

DATA PROTECTION AND PRIVACY POLICY OF PERSONAL DATA PROCESSED BY "DUNAV TOURS CRUISES" EAD

The Shareholding Company "DUNAV TOURS CRUISES" EAD /"Dunav Tours Cruises" or "the Controller"/ is a trading company registered in the Commercial Register at the Registry Agency with UIC: 204381141, having its registered offices and address of management at 5, Olimpi Panov Str., Town of Ruse, Tel.: +359 82 82 50 51; e-mail: office@dunavtours.bg and Website: <http://www.dunavtours.bg/>.

Dunav Tours Cruises EAD runs its business in the field of cruise ships operation and maintenance; organization and carrying out of river cruises and related activities, such as: transport of passengers, hotel and restaurant management, sale of imported and domestic goods, tour operator and tour agency, recruitment and training of personnel involved in the Company's activities, as well as any other activity not prohibited by law.

Dunav Tours Cruises EAD is a Personal Data Controller within the meaning of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons 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), (OJ L119 / 1 of 4 May 2016) and the Law on Personal Data Protection.

Individuals may contact the designated Data Protection Officer both in its capacity as a Controller and on the grounds of Article 37 (1) (b) and (c), at dpo@uniongroup.bg and at the following address: City of Sofia, 30-32, Tottleben Blvd..

I. POLICY PURPOSE AND SCOPE

Art. 1. This Privacy and Personal Data Protection Policy aims at achieving easily accessible and transparent information about the Data Subjects whose Personal Data are processed by Dunav Tours Cruises. Taking into account the privacy of the personality and the nature of the Personal Data processed, the Controller endeavours to protect them against any unauthorized processing and takes technical and organizational measures for their protection in accordance with the law and the best practices.

Art. 2. Dunav Tours Cruises, with this Privacy and Data Protection Policy, aims at notifying the Data Subjects on the purposes of Personal Data processing, the Recipients or the Categories of Recipients to whom such data may be disclosed, the provision of data on a mandatory or on a voluntary basis, as well as the consequences of any refusal to be provided; information on the rights and the manner of their implementation, as required by Article 13 and Article 14 of the General Data Protection Regulation.

II. COMMONLY USED TERMS AND DEFINITIONS

Art. 3. For the purposes of this Policy:

1. **'Personal Data'** means any information relating to an identified or an identifiable natural person /"Data Subject"/; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, a registration number, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, mental, economic, cultural or social identity of that natural person.

2. **'Processing of Personal Data'** means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated or other means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction,

erasure or destruction.

3. **'Consent of the Data Subject'** means any freely given, specific, informed and unambiguous indication of the Data Subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of Personal Data relating to him or her;

4. **'Controller of Personal Data'** means the natural person or legal entity, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of Personal Data ;

5. **'Personal Data processor'** means a natural person or legal entity, public authority, agency or other body which processes Personal Data on behalf of Dunav Tours Cruises.

6. **'Recipient'** means a natural person or legal entity, public authority, agency or another body, to which the Personal Data are disclosed, whether a third party or not; where a third party is an administrator or processor of Personal Data and persons who, under the direct authority of the Controller or the Personal Data Processor, have the right to process Personal Data;

7. **'Data concerning health'** means Personal Data related to the physical or mental health of a natural person.

III. PERSONAL DATA PROCESSED BY DUNAV TOURS CRUISES

Dunav Tours Cruises, as a Personal Data Controller, shall process Categories of Personal Data structured in registers kept by a Data Protection Officer in accordance with the requirements of the General Data Protection Regulation.

(2) Dunav Tours Cruises shall process any Personal Data provided by the natural persons, to whom the data refer, also for the purpose of providing river cruises services and related activities, such as: transport of passengers, hotel and restaurant management, as well as tour operator and tour agency; as well as Human Resource management, including recruitment and training of personnel involved in the Company's activities.

(3) Dunav Tours Cruises shall also process Personal Data that are not received by the natural person to whom they refer but that are provided by a third party mainly under the conditions of organizing the service as a Joint Controller.

(4) In all cases under para. 3, the party that shall have provided the Controller with such data, shall notify the Data Subject s of:

1. the Controller's details – Dunav Tours Cruises and its Data Protection Officer;
2. the general purposes and justification, the categories of data provided and the Categories of Recipients of such data, including Dunav Tours Cruises in its capacity as the Recipient and the term and/or the criteria for defining the storage period;
3. the right to access, to rectify or to erase, the right to restrict, the right to object and the right to portability of its Personal Data .
4. the right to appeal to a supervisory authority;
5. the source of the data;
6. the right to withdraw its consent if the data is processed on the basis of the Data Subject 's consent.

