



"BTA Baltic Insurance Company" AAS
Estonia

PRIVACY POLICY

Terms and Conditions No 2020-35
Effective as of 23.12.2020



1. DEFINITIONS OF TERMS USED HEREIN

Customer – a person with intention to enter into an insurance contract or who is the policyholder, the insured, the beneficiary or a third party under an insurance contract.

Personal data – any information relating to an identified or 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, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, religious, economic, cultural or social identity of that natural person, to include any data about insurance or indemnities of natural persons, BTA employees and cooperation partners.

Processing – any operation or set of operations which is performed on Personal data or on sets of Personal data, whether or not by automated 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.

Processor – a natural or legal person, public authority, agency or other body, which processes Personal data, assigned to do so by the controller.

VIG – Vienna Insurance Group AG.

EU/EEA – European Union and European Economic Area.

EMIB – Estonian Motor Insurance Bureau.

RELIKA – EMIB data base that insurance company use for claim management.

IT – Information technologies.

System – Personal data processing system – a structured cluster of personal data recorded in any form, which is accessible on the basis of relevant criteria identifying persons, for example, insurance risk information system, personnel and accounting system.

GDPR – General Data Protection Regulation – 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).

2. INFORMATION ABOUT THE CONTROLLER


The personal data processing controller is AAS "BTA Baltic Insurance Company" Estonian branch, hereinafter – BTA, registration number 11223507, legal address: Harju County, Tallinn, Lasnamäe district, Löötsa st 2b, 11415.

3. DOCUMENT PURPOSE

This BTA Privacy Policy, hereinafter – the Policy, describes the basic principles and protection of Personal data Processing conducted by BTA. More detailed information about Personal data Processing may additionally be described in contracts and other documents related to insurance services.

4. GENERAL INFORMATION

4.1. BTA, within the applicable regulatory enactments, ensures the Personal data confidentiality and takes appropriate technical and organisational measures for Personal data protection against unauthorized access, illegal processing or disclosure, accidental loss, modification or destruction.



4.2. BTA for Personal data processing may use Processors, which have been concluded data processing agreements with. In such cases BTA takes the necessary measures to guarantee that such Processors perform Personal data processing in line with BTA's directions and in compliance with the applicable regulatory enactments and demands that appropriate security measures be taken.

4.3. BTA obtains Personal data in order to provide insurance services to Customers and to comply with binding legal obligations, as well as to exercise legitimate interests. In the mentioned cases, the acquisition of Personal data is required for BTA to be able to provide insurance services to the Customer, hence, if the Customer refuses to provide the necessary data, such non-provision of data may jeopardize the commencement of insurance service business relationships or further performance of the contract. With the consent of the Customer personal data may also be obtained after the end of insurance contract between BTA and the Customer for purposes of offering better deal terms or offers to the Customer.

5. CATEGORIES OF PROCESSED PERSONAL DATA

Categories of Personal data collected and processed by BTA:

- 5.1. Identification data, such as name, surname, personal identification number, date of birth;
- 5.2. Contact information, such as the address of the place of residence, telephone number, e-mail address;
- 5.3. Data of insured objects, for example, real estate address, vehicle data;
- 5.4. Business transaction details data, such as bank account number, amount of premium paid;
- 5.5. Reliability data, such as data on payment discipline towards BTA or other persons;
- 5.6. Data on inflicted damages, for instance, information on the scope of losses, cost estimate;
- 5.7. Investigation data, for example, data that enables BTA to perform Customer investigation activities with respect to the prevention of terrorism financing and to ascertain the observance of international sanctions, including the purpose of cooperation;
- 5.8. Data obtained and/or created in the course of performing the duties provided for in regulatory enactments, for example, data which BTA is obliged to provide to such institutions as tax authorities, courts, law enforcement authorities;
- 5.9. Communication and device data, such as data contained in messages, e-mails, audio recordings, as well as other types of communication and interaction data collected when the Customer visits BTA's website and uses its mobile application;
- 5.10. Data on customer satisfaction for the provided services, for instance, answers to survey questions, Customer's satisfaction;
- 5.11. Data on relations with legal entities, for example, information of a medical institution or a car repair shop that the Customer has been provided with a service to be paid for by BTA;
- 5.12. Assessment of Customers' risks;
- 5.13. Special category personal data – health and medical examination data for purposes of provision of, for instance, health, personal accident, travel and Motor Third Party Liability insurance services.

