

# **SICK MOBILISIS**

## **PERSONAL DATA PROTECTION POLICY**

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## GENERAL (INTRODUCTORY) PROVISIONS

SICK Mobilisis d.o.o. limited liability company for production and trade (hereinafter referred to as SICK Mobilisis) Varaždinska ulica – Odvojak II 7, 42000 Jalkovec (City of Varaždin), Croatia, pays special attention to the protection of personal data and privacy of its users, business partners, employees, and other Data subjects in accordance with applicable regulations and best European practice.

In accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals 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), SICK Mobilisis publishes the Data Protection Policy, which comes into force on 25 May 2018.

The policy applies to all personal data that SICK Mobilisis collects, uses, or otherwise processes, directly or through its partners. Personal data is any data relating to a natural person whose identity has been determined or can be determined, directly or indirectly (hereinafter: data or personal data). Data processing is any action performed on personal data, such as the collection, recording, storage, use, transfer of personal data and access to personal data. The policy is a unilateral, legally binding act of SICK Mobilisis.

SICK Mobilisis, as the data controller, with the following contact information:

Data controller:

Company SICK Mobilisis d.o.o.

Varaždinska ulica – Odvojak II 7  
42000 Jalkovec (City of Varaždin), Hrvatska

Data Protection Officer:

Petra Trojak, mag. iur.

Phone: +385 99 311 7735

E-mail: [zastita-op@mobilisis.hr](mailto:zastita-op@mobilisis.hr)

Deputy Data Protection Officer:

Ivana Skupnjak, mag. oec.

Phone: +385 99 311 5455

E-mail: [zastita-op@mobilisis.hr](mailto:zastita-op@mobilisis.hr)

collects, uses, forwards, and otherwise processes personal data of its clients, employees and business partners, and other individuals whose identity can be determined directly or indirectly (hereinafter: Data subjects).

In accordance with the Regulation, SICK Mobilisis undertakes certain obligations. The obligations themselves depend on the role in which SICK Mobilisis is in relation to the specific data processing case. In some processes, SICK Mobilisis acts as a controller, in others as a joint controller, and very often as a data processor.

Adherence to this Policy and other policies and procedures related to data protection is regularly checked within SICK Mobilisis, and the check is carried out by the Data Protection Officer and, if necessary, his deputy.

## PRINCIPLES OF DATA PROCESSING

The General Data Protection Regulation determines the following principles of personal data processing:

- **Lawfulness, fairness, transparency** – personal data must be processed lawfully, fairly and in a transparent manner in relation to the Data subject;
- **Data minimization** – personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- **Accuracy** – personal data must be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- **Integrity and confidentiality** – personal data must be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures;
- **Accountability** - The controller shall be responsible for, and be able to demonstrate compliance with the stated principles;
- **Purpose limitation** – personal data must be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with the provisions of the General Data Protection Regulation, which regulate security measures and deviations related to processing for the purposes of archiving in the public interest, scientific or historical research purposes or statistical purposes, not be considered to be incompatible with the initial purposes;
- **Storage limitation** – personal data must be kept in a form which allows identification of Data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with the provisions of the General Data Protection Regulation, which regulate security measures and deviations related to processing for the purposes of archiving in the public interest, scientific or historical research purposes or statistical purposes, subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the Data subject.

## PERSONAL DATA THAT ARE PROCESSED AND PURPOSES OF PROCESSING

Depending on the nature of the business relationship, SICK Mobilisis may have different personal data of the Data subject.

The personal data that SICK Mobilisis processes are: strictly personal data (name, surname, address, personal identification number, contact information, date and place of birth, citizenship, country of tax residence, tax identification number, etc.), personal data (e.g. data from travel documents), identification data (e.g. client signatures), data from the registry, images and sound recordings (e.g. recording of a telephone conversation), information related to your electronic traffic in relation to SICK Mobilisis (e.g. applications, Cookies, etc.),

data that is the result of various processing that SICK Mobilisis generates, as well as personal data that we process in order to fulfil legal and regulatory obligations.

The data processed by SICK Mobilisis are collected from the Data subject when establishing the employment relationship and during the employment relationship, when establishing the business relationship and during the business relationship, during communication with the Data subject on the business premises, when using the SICK Mobilisis website, in electronic messages, mail and other documents, when using the SICK Mobilisis LiveChat service, in product and service satisfaction surveys, when performing other tasks for which SICK Mobilisis is authorized. Also, if you visit our business premises, you may be recorded by our cameras if you have entered the camera recording perimeter, which is clearly marked. In this case, we process your video, and the basis for processing your personal data is our legitimate interest in the protection of persons and property.

