

APPROVED:

Engineer Vladimir Spasov - Procurator

## **Personal data protection policy at “M+S Hydraulic” PLC.**

„M+S Hydraulic” PLC., UIC 123028180, with address 68 *Kozloduy* street, town of Kazanlak 6100, municipality of Kazanlak, district of Stara Zagora, Bulgaria, VAT No. BG 123028180, phone: +359 431 65167 and e-mail address: [msh@ms-hydraulic.com](mailto:msh@ms-hydraulic.com), represented by engineer Vladimir Valentinov Spasov – Procurator, (“Administrator” or “M+S Hydraulic” PLC.), in their capacity of administrator of personal data, collects and processes certain information about physical persons. This information can refer to shareholders, job applicants, staff, visitors, contractors and other physical persons with whom the Administrator has established a connection or wants to connect in order to establish a business contact.

**For us the personal information protection is of great importance and the company puts a lot of effort in providing this protection.**

The current personal data protection policy establishes the mode of collecting, processing and storing personal data, in order to meet the standards at the Administrator’s organization and to be in conformity with the statutory requirements.

**You can directly contact our Person responsible for data protection on:**

**E-mail:** [hbojkova@ms-hydraulic.com](mailto:hbojkova@ms-hydraulic.com)

**Phone:** +359 431 60443

**address:** 6100 town of Kazanlak, 68 *Kozloduy* street

### **I. Legal grounds**

This Personal data protection Policy (“Policy”) is issued on the grounds of the General Data Protection Regulation (EU) 2016/679 (“GDPR”) and the Personal Data Protection Act and its secondary legislation acts as they modify.

The Bulgarian legislation and GDPR establish rules on how organizations, including “M+S Hydraulic” PLC., have to collect, process and store personal data. These rules are applied by the Administrator irrespective of whether the data is processed electronically, on paper or other carriers.

In order for the personal data processing to be in conformity with the statutory requirements, personal data is collected and used reasonably, is stored safely and the Administrator takes all necessary measures so that the personal data processed is not a subject of unlawful disclosure.

**The personal data Administrator is familiar with and follows the principles, stipulated by the GDPR:**

- personal data is processed lawfully, bona fide and transparently;
- personal data is collected for specific, explicitly stated and legitimate purposes and are not to be further processed in a way which contradicts these purposes;
- personal data is appropriate, related to and limited to the necessary extent in view of the ends to which it is being processed;
- personal data is accurate and if necessary is kept up-to-date;
- personal data is stored in a form allowing the identification of the persons affected and for a period which is not longer than the necessary for the ends to which this personal data is being processed;

- personal data is processed in a way guaranteeing an appropriate level of personal data safety, including protection against unpermitted or unlawful processing, as well as against accidental loss, destruction or damage, applying all appropriate technical or organizational measures;
- the personal data administrator is obliged in any moment to be able to prove the compliance with the above listed principles.

## **II. Policy aims**

This Policy aims that the Administrator:

- is in conformity with the applicable legislation concerning personal data and follows the established good practices;
- protects the rights of shareholders, job applicants, staff, clients, partners, people using the holiday homes of the company and other physical persons whose personal data they process;
- establishes mechanisms for keeping, maintaining and protecting the accounting registers;
- is transparent about the way they store and protect personal data of physical persons;
- establishes the necessary technical and organizational measures to protect personal data against unlawful processing (accidental or illegal destruction, accidental loss, unlawful access, alteration or divulging, as well and against all other illegal forms of personal data processing);
- establishes the obligations of the officials processing personal data and/or the persons having access to personal data and work under the guidance of the people processing personal data, as well as their responsibility in case failure to fulfil these obligations;
- is protected against risk of breaches.

## **III. Scope of the Policy**

This Policy is applied with regard to processing the personal data of shareholders, job applicants, staff, contractors, clients, visitors, people using the holiday homes of the company, as they have been defined in the electronic accounting registers established in accordance with this Policy, the Bulgarian legislation and article 30 of GDPR (“Registers of the processing activities”).

