

# Information on the processing of personal data by Towarzystwo Ubezpieczeń Euler Hermes S.A.

Information on the processing of personal data by Towarzystwo Ubezpieczeń Euler Hermes S.A. (further referred to as the "Controller") within the framework of insurance contracts on trade receivables, of personal data of:

- Customers,
- Purchasers,
- Suppliers,

and employees and representatives of afore-mentioned entities.

## 1. Controller of personal data

The controller of personal data is **Towarzystwo Ubezpieczeń Euler Hermes S.A.** seated in Warsaw at Al. Jerozolimskie 98; 00-807 Warsaw (the "Controller").

The Controller can be contacted by post at the address of the seat or by mail: [iodo@allianz-trade.com](mailto:iodo@allianz-trade.com);

## 2. Data protection officer

The Data Protection Officer was designated at the Controller. This is a person who can be contacted in all issues which relate to the processing of personal data and to the enjoyment of the rights linked with the processing of personal data. The Data Protection Officer can be contacted as follows:

- by post at the address: Inspektor Ochrony Danych Towarzystwo Ubezpieczeń Euler Hermes S.A., Al. Jerozolimskie 98; 00-807 Warszawa,
- via e-mail: [iodo@allianz-trade.com](mailto:iodo@allianz-trade.com);

## 3. Purposes of the processing of personal data and legal basis for the processing of the data

### 3.1. If you are a Customer

We will process the personal data for:

- assessing insurance risks, calculating insurance premiums, concluding insurance contracts and implementing their terms and conditions. The legal basis for the processing of the data is the necessity for compliance with a legal obligation to which the Controller is subject or the necessity for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- preparing and managing trade reports - the legal basis for the processing of the data is a legitimate interest of the Controller consisting in assessing the possibility of concluding an insurance contract;
- preventing and detecting insurance crimes. The legal basis for the processing of the data is the necessity for compliance with a legal obligation to which the Controller is subject or our legitimate interest consisting in the possibility of combating crimes committed against the Controller;
- settling claims, including examining notifications, issuing insurance decisions and paying compensations. The legal basis for the

processing of the data is the necessity for compliance with a legal obligation to which the Controller is subject or the necessity for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;

- fulfilling obligations linked with FATCA/CRS reporting – the legal basis for the processing of the data is a legitimate interest of the Controller consisting in implemented group processes aiming at FATCA/CRS reporting;
- handling complaints and fulfilling statutory obligations towards the Financial Supervision Authority and Financial Ombudsman - The legal basis for the processing of the data is the necessity for compliance with a legal obligation to which the controller is subject;
- verifying entities on sanction lists - the legal basis for the processing of the data is a legitimate interest of the Controller consisting in implemented group processes aiming at verifying entities on sanction lists and minimising a reputational risk;
- fulfilling statutory obligations towards public administration authorities, enforcement authorities and other authorised entities - The legal basis for the processing of the data is the necessity for compliance with legal obligations to which the Controller is subject;
- defending against potential claims or pursuing potential claims linked with a contract – if a dispute related to a contract arises. The legal basis for the processing of the data is our legitimate interest consisting in the possibility of defending against claims or pursuing claims;
- conducting direct marketing of our products and services, including profiling in order to determine preferences and needs as regards our insurance products and to present a proper offer based on profiling and to carry out an analysis concerning sale and use of our services. The legal basis for the processing of the data is a legitimate interest of the Controller consisting in the possibility of conducting direct marketing of its services, presenting information on our products and services to customers and increasing sale;
- performing customer satisfaction surveys - the legal basis for the processing of the data is a legitimate interest of the Controller consisting in maintaining standards as regards offered products and services;
- establishing technical provisions for solvency and financial reporting purposes, including for statistical purposes - The legal basis for the processing of the data is the necessity for compliance with a legal obligation to which the controller is subject resulting from regulations on insurance and reinsurance activities;

Allianz Trade is the trademark used to designate a range of services provided by Euler Hermes.

## Towarzystwo Ubezpieczeń Euler Hermes S.A.

Aleje Jerozolimskie 98, 00-807 Warsaw, Poland, Call Centre: +48 22 233 4444, [allianz-trade.pl](http://allianz-trade.pl)

Towarzystwo Ubezpieczeń Euler Hermes S.A. is registered in the register of entrepreneurs conducted by the District Court of the Capital City of Warsaw in Warsaw, XII Commercial Division of the National Court Registry under number KRS 0000156966, TAX ID: 5213231588, share capital: 19 616 640,00 PLN, paid share capital: 19 616 640,00 PLN.