We also process personal data that we have collected from publicly available sources (e.g. court register, sole proprietorship register, land register, press, media, internet), when it is not prohibited by law.

The Data subject's privacy is protected by the regulations of the European Union, as well as the regulations of the Republic of Croatia. SICK Mobilisis processes personal data and may use it only for the purposes for which it was collected. The processing of personal data is permitted only if at least one of the following is fulfilled:

- The Data subject consented to the processing based on the information about the scope of processing;
- Processing is necessary to comply with the legal obligations of SICK Mobilisis;
- Processing is necessary to comply with legal regulations;
- The processing is necessary for the legitimate business interests of SICK Mobilisis or a third party, except when the interests or fundamental rights and freedoms of the Data subject that require the protection of personal data are stronger;
- Processing is necessary for the execution of a contract to which the Data subject is a party or in order to take actions at the request of the Data subject before concluding the contract;
- The processing refers to personal data that have clearly been published by the Data subject.

We process your personal data and if you contacted us about our service, a product you bought from us, etc., we process the data that you gave us when sending an inquiry, request, complaint, positive review, etc., which may include the following personal data: name and surname, phone number, e-mail address, your reason for contacting us, the product you purchased, the date and place of purchase, a summary of your inquiry / request / complaint / positive review and your level of satisfaction with our response. In that case, the basis for processing your personal data is our legitimate interest in order to be able to respond to your inquiry, request, complaint, positive review, etc.

We process the personal data of current or potential business partners that you have given us, as well as the data that we have collected when establishing and maintaining a business relationship, i.e. the following data:

- Your identification data (if you are a natural person, e.g. a sole proprietorship owner), specifically your name, surname, PIN, relationship with the legal person (owner, director, employee, etc.);
- Your contact information, specifically the name and surname of the contact person, the contact address (street and street number, city, postal code, country), phone number, e-mail address

in order to fulfil our contractual obligations towards you and take other necessary actions in connection with the conclusion and execution of contracts (for example, actions related to issuing invoices and delivering goods) or previous actions (for example, sending offers). In this case, the basis for processing your personal data is the execution of a contract to which you are a party, i.e. taking action at your request before concluding the contract.

We process your personal data that you have given us if you are interested in working at SICK Mobilisis, that is, the data that we have collected for the purpose of your employment with us, specifically, the following data:

- Information that is specified in the resume

in order to take actions necessary for the selection and hiring of new employees (for example, for the selection of candidates for job interviews and for the organisation of interviews). In that case, the basis for processing your personal data is our legitimate interest based on your application; in order to take you into account when looking for new employees and to contact you for the purpose of employment if you have submitted an open application. In that case, the basis for processing your personal data is our legitimate interest; in order to take you into account when looking for new employees and to contact you for the purpose of employment if you have, while applying for a job vacancy, given your consent for us to save your data in our records for future opportunities. In that case, the basis for processing your personal data is your consent.

## **PROCESSING OF PERSONAL DATA ON THE BASIS OF CONSENT**

When the data will be collected, SICK Mobilisis will provide the Data subject with information about the data it collects, the purposes of processing, and the legal basis for processing.

In certain cases, when the provision of data is not necessary for the establishment or continuation of a business relationship with the Data subject, SICK Mobilisis may request the consent of the Data subject to process personal data for certain purposes. When the processing of the Data subject's personal data is based on consent, the Data subject may withdraw the given consent at any time, but this will not affect the legality of the processing that was based on consent before it was withdrawn. Not giving consent or a subsequent withdrawal of consent will not affect the possibility of concluding a contractual relationship with SICK Mobilisis and will not lead to the termination of the existing contractual relationship with SICK Mobilisis.

## **SPECIAL CATEGORIES OF PERSONAL DATA**

Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership are considered special categories of personal data. This category includes genetic data, biometric data for the purpose of identifying the Data subject, data related to health or data about sex life or sexual orientation. The aforementioned data may

not be processed except in cases where the express consent of the Data subject has been given for such processing and in other cases defined by the General Data Protection Regulation.

