

## **PRIVACY NOTICE**

Last updated July 2020

Ellinas Finance Public Company Ltd (“the Company”, “Ellinas Finance”, “we”) wishes to inform its clients and other data subjects (i.e. guarantors) (“you”) about how the Company processes their personal data as well as of their data subject rights in accordance with Data Protection Law, including but not limited to the Cyprus Data Protection Law 125(I)2018 , the European General Data Protection Regulation 2016/679 (“GDPR”) and the Cyprus legislation governing the electronic communications and postal services N.112 (I) 2004.

Please take the time to read this Privacy Notice.

### **Definitions:**

1. The terms “personal data”, “data” and “personal information” refer to any information relating to you that identifies or may identify you, such as your name or contact details.
2. The term “processing” is used to collectively refer to actions such as the collection, retention, use, disclosure, transfer, deletion or destruction of personal data.

### **WHO IS RESPONSIBLE FOR DATA PROCESSING?**

Ellinas Finance is a public company established in accordance with the laws and regulations of the Republic of Cyprus, with company registration no. HE52585 and with registered address at Theotoki 6 1055, Nicosia.

Ellinas Finance is the data controller of your personal data, meaning that we are responsible for determining the purpose and means of processing as described in this Privacy Notice.

### **HOW AND FROM WHICH SOURCES THE COMPANY COLLECTS YOUR PERSONAL DATA?**

(a) Information you or your representatives or third parties provide: The Company collects information about you via the online application forms and/or other relevant forms and/or agreements for the establishment and carrying out a contractual relationship. The same applies if you are a guarantor or have provided any type of security to the Company to secure the obligations of a Company’s customer.

(b) Information obtained from third parties and/or publicly available sources: e.g. public and/or regulatory and/or supervisory authorities (such as the as the Companies Registry, the Bankruptcies and Liquidations Registries and the Intellectual and Industrial Property Registries maintained by the Department of the Registrar of Companies and Official Receiver of the Republic of Cyprus; the Central Bank of Cyprus; the Land Registry Offices); credit reference bureaus such as the Data Exchange Mechanism Artemis; utility companies; insurance companies; other payment services institutions such as banks and other third parties you transact with (e.g. merchants); natural or legal persons acting as introducers; the media, the press and

the internet; entities providing services and products for Know-Your-Customer (KYC) and due diligence purposes etc.

### **WHAT TYPES OF PERSONAL DATA THE COMPANY COLLECTS AND PROCESSES?**

Identification and authentication data (e.g. name; gender; passport/identity card number; date and place of birth, signature): to identify you as an individual prior to the provision of the requested products and services as well as in the course of our business/contractual relationship.

Personal information (e.g. marital and family status; residency and domicile information, employment status and position): to review your application for the Company's products and services and to comply with legal obligations.

Contact details (e.g. home address; correspondence address; phone number; mobile phone; e-mail address): for communication purposes, to respond to your inquiries and other requests.

If you are a guarantor or a security provider to a facility granted to a customer of our Company: name, gender, marital and family status, residency, financial and economic background and circumstances, as provided directly from you or from other sources (e.g. Artemis Bank Information Systems Limited, Land Registry Offices).

### **LEGAL BASIS AND PURPOSES FOR PROCESSESING YOUR PERSONAL DATA**

(a) *Necessity to perform our contractual obligations*: The Company collects and processes your personal data for: 1) identification and application evaluation purposes during the pre-contractual and contractual relationship; and 2) carrying out the provision of the Company's services and other obligations to you in accordance with the Company's Terms and Conditions; such as granting a loan or carrying out credit risk assessment.

(b) *Necessity to comply with our legal obligations*: The Company is subject to various legal obligations such as carrying out necessary due diligence and assessments for the purposes of the prevention and suppression of money laundering and financing of terrorism;

(c) *For safeguarding our legitimate interests*: Personal data are also processed for reasons pertaining to business and/or commercial interests such as: 1) verifying your identity to protect you against fraud and to confirm your eligibility to use our products and services; 2) pursuing and/or defending claims in judicial and/or regulatory proceedings; 4) ensuring the best possible quality and security of our operations, 5) ensuring the smooth and secure operation of our network, IT operations and facilities; 6) protecting our Intellectual Property rights; 6) to protect the Company's customers, its employees as well as the Company's property.

(d) *Consent*. We may be required to obtain your specific consent to process your personal data for various legitimate reasons, such as a) for direct marketing , or b) to allow us to use your personal data to search or disclose personal data related to your financial behavior to credit reference companies in order to protect commercial credit and the consolidation of trading activities.

## **DISCLOSURE / SHARING OF PERSONAL DATA**

In addition to any disclosure of personal data to authorities/bodies/institutions as required by applicable law, we may appoint subcontractors who process personal data on our behalf (“data processors”), based on our legitimate business interest as required to deliver and protect our services, such as IT systems or software providers, IT support services, external advisors and consultants.

We conduct an appropriate level of due diligence and put in place contractual documentation in relation to any processors to ensure that they process personal data securely, in confidence and according to applicable law.

## **SECURITY AND CONFIDENTIALITY**

Your personal data are only processed by the Company’s units and/or persons that are authorized to process them, provided that such processes are lawful and carried out as described in this Notice. In addition, the Company adopts and is committed to improve all technical and organizational measures that are in place so that the confidentiality, integrity and availability of the processing of personal data is ensured at all times.