Art. 5. Where data on a minor and/or a person with restrictions on the exercise of his or her rights shall be processed (for example: under guardianship conditions), such data shall be collected under the rules of legitimate representation, as the case may be.

Art. 6. (1) Differentiated by the specific purpose, examples of Categories of Personal Data being processed by Dunav Tours Cruises shall be any data related to:

1. the physical identification - name, personal ID, passport data, address,

telephone, e-mail, etc. as a visual identity;

2. social identification – citizenship
3. Personal Data concerning health

(2) For the purposes of Human Resource Management, the following categories of data may also be processed in addition to the data under para. 1:

1. cultural identification – hobbies and other at the discretion of the subject;
2. social identity – education, employment, place of work, occupation / job;
3. family identity – marital status, kinship where there is a requirement to establish a conflict of interest;
4. Other, provided at the discretion of the Data Subject.

Art. 7. The Controller shall, in determining the Personal Data of the different categories, be guided by the need-to-know principle for the particular purpose for which it is collected.

IV. PROCESSING OF PERSONAL DATA

8. Dunav Tours Cruises shall, as a Personal Data Controller, process Personal Data using a set of operations that can be performed with regard to Personal Data, whether or not by automated or other means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction, in accordance with the following principles:

1. lawfulness, good faith and transparency;
2. relevance of the processing of Personal Data ;
3. proportionality and minimization of data;
4. accuracy/ up-to-date of the processed Personal Data ;
5. restriction of storage;
6. integrity and confidentiality of the processed Personal Data .

Art. 9. The Controller shall process the Personal Data either individually or by assignment to data processors, defining the purposes and the scope of the functions, assigned by the Controller to the data Processor, subject to the relevant legal basis, as required by the General Data Protection Regulation.

Art. 10. Dunav Tours Cruises shall also process Personal Data with other Controllers under the terms of a 'Joint Controller'. For these cases, Dunav Tours Cruises has disclosed and made this Policy available to the Data Subjects that constitutes the information under Article 13 and Article 14 of the General Data Protection Regulation on the Controller's website: <http://www.dunavtours.bg/>, by enabling Data Subjects to access it at the time of their first contact with any employees of Dunav Tours Cruises.

V. PURPOSE OF PROCESSING PERSONAL DATA

(1) The purpose of processing Personal Data is to uniquely identify the natural persons, present and future clients of Dunav Tours Cruises for the purpose of carrying out the scope of activities of the Company, namely: cruise ships operation and maintenance; organization and carrying out of river cruises and related activities, such as: transport of passengers, hotel and restaurant management, sale of imported and domestic goods, tour operator and tour agency, recruitment and training of personnel involved in the Company's activities, as well as any other activity not prohibited by law.

(2) The Controller shall process Personal Data for the purposes of financial accounting, pension, health and social security activities, human resources management,

as well as for the purposes of applying any customs and crossing regimes related to the specifics of the activity of Dunav Tours Cruises.

Art. 12 (1) Most often data shall be processed on the grounds of the **performance of a contract** to which the Data Subject shall be a party or to take steps upon request by the Data Subject prior to the conclusion of a contract.

(2) The Controller shall process Personal Data, including disclose such data also in compliance with any **statutory obligations** of the Controller of Personal Data arising from the specifics of the requirements of the relevant legislation

(3) The Controller may process Personal Data on another legitimate basis, including a consent of the Data Subject, by taking the necessary measures in order to implement all principles associated with the processing of Personal Data.

(4) The Controller shall have no automated decision making, including no profiling within the meaning of Article 22 of the General Data Protection Regulation.

13. The Controller shall, where Personal Data are processed for any purposes other than those specified in this Policy, except in the case of an existing consent or regulatory basis, ensure that the processing for any other purposes shall be consistent with the original purpose, taking into account :

1. The links between objectives;
2. The context/ justification on the basis of which Personal Data have been collected;
3. The nature/character of the data;
4. Any possible consequence for the Data Subject as a result of the intended further processing;
5. Existence of appropriate warranties.

Art. 14. Dunav Tours Cruises shall, depending on the particular service, process the Personal Data of the individuals – users of the ‘Organization and carrying out river cruises and related activities’ Service, such as: transport of passengers, hotel and restaurant management, under the terms of the provisions, in accordance with Art. 9 para. 2 of the General Data Protection Regulation, but mainly for the purpose of any preventive measures with regard to the health of the Data Subjects, such as: established allergies of the individuals for a healthy and adequate nourishing; disability of an user of the service, for the purpose of adequate hotel service, such as accommodation in an accessible environment, escort, etc.