## RECIPIENTS / CATEGORIES OF PERSONAL DATA RECIPIENTS

Personal data provided by the Data subject to SICK Mobilisis or data SICK Mobilisis has access to based on the business relationship with the Data subject may be made subject to inspection or forwarded to SICK Mobilisis' business partners (data processors) on the basis of the contract. Processors provide various services to SICK Mobilisis in order to enable the implementation of Mobilisis activities (e.g. information technology support, marketing cooperation, collection of due invoices, legal assistance, notary services, consulting services, procurement of goods and services for the needs of SICK Mobilisis, etc.). Also, the Data subject 's personal data may be forwarded to the Ministry of Finance, the Croatian Bureau of Statistics, the Financial Agency, or another competent authority for the purpose of sending reports or fulfilling other legal obligations when the obligation to send such data is prescribed by law, and to other recipients.

## DATA RETENTION PERIOD

The data retention period depends on the purpose for which we process the data.

- We keep the data for which there is a legally defined retention period for that period and delete it within an additional period of one year.
- If you are our business partners for whom there is no defined legal retention period, we keep the data for the entire duration of the contract we have concluded. Upon termination of the contract, we delete your data within an additional period of 1 year from the termination of the contract and delete it after the expiration of all legal obligations related to the storage of personal data, at the latest.
- We store personal data that we process based on your consent for as long as we have your consent or according to the deadline indicated in the consent. In the event of a withdrawal of consent, we delete it as soon as possible.
- We keep video surveillance recordings for a maximum of 60 days, except when there is a need to use a particular recording as evidence in a particular case.
- We generally store data about your habits of using our products and services for the duration of your contractual relationship with us, that is, until the moment you withdraw your consent for their processing.

Please note that we do not delete your data:

- if the procedure for forced collection of unpaid invoices has been initiated;
- if a complaint regarding a product or service is filed within the deadline, until the completion of the procedures regarding the complaint, in accordance with the applicable regulations;
- if there is a court proceeding or other related proceeding in progress.

In certain cases, SICK Mobilisis may store the Data subject's personal data for a period shorter or longer than the above-mentioned periods, depending on the purpose of data processing and the nature of the business relationship with SICK Mobilisis.

The time period for storing the user's personal data depends on the purpose for which we process it.

## MARKETING PURPOSES

If SICK Mobilisis has the express and voluntary consent of the Data subjects, SICK Mobilisis can use personal data to inform the Data subjects about its products, services and offers that it determines are potentially important or interesting to them.

The Data subject can ask SICK Mobilisis to stop sending them marketing messages at any time.

## DATA SUBJECT RIGHTS

### The right to be informed

The Data subject has the right to information regarding the processing of their data. Communication with the Data subject related to the processing of their personal data is always concise, transparent, comprehensible and in an easily accessible form, with the use of clear and simple language.

### The right to erasure (right to be forgotten)

The Data subject has the right to the deletion of their personal data if one of the following conditions is met:

- the data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- The Data subject withdraws the consent on which the processing is based;
- The Data subject objects to the processing of personal data based on the legitimate interest of SICK Mobilisis or a third party, including the creation of a profile based on these grounds, and to the processing of personal data for marketing purposes, which includes the creation of a profile to the extent related to such direct marketing. In the former case, the data will not be deleted if the legitimate interests of SICK Mobilisis are stronger than the interests, rights and freedoms of the Data subject or for the purpose of establishing, exercising or defending legal claims;
- personal data were illegally processed;
- personal data must be deleted in order to comply with legal obligations based on other legal regulations.

### The right to access

The Data subject has the right to request access to personal data and detailed information on how their personal data is processed from SICK Mobilisis at any time. Fulfilment of data access requests must not negatively affect the rights and freedoms of others.



## The right to rectification

The Data subject has the right to correct incorrect personal data. He also has the right to supplement his personal data, by providing an additional statement, among other things. SICK Mobilisis will take measures that can reasonably be expected of it to verify the accuracy of the data and correct them.

## The right to file an objection with the competent authority

The Data subject has the right to file an objection with the authorized supervisory body in the Republic of Croatia, the Croatian Personal Data Protection Agency, 14 Martićeva ulica, 10000 Zagreb.

## The right to restriction of processing

The Data subject has the right to request the restriction of personal data processing, under the following conditions:

- The Data subject disputes the accuracy of personal data, for the period during which SICK Mobilisis is enabled to check the accuracy of personal data;
- the processing is illegal and the Data subject objects to the deletion of personal data and instead requests a limitation of their use;
- SICK Mobilisis no longer needs personal data for processing purposes, but the Data subject requests them in order to establish, exercise or defend legal claims;
- The Data subject filed a complaint regarding the processing of data based on legitimate interest, including the creation of a profile based on that data, awaiting confirmation on whether the legitimate reasons of SICK Mobilisis exceed those of the Data subject.