- fulfilling obligations linked with accounting rules and payment of taxes, including conducting and holding fiscal books and documents linked with conducting fiscal books and holding accounting evidence. The legal basis for the processing of the data are legal obligations resulting from tax regulations (General Tax Code, Law on VAT, Corporate Income Tax Law) and rules on accounting (Accounting Law);
- preventing money laundering and terrorist financing, the legal basis for the processing of the data is a legitimate interest of the Controller consisting in implemented group processes aiming at preventing money laundering and terrorist financing;
- potentially implementing the rights of the data subject, in accordance with provisions of Article 12-22 GDPR. The legal basis for the processing of the data is a legitimate interest of the Controller consisting in implementing notified requests and ensuring accountability foreseen in the provisions of the general data protection regulation.

### 3.2. If you are a Customer's employee or representative.

We will process the personal data for:

- concluding and implementing an insurance contract with a company which you represent/in which you work/with which you cooperate, including confirming placed orders and disposition via a dedicated portal/dedicated portals for customers and establishing and maintaining a user account on a dedicated portal/dedicated portals for a customer. The legal basis for the processing of the data is our legitimate interest consisting in the possibility of performing the afore-mentioned contract;
- potentially implementing the rights of the data subject, in accordance with provisions of Article 12-22 GDPR. The legal basis for the processing of the data is a legitimate interest of the Controller consisting in implementing notified requests and ensuring accountability foreseen in the provisions of the general data protection regulation.

### 3.3. If you are a Supplier, Purchaser or their employee or representative.

We will process the personal data for:

- concluding a contract and implementing its terms and conditions. The legal basis for the processing of the data is the necessity for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- implementing a contract connecting the Controller with an entity of which you are an employee/collaborator/ representative, in particular, in order to confirm circumstances indicated in documents handed over by these entities in connection with the performance of this contract. The legal basis for the processing of the data is our legitimate interest consisting in the possibility of performing the afore-mentioned contract;
- potentially implementing the rights of the data subject, in accordance with provisions of Article 12-22 GDPR. The legal basis for the processing of the data is a legitimate interest of the Controller consisting in implementing notified requests and ensuring accountability foreseen in the provisions of the general data protection regulation.

## 4. Processed data categories

In connection with the conclusion and performance of the insurance contract, including risk assessment and current economic monitoring, we can process accordingly the following personal data of customers and counterparties cooperating with them: identification data (such as name and surname, name of conducted economic activities, registration numbers, in particular, tax identification number), contact data (including

address of registered office, e-mail address, telephone number, fax number, employer's business name), financial data, data on the economic operator's financial standing, data on concluded contracts and presented offers (including financial terms and conditions and financial data linked with the contract, date of contract conclusion), analyses and forecasts linked with the economic operator's economic situation and payment credibility, information on payment arrears, data on loss ratio.

## 5. Sources of data and their scope

- external sources: data collected from your Business Partners, Counterparties or Controller's Customers; data collected directly or via companies which run economic operator databases, in particular, as regards the data coming from publicly available registers, such as, in particular, CEiDG (Central Registration and Information on Business Activities), KRS (National Court Register), GUS (Central Statistical Office) and other publicly available databases, including your websites;
- other sources: data collected directly from you on the basis of your consent; data submitted by entities in which you are employed or of which you are representatives – to the extent necessary to perform the contract;
- in case of collecting the personal data of employees of the Purchaser, Supplier or their representatives, the scope of collected data includes only professional data, in particular, such as: professional contact data, occupational position, performed function.

## 6. Information on automated decision-making and profiling

The data on the economic operators, processed by the Controller, in particular, the data collected from your Business Partners, Counterparties or Controller's Customers, as well as the data collected from other sources, including the data collected from publicly available registers, in particular, through their transmission or making available by specialised companies which run economic operator databases, are subject to analysis and forecast, i.e. profiling, as regards the economic operator's economic situation and payment credibility, both by automatic means and with human involvement, within the framework of risk assessment and granting of limits in the Controller's products, the result of which is obtaining of recommendation for the customers concerning the cooperation with the economic operator. The risk assessment can be performed automatically, using the information system, which based on a mathematic model analyses a level of insurance risk. The analytical model takes account of information on the financial situation, sector and place where the economic activities are conducted by the Customers and their Business Partners. The result of the analysis is a decision whether and to what extent the Controller shall grant insurance cover for the Customer's receivables towards its Business Partners issuing recommendations for the Customer concerning the cooperation with its Business Partner in the form of a decision on the amount of granted limit.