VI. DEADLINE FOR TREATMENT OF PERSONAL DATA

Art. 15 (1) Dunav Tours Cruises shall process Personal Data in a differentiated way, generally by applying the statutory limitation period of 5 years; as in the case of processing any Personal Data forming part of any accounting and tax records in accordance with the Law on Accountancy and with the Tax and Social Security Procedure Code, the following differentiated deadlines shall apply:

1. Personal Data, forming part of documents related to payrolls, shall be processed for 50 years in accordance with the Law on Accountancy;
2. Personal Data, forming part of accounting registers and financial statements, including any documents of fiscal control, audit and subsequent financial inspection – 10 years from 1 January of the accounting period following the reporting period to which they refer;
3. All other bearers of accounting information – three years from 1 January of the reporting period following the reporting period to which they refer.
4. Personal Data, forming part of any documents for tax and social security control – 5 years after the expiry of the limitation period for repayment of the public liabilities to

which they refer;

5. Any other documents – 5 years.

(2) In specifying the terms under para. 1, the good practices established in the scope of activity of the Controller, the requirements of the relevant laws, as well as the customs of inland waterway transport shall be used as criteria.

VII. CONSEQUENCES FOR NOT PROVIDING PERSONAL DATA

Art. 16 (1) Express consent of the natural persons whose data shall be processed **is not always necessary** if the Controller has another legal basis for the processing of Personal Data – for example, a statutory obligation and/or in performance of a contract.

(2) In accordance with the preceding paragraph, where Personal Data shall be processed on the basis of consent of the Data Subject, the latter may be withdrawn at any time if this is without prejudice to the lawfulness of the processing. Withdrawal of consent shall not affect the lawfulness of consent-based processing prior to its withdrawal.

Art. 17 (1) Personal Data required by the personnel of Dunav Tours Cruises shall be consistent with the services offered, which nature shall be on a mandatory and voluntary basis.

(2) In the case of not providing Personal Data of mandatory nature on a voluntary basis, for example: the name of the user of the service, Dunav Tours Cruises shall not be able to provide their services in good faith and accurately.

(3) In the case of providing Personal Data of a voluntary nature by the Data Subject, the Controller shall consider that, subject to the information available in this Policy, and subject to the principle of transparency, the individual shall have made an informed decision, as with the act of granting it shall have provided its specific, clear and voluntary consent.

Art. 18. Where the Data Subject shall not give his or her voluntary consent and the Personal Data refer to the health of the natural person, the Controller shall not be held responsible for any potential negative consequences of such decision, whether with respect to this person or to any other third party.

VIII. PUBLICATION OF PERSONAL DATA

Dunav Tours Cruises, as the Personal Data Controller, shall have the right to disclose any Personal Data subject to processing only to the following exhaustively listed Categories of Recipients:

1. Any natural persons to whom the data refer;
2. Any persons for whom the right to access is provided in a normative act
3. Any persons to protect the life and the health of the Data Subject;
4. Any persons for whom the right arises under a contract, including co-Controllers and Personal Data processors.

(2) Dunav Tours Cruises shall transfer any Personal Data to any third party in the provision of a 'Carrying out river cruises' Service, as the Recipients of these data shall be mainly customs authorities and/or representatives of the port administration and/or any other local government or municipal authorities vested with the control over the management of ports, inland waterways, customs etc.

Art. 20. With regard to any state competencies and their sovereignty in any third countries, under the stipulations of Art. 19, para. 2, Data Subjects, through this Policy, take note that in its capacity as a private organization, the Controller shall have no authority and shall be restricted in assessing the level of protection and any applicable

warranties.

Art. 21. Personal Data of any users of services provided by Dunav Tours Cruises, subject to processing, may be provided to other commercial companies – data controllers under the stipulations of Art. 19, para. 1, item 4 with reference to the implementation of any specific job, jointly or by instruction and on behalf of Dunav Tours Cruises – under the terms of a co-Controller or in compliance with the minimum requirements for the arrangement and control of the Personal Data Processors (for example: tour operator, agency, accounting and legal services, records keeping, etc.).

IX. RIGHTS FOR DATA SUBJECTS

Data Subjects have the following rights with regard to their Personal Data subject to processing:

1. The **right to be informed** about any data that identify the Controller, its Representative and Data Protection Officer, the purposes, the justifications and the term of Personal Data processing, the Recipients or the Categories of Recipients to whom the Data may be disclosed, the mandatory or voluntary nature of the data provision and the consequences for non-providing them, as well as the rights of the Data Subjects, etc. under Article 13 and Article 14 of the General Data Protection Regulation;

2. The **right to access** to any data relating to them – upon request – the Data Subject may receive information on the processing, his or her rights, and a copy of his or her Personal Data that shall be subject to processing. In cases where, when granting the right to access, any Personal Data of any third party may also be disclosed, the Controller shall be required to provide partial access to such data without disclosing any third party's data;