SICK Mobilisis informs the Data subject who has obtained the limitation of personal data processing before the limitation of processing is lifted.

## The right to data portability

The Data subject also has the right to the portability of his personal data. This means that at the request of the Data subject, SICK Mobilisis can provide personal data in a structured, commonly used and machine-readable format, and the Data subject has the right to transfer them to another data controller, provided that the data processing is based on consent or if it is necessary for the execution of the contract to which the Data subject is a party or in order to take actions at the request of the Data subject before concluding the contract and if the processing is carried out automatically. When exercising his rights to data portability, the Data subject has the right to direct transfer from one data controller to another, if this is technically feasible.

## The right to object

The data subject has the right to, based on his particular situation, at any time object to the processing of data when it is processed on the basis of the legitimate interest of SICK Mobilisis or a third party, including the creation of a profile based on these grounds. In that case, SICK Mobilisis may no longer process personal data unless it proves that there are compelling

legitimate reasons for processing, which go beyond the interests, rights and freedoms of the Data subject or for the purpose of exercising or defending legal claims. Also, the Data subject has the right to, at any time, object to the processing of personal data for marketing purposes, which includes the creation of a profile to the extent related to such direct marketing, in which case SICK Mobilisis may no longer process the data for these purposes.

## PROTECTION OF PRIVACY

### Data security

SICK Mobilisis takes appropriate technical and organisational measures to ensure the necessary data protection. These measures especially apply to computers (servers and desktops), networks and communication links and applications, etc.

The necessary measures taken at SICK Mobilisis to avoid unauthorized processing of personal data include, among others, the control of the following:

- physical access to data processing systems;
- logical access to data processing systems;
- logical access to data processing applications;
- entering data into data processing systems.

In addition, appropriate measures must be taken to protect such data from accidental and unauthorized deletion and loss.

Only authorized employees who are familiar with the conditions of confidentiality of data are involved in processing them. They are prohibited from using this data for personal purposes or making it available to any unauthorized party. In this context, employees whose access to this data is not necessary for the fulfilment of work obligations are also considered unauthorized. The obligation of confidentiality also applies after the termination of the employment relationship.

### Technical and organisational measures

Considering the latest developments, implementation costs and the nature, scope, context and purposes of processing, as well as the risk of different levels of probability and severity for the rights and freedoms of individuals, SICK Mobilisis is obliged to implement appropriate technical and organisational measures to ensure an adequate level of security considering the risk, including as appropriate:

- the ability to ensure ongoing confidentiality, integrity, availability and resilience of processing systems and services;
- the ability to timely restore the availability of personal data and access to it in the event of a physical or technical incident;
- a process for regular testing, evaluation and assessment of the effectiveness of technical and organisational measures to ensure processing security;
- continuous monitoring of all resources (physical spaces where your data is stored) that are used to process personal data.

SICK Mobilisis does not allow unauthorized collection, processing or use of personal data. The rule of limiting data access to only those data that are necessary for the performance of certain work tasks is applied. Accordingly, roles and responsibilities within SICK Mobilisis are clearly defined. The employees of SICK Mobilisis are strictly prohibited from using personal data of Data subjects for any purpose that is not in accordance with the legality of processing. Personal data is protected against unauthorized access, use, modification and loss. Protection mechanisms apply to personal data within SICK Mobilisis regardless of the form in which they are stored, paper or electronic.

### **Reporting personal data breaches to the competent authority**

In the case of a personal data breach, SICK Mobilisis will notify the supervisory authority without delay, if feasible no later than 72 hours after becoming aware of it, unless it is not likely that the breach of personal data will cause a risk to the rights and freedoms of the individual.

A personal data breach is any breach of security that leads to accidental or unlawful destruction, loss, alteration, unauthorized disclosure or access to personal data that have been transmitted, stored or otherwise processed.

### **Notifying the Data subject about a personal data breach**

In the event of a personal data breach that is likely to be high-risk for the rights and freedoms of individuals, SICK Mobilisis will notify the Data subject of the personal data breach without delay.

