DATA PROTECTION POLICY

OF

TRANSPARENCY INTERNATIONAL BULGARIA

Transparency International-Bulgaria is a non-profit Association for public benefit activities pursuant to Chapter Three of the Non-profit Legal Entities Act, registered in the Non-profit Legal Entities Register with number 121752288. Address and seat of the Association: 22, Alexander Stamboliyski bulv, Floor 2, Sofia municipality, Republic of Bulgaria, phone: +359 876 610 013, e-mail: mbox@transparency.bg, web page: http://transparency.bg/bg/.

Transparency International-Bulgaria coordinates and organizes the efforts of state institutions, local authorities, the private sector and the media to carry out systemic reforms and specific actions curbing corruption in the country. It mobilizes civil society and business structures as well as representatives of governmental and academic circles in their effort to reduce corruption on national, regional and international level.

In order to meet its aims and goals Transparency International-Bulgaria systematically collects, presents and disseminates analytical information among state institutions, businesses, civic organizations and the media. It develops, tests and implements a variety of citizens' initiatives and projects aimed at reducing corruption.

I. Aims and objectives of the data protection policy

Transparency International-Bulgaria hereby takes into account the integrity of the individual and takes the applicable actions to protect against unauthorized processing of personal data. In accordance with current European and national legislation and good practices, Transparency International Bulgaria implements the provisioned organizational and technical measures for the protection of personal data.

Under this Data Protection Policy, Transparency International Bulgaria aims to inform all persons of interest of the purposes of processing personal data, the grounds for its processing, the categories of recipients to which the data may be disclosed, the consequences of refusal to provide it, as well as information on the rights of the data subjects according to Regulation (EU) 2016/679 and the Personal Data Protection Act (PDPA).

II. Personal data, processed by Transparency International Bulgaria

Transparency International-Bulgaria as a data controller, processes personal data structured in separate registers as follows:

Personnel Register (including sub-registers ‘experts’ and ‘trainees’) – personal data is processed for the purposes of human resource management. It comprises data of job applicants, employees of the Association, and individual sub-contractors. Processed data categories comprise data of physical, social, marital and economic status and identity as well as individual health. The use of personal data is intended to meet the ensuing legal obligations in relation to the legal relationships of individuals and to achieve financial accountability.

Personal data is not reused for incompatible purposes. Data processing is limited to the purposes for which the data is collected and in accordance with labour and fiscal legislation.

„ALAC" Register – personal data is processed for the purpose of managing and providing legal assistance / advice from the ALAC (Centre for Legal Advice to Victims of Corruption). Data comprises of the individuals who have been assisted by the Centre. Data categories to be processed comprise name, phone and email address of each individual. Personal data is not reused for incompatible purposes. Data processing is limited to the purposes for which the data has been collected, as well as the purpose of archiving in the public interest and for statistical purposes.

'Volunteers/Observers' Register – personal data is processed for the purpose of creating, sustaining, and tracking a register of volunteers / observers, as a part of the efforts to increase transparency and integrity in the electoral process, to better inform Bulgarian citizens, advocacy campaigns and campaigns related to the implementation of reforms and taking measures against the propagation of corruption. Data categories to be processed comprise data regarding the address, personal identification data, PIN, address, telephone and email address of the individuals. Personal data is not reused for incompatible purposes. Data processing is limited to the purposes for which the data has been collected, as well as the purpose of archiving in the public interest and for statistical purposes.

Transparency International-Bulgaria processes personal data provided personally by the data subjects in relation to complying with a legal obligation of the controller.

Transparency International-Bulgaria processes personal data provided directly by the data subjects, in the case that the data subjects have agreed upon their personal data being processed for one or more specific purposes, when data processing is required by contract or for the purpose of the controller's legitimate interests.

The Association also processes personal data that is not obtained from the data subject to whom it relates but is provided by a third party in accordance with the performance of a specific contractual obligation for the implementation and management of program and project grants, or for the performance other contractual obligations.

Under such circumstances, the individual providing the data to the Association is obliged to:

- to provide the data subject with information about the controller – the Association
- to notify the subject of personal data about the purposes, the categories of data provided and the categories of recipients of such data;
- to provide information about the right of access and the rectification of personal data by the data subject.

According to the specific activity or the regulatory requirements, the following categories of personal data are processed by Transparency International Bulgaria. Such data relates to:

- physical identity: name, PIN, ID card data, place of birth, address, telephone, e-mail;

- social identity: education, qualification, legal capacity, occupation, employment – internship and professional biography, citizenship, participation in governing bodies of legal entities;
- economic identity – bank account number (IBAN);

In compliance with legal obligations, Transparency International Bulgaria collects data on physical and economic identity.

According to the specific contractual provisions incorporated in the funding of a project / program, and with the explicit consent of the individual, information related to meeting specific provisions for their inclusion (education, belonging to a vulnerable group, ethnicity) may be required.