In the capacity of personal data administrator, “M+S Hydraulic” PLC. keeps on paper and electronic carrier the following registers:

1. Register „Job applicants“
2. Register „Staff“
3. Register „Contractors“
4. Register „Video surveillance on the territory of the company“
5. Register „People using the holiday homes of the company“

In the capacity of personal data processor of another personal data administrator, “M+S Hydraulic” PLC. keeps on paper and electronic carrier the following registers:

1. Register „Shareholders“

## **IV. Collecting personal data**

### **1. Categories of subjects**

"Personal data" is any information related to an identified physical person or a physical person who can be identified (“Data subject”) and namely:

The Administrator collects personal data with regard to the following categories of people:

- job applicants;
- staff /physical persons employed under employment or civil relation/;
- persons representing the companies with which the Administrator has business relations, or contact persons in the companies with which the Administrator has business relations;
- visitors;
- people on holiday at the holiday homes of the company;

The Person processing personal data of another Administrator collects personal data with regard to the following categories of people:

- shareholders;

## **2. Categories of personal data which is collected and processed by the Administrator/Person processing personal data:**

### **Basic identification information and contact information**

Name, address, e-mail and/or phone number, gender, date and place of birth, pictures;

### **Identification numbers, issued by public authorities or agencies**

Uniform Civil Number (UCN), personal number of foreigner (PNF), identification document number, military record number or driving license number or other license number;

### **Information about education and employment**

Type of education, qualifications, information about certain activities such as information about their experience history in a given profession, information about employment, skills and experience, military biography;

### **Medical condition and health status**

Current or previous physical or mental medical condition, health status, information about injuries or disability, carried out medical manipulations, personal habits (such as smoking or consuming alcohol), as well as medical history.

**Family identity:** information about the family status of the physical person (marriage, divorce, number of family members, including number of children under 18);

**Civil and legal status of the persons,** needed for the positions related to material liability (for instance criminal conviction certificates);

### **Medical condition and health status**

Current or previous physical or mental medical condition, health status, information about injuries or disability, carried out medical manipulations, personal habits (such as smoking or consuming alcohol), as well as medical history.

### **Other sensitive information**

In certain cases we might process sensitive information about membership in trade-unions.

### **Video surveillance (CCTV)**

On the territory of the company, a twenty-four-hour video surveillance is carried out using technical means – video cameras and video camera recorders without sound. Through these means, the legal interests of the administrator are carried out, exercising control over the access to the company with regard to the safety and the employees' life and health protection, a work process control is carried out.

The physical persons /employees and outside visitors/ are informed about the video surveillance carried out via information boards, put in a visible place and containing information identifying the personal data administrator, including their contact information. The cameras are positioned at the entrance and exit points of the gates, as well as in part of the production premises.

The video records obtained are destroyed within 30 days after being made, except in the cases when they contain data about a breach or an offense carried out. The Administrator shall not allow the use any modes of video recording, recording and others, infringing the ethical rules and offending the human dignity /such as in changing rooms, rest rooms or sanitary rooms/.

No video surveillance is carried out beyond the territory of the "M+S Hydraulic" PLC. sites. The CCTV system is not to be used for any other purposes, neither as investigation means (except in the cases of investigating incidents with the physical security such as thefts or unauthorized access). Only in exceptional cases, the pictures could be submitted to investigating bodies with relation to official disciplinary or criminal investigations. In case it is necessary to store pictures or proofs concerning a security incident, the same can be kept until the need for that has ceased to exist.

### **3. Purposes of data collection**

The Administrator collects personal data with regard to the fulfillment of the following purposes:

1. To carry out activities related to concluding, existence, alteration and termination of contractual relationships /employment, civil and business/, including for:
  - Drawing up all kinds of documents;
  - Contacting the person by phone, fax or any other lawful way;
  - Fulfilling and protecting the legitimate interests of “M+S Hydraulic” PLC. - the video surveillance is carried out in order to exercise control over the access to the company with regard to the safety and the employees’ life and health protection, the organization of the work process, as well as providing and observing safe and healthy working conditions;
  - For delivery and/or acceptance of goods/services, for communication related to providing and/or receiving goods/services, as well as for providing the client’s service related to them;
  - For record-keeping in relation to the implementation of contracts under which the Administrator is a party;
  - For processing payments in relation to the contracts concluded by the Administrator;
  - For sending important information to the subjects regarding changes in the rules, conditions and policies of the Administrator and/or another administrative information;

### **4. Reason for collecting data**

The personal data of each person is provided voluntarily and in person by the persons themselves and is collected by the Administrator in fulfilling a legal obligation in relation to concluding a contract and/or fulfilling the obligations under an already concluded contract according to the regulations of the Labour Code, the Obligations and Contracts Act, the Social Insurance Code, the Public Offering of Securities Act, the Commerce Act, the Accountancy Act, the Obligations and Contracts Act, the Value Added Tax Act and others through: paper carrier – written documents (including contracts /employment, civil and trade/, power of attorney, distress notices, bank information and others), via e-mail – provided with relation to the implementation of a trade contract.

