by the applicable legal provisions, Caritatea Foundation will proceed with such processing and inform you accordingly.

### **3. Categories of collected / processed data**

The personal data of the individuals, clients / potential clients of the Caritatea Foundation that we process are: name, surname, mailing address, home address, telephone number, e-mail address, bank account, contract number, billing, etc.

The data used to analyze the grant application and, where appropriate, the conclusion of a contract will be kept for the whole duration of the contract, plus five years after the expiration of the contract, so that we can file evidence or defend ourselves against any legal complaints or issues regarding the contract. If the grant application, following an internal analysis, does not fit the purpose and / or type of financing provided by the Caritatea Foundation, the collected data will be kept for a period of five years, since the date of their receipt by the Caritatea Foundation, in order for us to be able to file evidence or defend ourselves against any legal complaints.

Please do not disclose sensitive personal data in correspondence with the Charity Foundation (e.g. information about racial or ethnic origin, political opinions, religious or other beliefs, health information or a trade union membership), social insurance numbers or criminal record information when you contact us.

### **4. Updating your personal data**

If any of the personal data you provide us undergoes changes, for example if you change your name or e-mail address or if you want to cancel any application/request to us or if you notice that we hold any incorrect personal data about you, please let us know by emailing [dpo@caritatea.ro](mailto:dpo@caritatea.ro). We will not be responsible for any loss resulting from inaccurate, inauthentic, insufficient or incomplete data that you provide to us.

At the same time, we will take reasonable steps to periodically update our databases and / or records containing your personal data, but we will not be responsible for any unforeseen changes to your personal data.

### **5. The purpose of processing personal data**

Caritatea Foundation processes personal data for the purpose of:

- bidding, concluding and executing rental and financing contracts;
- invoicing our services to you;
- collecting eventual debts and recovering claims both amicably, as well as through court actions;
- analyzing the grant application/applications;

## **6. Your rights regarding personal data**

Under the EU General Data Protection Regulation (GDPR), data subjects may have the right to access, rectify, request their deletion, restrict their processing, object to processing, as well as the right to data portability.

You also have the right to file a complaint to a competent data protection supervisory authority.

In order to exercise these rights, you may submit a written, dated and signed request by e-mail to our Data Protection Officer at [dpo@caritatea.ro](mailto:dpo@caritatea.ro) or to our headquarters in Bucharest, Dunarea Albastra Street no. 6, 3rd District.

We specify that, in order to comply with our security obligations and to prevent unauthorized disclosure of the data, we may ask you to prove your identity by communicating a copy of a valid identification document.

We will take into consideration any requests or complaints we receive and we will send you a timely response.

If you are not satisfied with our response, you may submit the complaint to the National Supervisory Authority for Personal Data Processing - located in Gheorghe Magheru Blvd. no. 28-30, Bucharest, Romania.

## **7. Publication date**

This Privacy Policy was adopted on January 17, 2019 and will be amended whenever necessary without prior notice or future notice of such changes. The new version will come into force as soon as it is published / posted on our website. The hereby document is available at <https://www.caritatea.ro> .....