The Company is committed in safeguarding the privacy of the personal data and/or information you share with the Company and/or with its employees and/or agents and/or associates. The Company applies procedures and measures to safeguard and to provide reasonable protection of your personal data against loss, misuse, unauthorized disclosure and alteration. The data processing is conducted solely by persons who are under the control of the Company, and only at its guidance.

## **CHILDRENS DATA**

The Company understands and respects the importance of protecting the privacy of children, namely of individuals under the age of 18. The Company may process the personal data of children only with the prior authorization and/or consent of their parents or legal guardians or as otherwise required or permitted by law.

## **HOW LONG THE COMPANY RETAINS YOUR PERSONAL DATA**

The Company will retain your personal data for as long as we have a business relationship with you as an individual or in your capacity as an authorized guarantor of a customer (whether an individual or a legal entity) or if you are a beneficial owner of a legal entity, or a current security provider and/or a person connected with a current customer. We will hold your personal data for as long as it is necessary and in accordance with our legal and/or regulatory obligations (such as Tax or anti-money laundering law) as well as the relevant directives and guidance issued by the Office of the Commissioner for Personal Data Protection (<http://www.dataprotection.gov.cy>).

## WHAT ARE YOUR RIGHTS FOR THE PROTECTION OF YOUR DATA

You have the following rights concerning the data the Company controls and processes:

- (a) to be informed about how we use your personal information and your rights. This is why we are providing you with the information in this Privacy Notice Statement (right to be informed).
- (b) to be aware of the categories of your personal data that the Company maintains and processes, their origin, processing purposes, recipients, retention period of your personal data and to receive a copy of your personal data processed by the Company. (right of access).
- (c) to request correction of your personal data that the Company holds about you in order for such data to be complete and accurate (right of rectification), by producing any necessary document based on which the need for correction or completion arises from.
- (d) to ask for restriction of the processing of your data (right to restrict processing). This right can be exercised where (i) you contest the accuracy of such data; (ii) the processing is unlawful but you request that we do not delete your personal data; (iii) we no longer need to process such data but you request that we retain them for reasons connected with legal claims; (iv) you have objected to us using your personal data but you are awaiting our confirmation as to whether we have legitimate grounds to continue processing such data.
- (e) to object to any further processing of your personal data the Company keeps and processes on the basis of our legitimate interests (right to object). Should you exercise this right, we will no longer process such data unless we are able to demonstrate legitimate grounds for the processing.
- (f) to ask for the deletion of your personal data from the Company's systems and files (right to be forgotten). This right can be exercised where:
- (g) not to be subject to a decision based solely on automated processing (including profiling) (right in relation to automated decision making and profiling)
- (i) to withdraw your consent to collection and processing of your personal data (right to withdraw consent). In such case, the withdrawal of the consent does not affect the legality of the data processed prior to the revocation.

Please note that your rights applicability depends on the legal basis on which the Company relies in each case. Your rights are subject to exceptions (i.e. the rights are not absolute) and therefore may not be met, in whole or partly, if they concern data necessary for the establishment, exercise or defense of legal claims, or as otherwise permitted by law, irrespective of the source of their collection.

You also have the right to make a complaint at any time to the Data Protection Commissioner Office, the Cyprus supervisory authority for data protection issues (<http://www.dataprotection.gov.cy>).

If you want to exercise any of these rights, then please contact us by e-mail. We will take all appropriate steps to respond within the legal timeframe, that is 30 days from day we receive your request or additional 2 months in the case of receiving an excessive request in which case we will keep in touch and informed about the progress and status of your request.

You will not have to pay a fee to access your personal information (or to exercise any of the above mentioned rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is a necessary security measure to ensure that personal data are not disclosed to any person who has no right to receive it.

### **DATA TRANSFERS**

In limited circumstances the Company may transfer personal data to countries out of the European Economic Area (EEA) which have different levels of personal data protection.

Such transfers shall be carried out by the Company on the basis of our business legitimate interests, the necessity to perform the contract we have with you, or when other appropriate safeguards apply as provided under GDPR Chapter V (such as EU approved Standard Contractual Clauses).

### **IF YOU FAIL TO PROVIDE PERSONAL DATA**

When the Company needs to collect personal data by law or under the terms of a contract it has with you and you fail to provide such data when requested, the Company may not be able to enter into a contract with you or continue the business/contractual relationship with you or execute an order.

### **COOKIES USED AT OUR WEBSITE**

The website of our Company uses small files known as cookies in order to optimize the online user's experience. To find out more about how we use cookies please refer to the Company's Cookies Policy [<http://www.ellinasfinance.com/content/cookie-policy>].

### **CHANGES TO THIS PRIVACY NOTICE**

This Privacy Notice sets out information as to how we look after your personal information for the purposes of the GDPR and it replaces any existing circular or document in association with the information provided in this Privacy Notice. The Company may modify this Privacy Notice from time to time in order to reflect its current practices and/or in accordance with any changes in the applicable legal framework.

In any case, you are invited to periodically visit the Company's website (<http://www.ellinasfinance.com/>) for information on the updated version of the Privacy Notice.

### **CHANGES TO THIS PRIVACY NOTICE**

If you have any questions about this Privacy Notice or want to exercise your rights please contact us by:

email: [privacy@ellinasfinance.com](mailto:privacy@ellinasfinance.com)

Call us: +35722349801