The persons are informed about the regulations of this Policy in advance or upon receiving their data.

The data processing is carried out also on the grounds of Administrator’s legal interest /for the admission regime and video surveillance/ in applying and carrying out the normative requirements of the local and European legislation;

## **V. Rights of the persons whose data is processed by the Administrator**

### **1. Transparency and conditions for exercising persons’ rights**

The Administrator provides information to the persons in short, comprehensible and easily accessible, form using plain and clear language.

The Administrator tries to guarantee that the persons are informed about the personal data processed by him/her, as well as that the persons completely and fully understand and have been informed with regard to the processing of personal data in accordance with the requirements of GDPR and the Bulgarian legislation.

The Administrator provides information to the persons in writing or in another way including, where appropriate, by electronic means. In case a person has requested so, the information can be provided by word of mouth in case the identity of the person has been proved by other means.

The Administrator provides the persons free information about the actions undertaken with regard to a request concerning their right of access, correcting, deleting, limiting the processing, portability, objection and automated decision-making, without any unnecessary delay and in all cases within one month after receiving the request.

If necessary, this term could be extended by another two months considering the complexity and the number of requests. The Administrator informs the person about any such extension within one month after receiving the request, indicating the reasons for the delay. When the respective person submits a request using electronic means, if possible, the information is provided via electronic means, unless the person has requested otherwise.

In case the Administrator fails to undertake any actions under the request, the same is to inform the person with no delay and latest within one month after receiving the request, about the reasons for failing to undertake any actions and about the possibility to file a complaint with a supervisory body and ask for defense by order of the court.

In case a person's requests are obviously unjustified or exaggerated, in particular due to their repetitiveness, the Administrator can either:

- impose a reasonable fee considering the administrative expense for providing the information or the communication or undertaking the requested activities, or
- refuse to undertake any activities under the request.

## **2. The right to access of the persons**

Every person has the right to receive from the Administrator a confirmation whether personal data related to them is being processed and if this is the case, to gain access to the data and the following information:

- the purposes of processing;
- the respective categories of personal data which is processed;
- the recipients or the categories of recipients to whom the personal data is or will be disclosed (including in third countries or international organizations);
- when possible, the expected period of keeping the data and if this is not possible, the criteria used to determine this period;
- the existence of the right to request from the Administrator correcting or deleting of personal data or limiting the processing of personal data related to the affected persons, or to file an objection against such processing;
- the right of complaint with the Commission for personal data protection;
- in the cases the personal data is not collected from the persons themselves, any available information about its source;
- the existence of automated decision-making, including profiling and at least in these cases significant information about the logics used, as well as the meaning and the expected consequences from such processing for the persons.

The Administrator is to provide the person with a copy of the personal data which is being processed. When the person is filing a request using electronic devices, if possible the information is to be provided in a widely used electronic form, except in case the person has requested otherwise.

Data subjects have the right of access, the right to correct and express disagreement regarding a disclosure or to ask for their personal data to be deleted or hidden for certain reasons. They need to contact the person, who is the official responsible for personal data with regard to such requests or if they have any questions or worries as of the way in which their personal data is being processed and/or disclosed. Please, bear in mind that some personal data may not be subject to a right of access, corrections, objections, deletion or hiding according to the local legislation on confidentiality and data protection.

## **3. The right to correction**

Every person whose data is processed by the Administrator has the right to request from the Administrator to correct without unnecessary delay any inaccurate personal data related to them. Considering the aims of processing, the person has the right to have their incomplete personal data completed.

#### **4. The right to deleting (right „to be forgotten“)**

Every person whose data is processed by the Administrator has the right to request from the Administrator to delete all data related to them without unnecessary delay, and it is the Administrator's obligation to delete without unnecessary delay the personal data when:

- The personal data is no longer needed for the purposes to which it has been collected or processed in another way;
- The person has withdrawn their consent, on which data processing is based, and there is no other legal grounds for the processing;
- The person has objected to the processing and there are no legal reasons for the processing having priority;
- The personal data has been processed in an unlawful way;
- The personal data has to be deleted for the purpose of keeping a statutory obligation, which is applied in relation to the administrator;

In case the Administrator has made the personal data public and in accordance with the previous paragraph is obliged to delete that personal data, they, considering the available technology and the expenses for the realization, is to take reasonable steps, including technical measures, in order to inform the administrators processing the respective personal data that the person affected has requested that these administrators would delete all links, copies and replicas of their personal data.

