

TECHNICAL MEASURES BY MUHARSKI OOD ON THE APPLICATION OF 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 of Directive 95/46/EC
(General Data Protection Regulation)

I. Preamble. The current technological measures aim to introduce adequate, legally sound and sustainable intra-institutional technical processes for the controlling of personal data carried out by the company **MUHARSKI OOD** (hereinafter referred to as **MUHARSKI OOD**) in accordance with the General Data Protection Regulation. These technological measures comply with the basic legislative principles on the protection of physical individuals with regard to the processing of their personal data. Irrespective of citizenship and/or the place of residence of the personal data subject, these company policies are in accordance with their fundamental rights and freedoms and, in particular, with the right of personal data protection within the meaning of Article 8 (1) of the Charter of Fundamental Rights of the European Union ("the Charter") and Article 16 (1) of the Treaty on the Functioning of the European Union (TFEU).

II. Types of technological measures. In order to differentiate the controlled personal data, the technological measures undertaken for their controlling by **MUHARSKI OOD** are divided into two types - controlling of personal data of clients, employees or users as well as of registered visitors to sites (including affiliate systems where **MUHARSKI OOD** provides information in the hypothesis of co-controlling) - called "**technological measures for the administration of class one personal data**", and those for the administration of special categories of personal data - "**technological measures for the administration of class two personal data**".

1. Technological measures for the administration of "class one personal data".

1.1. The concerned personal data under shall be stored by **MUHARSKI OOD** in a clearly defined software space of a database with encrypted access, a specific name serving for low level personalization and a mirror-based back-end data storage system for technical protection and storage of data in case of crash or unauthorized access to storage systems (electric shock, hacker attacks, etc.).

1.2. For "class one personal data", there is a technical capability for remote access of the personal data subject over high technology security servers (such as proxy servers) and an automatically generated temporary password on the basis of which the latter has the option, upon his/her clear statement in this respect and if there is a valid legal interest, to be made aware of exactly what his/her "class one" personal data is being administered by **MUHARSKI OOD**. For that purpose, the personal data subject should fill in an online form as a request for remote access to his/her personal information downloaded from the site of **MUHARSKI OOD** and send it to gdpr@muharski.com. After evaluating the lawfulness and legality of the request, the relevant user/visitor shall receive a temporary password for remote access to his/her personal "class one" data, administered by **MUHARSKI OOD**.

1.3. In the process of accessing the contact form at www.muharski.com each visitor completes a personal data form, agreeing to a "click statement" that he/she is familiar with the internal company rules of **MUHARSKI OOD** on its application the implementation of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27.04.2016 (defined as click-consent in step one), as well as explicit consent that he/she shall be deemed informed of the start of the process of administering his/her personal data (defined as click-consent in step two).

For visitors, the starting point of personal data administration is the moment of sending a message via the contact form of the MUHARSKI OOD website. The personal data that is received when the message is sent will be stored in the "class one personal data" register where the visitor's verified information about their personal data and the fact that he/she agrees and is considered to be aware of the start of administering the personal data will be automatically entered.

1.4. **MUHARSKI OOD** shall provide an opportunity for the data subject to receive information on his/her processing, in case of a request for this within 14 days from the date of receipt of the request or, if the personal data were received by another source (for example, in co-administration cases) - within a reasonable time, depending on the circumstances of the particular case. In cases where personal data may be legally disclosed to another recipient, the data subject shall be informed by **MUHARSKI OOD**, when the personal data are first revealed on recipient (the co-administrator). When **MUHARSKI OOD** intends to process the personal data for a purpose other than the one for which they were collected, the controller, in the face of **MUHARSKI OOD**, shall provide the data subject before any further processing with information for the other purpose in question, as well as any other necessary related information by an explicit email. Where the data subject cannot be provided with information on the origin of personal data due to the use of various sources, **MUHARSKI OOD** shall present a summarized information again via an explicit email.

1.5. Often, at the time of data collection, the business purpose of personal data processing cannot be fully determined. Therefore, **MUHARSKI OOD** shall provide the data subjects with the opportunity to give their consent to certain areas of business when these are in compliance with recognized ethical standards for a specific business and public sector. Data subjects, in this line of thought, have the opportunity to give their consent only to certain areas of business, insofar as allowed by the pursued objective. This consent shall be provided by an explicit declaration of consent for personal data processing.

1.6. **MUHARSKI OOD** shall provide for technological measures to remove and limit data processing. Removal is done by deleting of "class one personal data" from the explicitly defined space for this type of data, on the basis of an express written request addressed to the controller, including online. Methods to limit the personal data processing shall include temporary moving of the selected "class one personal data" to another processing system, terminating users' access to them, and/or temporarily removing the published type of data from the **MUHARSKI OOD** website (if any). In automated "class one personal data" registers, the limitation of processing shall be provided by technical means that lead to "class one personal data" not being subject to further processing operations and not being able to change. The fact that the personal data processing is limited shall be clearly indicated in the system through specific low-level entries in the **MUHARSKI OOD** information arrays.