Notifying the Data subject is not mandatory in the following cases:

- SICK Mobilisis has taken appropriate technical and organisational protection measures and these measures have been applied to personal data affected by a personal data breach, especially those that make personal data unintelligible to any person who is not authorized to access it;
- SICK Mobilisis has taken follow-up measures to ensure that it is no longer likely that there will be a serious risk to the rights and freedoms of the Data subject whose data has been breached;
- this would require a disproportionate effort, when a public notification or a similar measure will be implemented to inform Data subjects in an equally effective manner.

### **Data protection impact assessment**

In accordance with the General Data Protection Regulation, if it is likely that a type of processing, especially through new technologies and considering the nature, scope, context and purposes of processing, will cause a serious risk to the rights and freedoms of individuals, SICK Mobilisis will carry out an assessment of the effect of the intended processing procedures on the protection of personal data, before the processing. A single assessment may refer to a number of similar processing operations that pose similar serious risks. When conducting an assessment of the impact on data protection, the data controller requests advice from the Data Protection Officer, i.e. the Deputy Data Protection Officer.

The assessment must contain at least:

- a systematic description of the intended processing procedures and processing purposes, including, if applicable, the legitimate interest of the controller;

- an assessment of the necessity and proportionality of processing procedures related to their purposes;
- a risk assessment for the rights and freedoms of the Data subject; and
- measures intended to control risk, which include protective measures, security measures and mechanisms for ensuring the protection of personal data and proving compliance with the General Data Protection Regulation, taking into account the rights and legitimate interests of the Data subject and other involved persons.

## Records of processing activities

In accordance with the General Data Protection Regulation, SICK Mobilisis is obliged to keep records of processing activities. These records must contain all the following information:

- the name and contact details of the controller and, if applicable, the joint controller, the controller's representative and the data protection officer;
- the purpose of processing;
- a description of the Data subject categories and personal data categories;
- categories of recipients to whom personal data has been or will be disclosed, including recipients in third countries or international organisations;
- if applicable, transfers of personal data to a third country or international organisation, including identification of that third country or international organisation and, in accordance with the conditions prescribed by the General Data Protection Regulation, documentation on appropriate protective measures;
- if possible, the deadlines for the deletion of different categories of data;
- if possible, a general description of technical and organisational security measures.

## DATA PROTECTION OFFICER

In accordance with the Data Protection Regulation, SICK Mobilisis appoints a Data Protection Officer. The role of the Data Protection Officer is to work continuously on establishing and improving a comprehensive and effective system for monitoring compliance with the General Data Protection Regulation, which is proportional to the nature, scope and complexity of data processing procedures implemented by SICK Mobilisis.

The tasks of the Data Protection Officer are to inform and advise SICK Mobilisis, processors and employees about their obligations based on the General Data Protection Regulation and other regulations on data protection, monitoring compliance with the said regulation and other regulations and the Policy of SICK Mobilisis, including the distribution of responsibilities, raising awareness and training of an employee who participates in processing procedures, to conduct related audit, to provide advice, when requested regarding the assessment of data protection impact, to cooperate with the supervisory authority and other tasks prescribed by the General Data Protection Regulation and SICK Mobilisis internal acts. The Data Protection Officer is bound by secrecy or confidentiality in the performance of his tasks.

The contact details of the Data Protection Officer of SICK Mobilisis are publicly available and the relevant supervisory authorities have been informed about them.

## WHO TO TALK TO

If the Data subject has any questions about how SICK Mobilisis uses his personal data or wishes to file a complaint about the processing of personal data, they can contact the Data Protection Officer of SICK Mobilisis d.o.o. in writing at the address 7 Varaždinska ulica – Odvojak II, 42000 Jalkovec (City of Varaždin), Croatia or at the e-mail address: [zastita-op@mobilisis.hr](mailto:zastita-op@mobilisis.hr)

Also, access to personal data or exercise of other right can be requested by filling in the form provided for this (in the appendices), which can be submitted directly to the Data Protection Officer via the above contact information.

In accordance with the General Data Protection Regulation, SICK Mobilisis will without undue delay provide the Data subject with information on the actions taken at his request, no later than within one month of receiving the request.

If necessary, this deadline can be extended by additional two months, taking into account the complexity and number of requests received. SICK Mobilisis will notify the Data subject of any such extension within one month of receiving the request, stating the reasons for the delay. If it does not act on the Data subject's request, SICK Mobilisis will inform the Data subject without delay, and no later than one month after receiving the request, of the reasons for not acting on his request and of the possibility of filing a complaint with the competent authority and seeking a legal remedy.