We would like to inform you that there are hypotheses which give us a reason to refuse to delete your personal data.

#### **5. The right to restrict processing**

Every person whose data is processed by the Administrator has the right to request from the Administrator to restrict processing in case one of the following applies:

- the accuracy of personal data is disputed by the person for a period of time which allows the Administrator to check the accuracy of personal data;
- the processing is unlawful but the data subject does not wish for their personal data to be deleted and instead requests that its use is restricted;
- the Administrator no longer needs the personal data for the purposes of processing, but the data subject requests it for establishing, exercising or protecting legal claims;
- the data subject has objected to processing in expectation of finding out whether the Administrator's legal grounds have a priority over the interests of the data subject.

In the cases when the processing is restricted in accordance with the above paragraph, such data is processed, except for its storing, only with the consent of the data subject or in order to establish, exercise or protect legal claims, or to protect the rights of another physical person, or because of important reasons of public interest.

In the cases when the data subject has requested to restrict processing, the Administrator is to inform them before the withdrawal of the processing restriction.

#### **6. The right to data portability**

The data subject has the right to receive the personal data which concerns them and which they have provided to the Administrator in a structured, widely used and suitable for machine reading format, and also has the right to transfer this data to another administrator without any hindrances whatsoever on the part of the Administrator, in the cases when the processing is based on consent in relation to certain aims or on a contractual obligation of the subject, or on taking steps before concluding a contract and the processing is done in an automated way.

In exercising their right to portability, the data subject has the right to receive a direct transfer of their personal data from one administrator to another, whenever that is technically feasible.

#### **7. The right to objection**

The data subject has the right, at any time and for reasons related to their specific situation, to object against the processing of data related to them (when the processing is needed for carrying

out a task of public interest or exercising official powers of the Administrator, or the processing is for the purposes of the legitimate interests of the Administrator or of a third party), including profiling. The Administrator is to stop the personal data processing, unless he/she is able to prove the existence of convincing legal grounds for the processing which would have a priority over the interests, rights and liberties of the data subject, or for establishing, exercising or protection of legal claims.

Latest at the moment of the first contact established with the data subject, they are to be explicitly informed as of the existence of the rights under the preceding paragraphs, which is to be presented to them in a clear way and apart from any other information.

#### **8. The right to a complaint:**

The persons have the right to file a complaint about the processing of their personal data to the Commission for personal data protection which is the competent public authority.

If the persons, whose data is being processed, have any questions concerning the processing of their personal data, they can address these to the **Person responsible for personal data protection** on the following phone: +359 431 60 443 or e-mail address: [hbojkova@ms-hydraulic.com](mailto:hbojkova@ms-hydraulic.com).

### **VI. Technical and organizational measures for personal data protection**

The protection of data on a paper copy, as well as on electronic carrier from unlawful access, damage, loss or destroying, is carried out by means of a series of internally regulated technical and organizational measures.

These measures aim to ensure a continuous protection and inviolability of Personal data.

### **VII. Personal data transfer**

The Administrator does not and will not carry out any personal data transfer to other countries.

### **VIII. Obligations of the officials processing personal data**

This Policy establishes the obligations of the officials processing personal data and/or the persons having access to personal data and work under the guidance of the people processing personal data, as well as their liability in case of failing to fulfil these obligations.

Only those employees have access to the Personal data, processed by “M+S Hydraulic” PLC., who need such access in order to fulfil the above identified aims or for whom the law requires so.

#### **1. Obligation**

The officials processing personal data and/or the persons having access to personal data and work under the guidance of the people processing personal data are obliged to:

- observe and follow this Policy, the Internal rules for technical and organizational measures and the admissible type of personal data protection at “M+S Hydraulic” PLC., as well as the internal procedures, related to personal data protection;
- to process personal data in good faith and in a responsible way within their authority and observing the legal requirements;
- not to allow data's accidental loss, unlawful modification, disclosure, access and/or damage or copying;
- the officials shall not have the right to divulge information about personal data, which has come to their knowledge in carrying out their official duties.