1.7. In order to further strengthen the control of its own data when the personal data processing is done automatically, **MUHARSKI OOD** shall provide the data subject with a technical opportunity to receive the personal data he/she has submitted to the controller in a structured, widely used, machine-readable, and interoperable format in order to provide it to another controller. **MUHARSKI OOD** has developed interoperable formats that allow portability of data. This option can only be applied when the data subject has provided the personal data based on his/her own consent or the processing is necessary due to a contractual obligation. The technical data portability option does not apply when processing is based on a legal basis other than consent or contract.

1.8. In order to maintain security and prevent processing that is in violation of the LPDP and the General Regulation, **MUHARSKI OOD**, as well as the persons processing personal data in the company, shall perform a continuous technological evaluation of the risks related to the processing in order to undertake mitigating measures for these risks. One of these measures is the encryption of "class one personal data".

These measures shall ensure an appropriate level of security, including confidentiality, taking into account the achievements of technical progress and implementation costs in relation to the risks and nature of the personal data being protected. The technological risk assessment of data security shall address the risks arising from the personal data processing such as accidental or unlawful destruction, loss, alteration, improper disclosure or access to personal data transmitted, stored or otherwise processed, in particular, lead to physical, material or non-material damage.

2. Technological measures for the administration of "class two personal data".

2.1. The concerned personal data shall be stored by **MUHARSKI OOD** in a clearly defined software space of a database with encrypted access, a specific name serving for low level personalization and a mirror-based backup system for storing special categories of personal data for technical protection and storing this data in the event of failure or unauthorized access to storage systems (power strikes, hacking attacks, etc.). All technological measures for "class one personal data" shall also be fully applicable to the processing of "class two personal data" with some explicit additional specifics.

2.2. Processing of genetic data, biometric data, as well as personal data related to labour law and the law in the field of social security and social protection; personal data that are made visible and publicly accessible by the data subject; personal data whose processing is necessary for the purposes of preventive or occupational medicine, assessment of the employee's ability to work, medical diagnosis, provision of health or social care or treatment, or for the purpose of managing healthcare or social care services and systems; personal data whose processing is necessary for the purpose of archiving in the public interest, for scientific or historical research or for statistical purposes shall be processed by or under the supervision of a professional worker expressly and in writing bound by the obligation of professional secrecy in that regard. This worker has been given explicit technical and legal guidance on the nature of the processed personal data. Only this worker shall have access to the database concerning the special categories of class two personal data, this access being carried through an encrypted server and a password that changes every six months.

2.3. For individual categories of "class two personal data", separate folders shall be created in the root folder, all databases being technically compiled to meet the specific requirements of each category.

2.4. Class two personal data access shall not be given or provided remotely by **MUHARSKI OOD**.

2.5. The technical processing of photographs or images for security purposes as well as for the prevention of crime or labour discipline shall not be considered by **MUHARSKI OOD** to be processing of special categories of personal data as they are covered by the definition of biometric data only when processed through a specific technical means allowing the unique identification or authentication of a natural person.

2.6. Technical processing of special categories of personal data by **MUHARSKI OOD** shall be permitted by derogation from the above rules only when provided for in the LPDP or the General Regulation with the said technical guarantees in such a way as to protect personal data and other fundamental rights when considerations of public interest justify this, in particular the processing of personal data in the field of labour law, social protection law, including pensions, and for security, surveillance and warning purposes in the field of health care, the prevention or control of communicable diseases and other serious health threats. This derogation from the general rule shall apply to health objectives, including public health and the management of health services, in particular to ensure the quality and cost-effectiveness of the procedures used to settle claims for benefits and services in the health insurance system or for archiving purposes in the public interest, for the purposes of scientific or historical research or for statistical purposes. The derogation shall also allow for the processing of such personal data as may be necessary to

establish, exercise or protect legal claims, whether in judicial, administrative or other non-judicial proceedings.

3. Technical measures to notify the supervisory authority and the data subject in the event of an infringement.

3.1. Technical measures for notifying the supervisory body to the Commission for Personal Data Protection. In order to prevent the breach of the security of personal data resulting in physical, material or non-material damage to individuals, such as loss of control of their personal data or limitation of their rights, discrimination, identity theft or false-identity fraud, financial loss, unauthorized abolition of pseudonymization, harm to reputation, violation of the confidentiality of personal data protected by professional secrecy, or any other significant economic or social disadvantage consequences for the affected individuals, **MUHARSKI OOD** shall have the obligation to send a notification to the Commission for Protection of Personal Data in case of any reasonable doubt in this regard. This notification shall be sent no later than 72 hours after the occurrence of the event and in cases where a personal data security breach is established.

3.2. Technical measures to notify the data subject. **MUHARSKI OOD** shall have the obligation to send a notification to the data subject informing him/her of a personal data breach in order to enable him/her to take the necessary precautions. The notification shall include the nature of the personal data breach, as well as recommendations to the individual concerned on how to limit potential adverse effects. Notifications to data subjects shall be sent by **MUHARSKI OOD** as soon as it is reasonably technically feasible and in close cooperation and consistency with the supervisory body (the Personal Data Protection Commission), following the guidelines provided by it or other law enforcement agencies.

Any change in these Technology Measures will be brought to the attention of visitors to www.muharSKI.com as from the time of the update, they will be considered valid for users, visitors and customers of the offered business services from the site.

Date: 17.05.2018

MUHARSKI OOD