## 7. Storage period of personal data

We will process the personal data during the performance of the contract concluded with a company which you conduct/which you represent/in which you work/with which you cooperate as well as for a period of limitation to claim as regards this contract resulting from the applicable regulations, in particular, regulations on insurance and reinsurance activities and civil code.

We will store the personal data included in the tax or accounting documentation until the expiry of the data storage obligations resulting from tax regulations and rules on accounting.

In case of the data processed on the basis of consent, in particular, as regards the data collected directly from you concerning the financial statements, you have the right to withdraw your consent at any time. The

withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

In case of the data of the economic operators processed within the framework of the contracts concluded with the Controller, and not being party to the contract, collected from publicly available registers or other sources, described above in detail, these data shall be processed until you submit a reasoned objection to the processing of the data to the data Controller.

#### **8. Recipients of personal data and transmission of data to third countries**

We will transmit the personal data to:

- the Companies belonging to the Euler Hermes Group, including the companies established in Poland, i.e.: Euler Hermes Collections sp. z o. o. seated in Warsaw and Euler Hermes, Okurowska-Minkiewicz, Maliszewski – Kancelaria Prawna spółka komandytowa seated in Warsaw;
- authorised agents, agencies of research analyses, experts, consultants and specialist in communication management and events involving Euler Hermes, our supplier to which we will outsource the services linked with the processing of personal data, e.g. IT service providers, accounting, tax, advisory, audit or other service providers. Such entities process the data on the basis of a contract concluded with us and only in accordance with our instructions;
- your Business Partners, Counterparties or Controller's Customers for the benefit of which the Controller provides services in cooperation with your Business Partner or, Counterparty within the framework of the concluded contracts (in particular, insurances and insurance guarantees);
- courier or mail service suppliers,

The Controller of your data belongs to the Allianz Capital Group which runs activities with global outreach. Depending on the nature of offered products and services your personal data in justified cases can be transmitted to the entities established outside the European Economic Area. If the data are transmitted outside the European Economic Area (EEA) then we apply the rules on protection of personal data defined in the Euler Hermes Policy on Standards for the Protection of Privacy the integral part of which constitute the Allianz Group Binding Corporate Rules which constitute adequate safeguards concerning the transmission of the personal data. In case of the transmission of the data to third countries which were not considered by the European Commission as providing an adequate level of protection for personal data the Controller implements appropriate safeguards in order to provide w the adequate level of protection, in particular, through the standard contractual clauses approved by the European Commission and binding corporate rules approved by a relevant supervisory authority. You have the right to obtain copies of adequate safeguards concerning the transmission of the personal

data – to obtain them you should contact the Controller or the Data Protection Officer.

#### **9. Rights linked with the processing of personal data**

You have the following rights linked with the processing of personal data:

- a. the right of access to personal data concerning you,
- b. the right to rectification of personal data concerning you,
- c. the right to erasure of personal data concerning you,
- d. the right to restriction of processing of personal data concerning you,
- e. if the processing is based on consent or the necessity for the performance of a contract to which the data subject is party and the processing is carried out by automated means - the right to data portability, i.e. the right to receive from us the personal data concerning you, in a structured, commonly used and machine-readable format. You have the right to transmit those data to another data controller or to request us to transmit the data to another controller. However, we will transmit those data to another data controller only where it is technically feasible,
- f. the right to object, on grounds relating to you particular situation, to processing of personal data concerning you – in case when we process your data on the basis of our legitimate interest performed by the Controller or the third party,
- g. the right to object to processing of personal data concerning you for direct marketing purposes,
- h. the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you,
- i. the right to lodge a complaint with a supervisory authority dealing with the protection of personal data, i.e. the President of the Personal Data Protection Office (Warsaw, Stawki 2).

In order to exercise the afore-mentioned rights indicated in Points a-g contact the Controller or the Data Protection Officer (contact data in Points 1 and 2 above)

#### **10. Obligation to submit data**

Data submission is voluntary but necessary to conclude and perform a contract, insurance contract or insurance guarantee contract concluded with a company run by you/a company you represent/a company in which you work/which which you cooperate. Without data submission it will be not possible to conclude the contract and undertake cooperation with Towarzystwo Ubezpieczeń Euler Hermes S.A. We process the identification data, contact data and data on financial situation of economic operators being the Business Partners of the Controller's customers, received from the Controller's customers in order to assess the risk and conclude the contract, until submission of objection to their processing the consequence of which is the closing of a trade limit granted to your counterparty for you company.