#### **2. Liability**

The officials processing personal data and/or the persons having access to personal data and work under the guidance of the people processing personal data shall bear disciplinary, material and administrative responsibility in case they fail to fulfil their obligations.

## **IX. Breaches. Notifying in case of breaches**

### **1. Breaches**

At “M+S Hydraulic” PLC. there is established an Internal notification procedure in case of breach of personal data security.

A breach of data security arises when the personal data, for which “M+S Hydraulic” PLC. is responsible, is affected by security incident as a result of which personal data confidentiality, availability and integrity are broken. In this sense, a breach of data occurs when there is a security breach leading to accidental or unlawful destruction, loss, alteration, unregulated disclosure of data which is transferred, stored or processed in another way.

### **2. Assessment and order of notification about breaches**

After the respective employee of “M+S Hydraulic” PLC., receives information about a breach carried out, they are to determine whether the specific event represents a personal data breach and is to inform the procurator about the event.

In case of personal data security breach, which is likely to put at risk the rights and liberties of physical persons, the Administrator (through the respective employee), without unnecessary delay and whenever this is realizable – no later than 72 hours after this has come to their knowledge, is to notify the Commission for Personal Data Protection about the breach.

When and as far as it is not possible for the information to be submitted simultaneously, the information is to be submitted stage-by-stage without further unnecessary delay.

In case the personal data security breach is likely to put at high risk the rights and liberties of physical persons, the Administrator without unnecessary delay, is to inform the data subject about the breach.

The Administrator documents each personal data security breach, including the facts related to the breach, its consequences and the measures taken to fix it.

## **X. Storing and destroying**

All collected information carriers containing personal data, are to be destroyed after they have served the purpose they have been collected for.

Employment, accounting and commercial information, as well as all other references and documents which are important for taxation and the compulsory security contributions subject to storing, are to be stored by the Administrator within the following terms:

- applications to start work – up to 2 years after consent has been obtained if there is a suitable position available;

1	Register to enter documents – certificates, job descriptions	2
2	certificates	
3	References from the National Revenue Agency – about dismissed, appointed and reappointed employees	50
4	Book for storing the files of retired workers and employees УП2, УП3	10
5	Book for recording Labour Contract	1
6	Book for recording Termination Order	1
7	Book for recording Additional Agreements	1

8	Register for issuing employment records	50
9	Special book for used annual leave under article 167 a of the Labour Code	50
10	Employment records of all workers and employees /including dismissed/	50
11	Pay-roll sheets until 2016 inclusive	50
12	Book for issuing Sign numbers	50
13	Sick notes	3

- applications for holiday, holiday vouchers and register of accommodated tourists – 5 years;
- accounting registers and financial statements – 10 years;
- tax-insurance control documents – 10 years after the expiration of the prescription period for liquidation of the public obligation they refer to;
- video recordings – 30 days after they have been made;
- commercial agreement and invoices – 10 years;
- documentation under European programs and projects – 10 years;
- register of shareholders, deposit receipts, certificates of inheritance, letters of attorney, dividends registers – 5 years;

According to the Archives activity instruction at “M+S Hydraulic” PLC., after the expiry of their term of storage, all information carriers (paper or technical ones), are destroyed.

After they have served their purpose and after the termination of the term of storage, the data is destroyed as fast as possible by means of destroying the paper carriers only using a special device (shredder). These documents are destroyed through cutting, for which a protocol is drawn up by a committee appointed by the Procurator with an order.

The data from the technical carrier is destroyed through writing off and deleting of all respective files from the computers of the Company.

### **Additional regulations**

In the sense of this Policy:

§ 1. "Personal data administrator" is “M+S Hydraulic” PLC., with UIC: 123028180, and the activities on behalf of the administrator are carried out by eng. Vladimir Spasov – Procurator.

§ 2. „Processing" means any operation or a combination of operations carried out with personal data or set of personal data through automatic or other means such as collecting, recording, organizing, structuring, storing, adapting or altering, extracting, consulting, using, disclosing through transferring, divulging or any other way in which the data may become available, ordering or combining, limiting, deleting or destroying;

§ 3. This Policy is subject to ratification and being introduced to the persons it concerns by means of an order of the procurator / of the Administrator.

§ 4. The updating of this Policy is to be done in the order of its acceptance.

The personal data protection policy has been ratified by the Procurator and is to come into effect on **25.05.2018**.