3. The **right to have inaccurate personal data rectified**, or completed if it is incomplete;

4. The **right to erasure (to be forgotten)** when Personal Data are no longer necessary in relation to the purpose for which it was collected or processed; withdrawal of consent grounds to continue processing; objection to the processing; under Article 21 of the General Data Protection Regulation, processing is no legitimate and/or erasure is intended to comply with a legal obligation. The right to be forgotten shall not be applicable where the Controller complies with a legal obligation or for the performance of a task of public interest; for the exercise or defence of legal claims of the Controller, for purposes relating to public health, archiving in the public interest, scientific/historic research or statistics, and for the purpose of establishing, exercising or protecting legal claims.

5. The **right to restrict processing** – the right applies when the accuracy of the data is contested; processing is unlawful, but the individual does not wish to be deleted by the Controller, but only to restrict their use; The Controller no longer needs the data for the purposes of processing, but the individual require it to establish, exercise or protect legal claims; there is an objection to the processing under Art. 21 para. 1 of the General Data Protection Regulation and verification of the legitimate grounds and interests of the individual is expected. Where this right is exercised, such data shall be processed, except in the case of its storage, on the grounds of the consent of the individual or to establish, exercise or protect any legal claims or to protect the rights of another individual or for important reasons of public interest .

6. The **right to data portability** – the right is implemented when the individual shall have provided its Personal Data in a structured, widely used and machine-readable format and therefore has the right to transfer this data to another Controller without hindrance to usability by Dunav Tours Cruises. Dunav Tours Cruises applies no such practice to collect Personal Data. Controller has no technical ability (not technically feasible) to transfer any Personal Data of the individuals directly to another Controller

upon request by the subject.

7. The **right to object** to the Controller, at any time, against the processing on the grounds of public interest and/or official authority as well as legitimate interests, including any profiling based on these provisions, and for direct marketing purposes. The Controller would be able to continue processing if the Controller can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or the processing is for the establishment, exercise or defence of legal claims.

8. The **right to protection** – Personal Data Subjects have the right to appeal both to the Data Protection Officer and the Controller, to the CPDP and to the court.

Art. 23 (1) Dunav Tours Cruises shall notify of any right that shall be exercised in order to rectify, erase or restrict any recipient to whom the data has been disclosed, unless this proves impossible or involves disproportionate effort.

(2) In connection with the implementation of para. 1, the Controller, with this policy, notifies the individuals that any data shall be disclosed also to those recipients who handle it on their own merits and for their own purposes, which is independent of Dunav Tours Cruises, in the light of which the individuals should also exercise their rights against the indicated recipients, in their capacity as individual administrators.

(3) Upon request, the Controller shall notify the individuals of these recipients.

X. PROCEDURE FOR THE EXERCISE OF THE RIGHTS

Art. 24. (1) Data Subjects shall exercise their rights by submitting a written application to Dunav Tours Cruises containing at least the following information:

1. name, address and other identification data of the individual concerned;
2. justification – the right exercised and the hypothesis in which it is realized;
3. description of the request;
4. preferred form for providing information;
5. signature, date of filing of the application and address for correspondence.

(2) An application shall be made in person or under the terms of Article 25 at the Controller's address and/or the address of the Data Protection Officer and shall be free of charge.

Art. 25. Upon submission of an application by an authorized person, an explicit Power of Attorney shall also be attached to the application.

Art. 26. In the event of the death of the individual, his or her rights shall be exercised by his or her heirs, a certificate of heirs shall also be attached to the application.

Art. 27. The deadline for considering the application and making a decision thereon, shall be within 14 days reckoned from the day of filing the application, respectively, 30 days when it takes more time to collect the requested data, in view of any possible difficulties in the Administrator's activities.

Art. 28. Dunav Tours Cruises shall prepare a written response, taking into account the form of provision of the information preferred by the applicant.

Art. 29. Where no data exist or its provision is prohibited by law, the applicant shall be denied access to it.

Art. 30. In the case that the Controller fails to reply to the request for access to Personal Data within the specified time limits, or if the applicant is not satisfied with the response received and/or is considering that his or her rights relating to the Personal Data protection of infringed, he or she shall have the right to exercise its right of defence.

Art. 31. For the application of this Policy as well as with regard to the procedure for the exercise of its rights, the Data Subject shall have the right to contact the Data Protection Officer at the contact details specified in this Policy.

FINAL PROVISION

§ 1 This Policy is adopted by decision of the Board of Directors of Dunav Tours Cruises EAD and confirmed by the enterprise, as it becomes effective from 25.05.2018.