Transparency International Bulgaria documents and reveals information about the type of personal data it collects and processes for the various funding programs.

III. Personal data processing

Transparency International Bulgaria processes personal data as a personal data controller through a set of actions that can be performed on personal data by automated or non-automated means such as collecting, recording, organizing, storing, adapting or rectification, using, consultation, blocking, erasure and destruction, in accordance with the following principles:

- lawfulness and proportionality of the processing of personal data;
- timeliness of the processing of personal data;

Transparency International Bulgaria handles personal data either independently or by assigning the processing of personal data.

As a result of the analysis and in accordance with the requirements of EU Regulation 2016/679 Transparency International Bulgaria:

- It is not a public body or a local self-government body;
- Does not perform systematic and large-scale monitoring of data subjects;
- Does not perform large-scale processing of special (sensitive) personal data;

IV. Purpose of personal data processing

The purpose of personal data processing is to uniquely identify the natural persons, current and future employees of Transparency International Bulgaria, its contractors, beneficiaries of grant contracts, guests and participants in events that have been carried out in connection with the implementation of the activities of Transparency International Bulgaria.

Personal data processing results from:

1. The execution of statutory obligations of the data controller resulting from the specific provisions of the legislation regulating financial accounting, pension, health and social security activities, human resources management activity;

2. The implementation of a contract, to which the data subject is a party, or steps taken at the request of the data subject prior to the conclusion of a contract;

3. Performing Transparency International-Bulgaria activities for one or more specific purposes with the consent of the data subject;

4. The purposes of the legitimate interests of the controller or a third party with the consent of the data subject.

V. **Refusal to provide personal data**

Exclusive consent of individuals whose data is processed is not necessary if the controller has another legal premise for processing the personal data. Such premises are a statutory obligation in relation to the requirements of labour, tax and social security legislation, the Obligations and Contracts Act, the Accountancy Act, the Measures against Money Laundering Act, the Measures against the Financing of Terrorism Act, etc.

In the event of a refusal to voluntarily provide the requested personal data, Transparency International Bulgaria will not be able to meet its statutory or contractual obligations with a beneficiary on a grant or grant program implemented by Transparency International Bulgaria.

V. **Disclosure of personal data**

As a personal data controller Transparency International Bulgaria has the right to disclose the processed personal data only to the following categories of persons:

- individuals to whom the data relates;
- persons for whom the right of access is legally established;
- persons for whom the obligation arises from a contract.
- for postal and courier services when addressing correspondence to individuals;

VII. **Data retention period**

Documents relating to employment relationships are retained for a 50-year retention period. Accounting records and financial statements, including tax audit, audit and subsequent financial inspection documents, are retained for a 10-year retention period after the end of the respective program.

VIII. **Rights of data subjects**

Individuals whose personal data is processed have the following rights:

- The right to be informed of the data that identifies the controller, the purposes of the processing of personal data, the recipients or the categories of recipients to which the data may be disclosed, the mandatory or voluntary nature of the provision of personal data and the consequences of refusing to provide them.
- Right of access to data relating to said individuals. In cases where disclosing personal data to the data subject threatens disclosure of the data of a third party data subject, the controller is required to provide partial access to the data subject without disclosing data about the third party.
- Right to correct or supplement inaccurate or incomplete personal data.
- Right to erasure of personal data, the processing of which does not meet the statutory requirements or with an expired legal obligation (expired retention period, withdrawn consent, accomplished original purpose for which the data was collected, etc.), as well as the right to request the notification of third parties to whom the person's personal details have been disclosed of any erasure, ratification or blocking that has been committed, except where this is impracticable or involves excessive effort.
- Right of objection to the controller against the processing and / or disclosure of personal data of the subject, provided there is a legal basis for that.
- The right to be informed before the subject's personal data is disclosed to third parties if there is a legitimate reason for doing so.
- Right of defence before the CPDP or in court.

IX. **Exertion of rights**

Individuals exercise their rights by filing a written request to Transparency International Bulgaria containing at least the following information:

1. Name, address and other identification data for the individual concerned;

2. Request outlines;

3. Preferred method of providing information;

4. Signature, date of filing the request, and address for correspondence;

The entire procedure for exercising the rights of an individual with regard to their personal data is free of charge to the individual.

Upon filing the request, an authorized person is required to present a notarized Power of Attorney in order to avoid data abuse.

The controller shall consider and pass judgement on the request within one month from the date of the request's filing. This period can be extended by further two months, having regard to the complexity and the number of requests.

Transparency International-Bulgaria shall prepare a written response and rely it to the applicant personally – in exchange of signature or by post / courier with acknowledgement of receipt, taking into account the method of communication requested by the applicant.

If the requested data does not exist, the provision of such data is prohibited by law or by other regulatory limitations, the applicant is denied access to them.

If Transparency International-Bulgaria does not respond to the request within the specified period, the petitioner shall be entitled to exercise their right of defence before the competent authorities.