6. PURPOSES AND LEGAL BASIS FOR PERSONAL DATA PROCESSING

6.1. BTA processes personal data on the following legal basis:

- 6.1.1. conclusion and execution of contract – to enter into contract upon receipt of the Customer's application and take care of its execution;

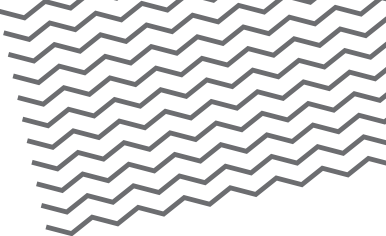
6.1.2. compliance with regulatory enactments – to comply with the obligations defined in external regulatory enactments binding upon BTA;

6.1.3. Customer's consent;

6.1.4. legitimate interests – to exercise the legitimate commitments of BTA, arising from the existing commitments under a contract concluded between the Customer and BTA or the law.

6.2. BTA processes personal data based on the following processing purposes, based on the legal grounds arising from the GDPR and specific legal enactments:

Personal data processing purposes	Legal basis for the processing the Personal data
1. Provision of insurance services, such as identification of Customers, obtaining information about the insurable object to prepare an insurance offer, conclusion of insurance contract, making telephone recordings to maintain proof of the transaction, administration of policy updates, insured event handling.	<ul style="list-style-type: none">- GDPR Article 6 (1) (b), (c), (f);- GDPR Article 9 (2) (a), (c), (f), (g);- Insurance Activities Act Section 218 and 219;- Money Laundering and Terrorist Financing Prevention Act Chapter 4.
2. Risk management, such as prevention and detection of fraud cases, handling of complaints and suggestions, incident management and compliance with the obligations set out in Money Laundering and Terrorist Financing Prevention Act.	<ul style="list-style-type: none">- GDPR Article 6 (1) (a), (b), (c), (d), (f);- GDPR Article 9 (2) (a), (b), (h).- GDPR Article 10;- GDPR Chapter IV Section 2;- Insurance Activities Act Section 218;- Law of Obligations Act Section 428;- Money Laundering and Terrorist Financing Prevention Act Chapter 4;- Financial and Capital Market members information systems security regulatory requirements, Chapter XII;- Occupational Health and Safety Act Section 13 Subsection 1 point 7 Employment Contract Act § 5 (5);- Taxation Act; Accounting Act Chapter 2.
3. Human resource administration, work procedures organization and daily accounting operations, e.g., personnel recruitment, conclusion and execution of labour contracts, organization of labour protection measures, recordkeeping and accounting, avoidance of conflict of interest.	<ul style="list-style-type: none">- GDPR Article 6 (1) (a), (b), (c), (f);- GDPR Article 9 (2) (h);- Occupational Health and Safety Act Section 13 subsection 1 point 11;- Employment Contracts Act Section 1 and 29;- Taxation Act;- Accounting Act.
4. Work procedures organization, to include Security of premises, prevention or detection of criminal offences with respect to protection of property and protection of vital interests of persons, security of information systems and computer network, IT systems maintenance, Organization of incoming and outgoing materials.	<ul style="list-style-type: none">- GDPR Article 6 (1) (a), (c), (f);- GDPR Chapter IV Section 2;- General Part of the Civil Code Act § 146 (1);- Accounting Act Chapter 2;- Tax Law.
5. Accounting – daily operations.	<ul style="list-style-type: none">- GDPR Article 6 (1) (a), (c), (f);- Accounting Act.



6. Preparation and sending of special offers by BTA and BTA cooperation partners, such as organization of lotteries, sending commercial messages, conducting Customer surveys, and analysis of online site visits.	<ul style="list-style-type: none"> - GDPR Article 6 (1) (a), (f); - Insurance Activities Act section 218.
7. Acceptance and provision of insurance distribution services, such as the provision of insurance services through insurance agents or brokers.	<ul style="list-style-type: none"> - GDPR Article 6 (1) (c); - Insurance Activities Act.
8. Exercising and protection of rights and legitimate interests	<ul style="list-style-type: none"> - GDPR Article 6 (1) (c), (f); - GDPR Article 9 (2) (f); - Insurance Activities Act; - Civil Law; - Criminal Law.
9. Carrying out cooperation with other legal entities, for example, provision of insurance services at a medical institution, a car repair shop, or another institution, of the Customer's choice.	<ul style="list-style-type: none"> - GDPR Article 6 (1) (b), (f).
10. Compilation of statistical data, for example on insurance services used and insurance claims and indemnities	<ul style="list-style-type: none"> - GDPR Article 6 (1) (b), (c).

7. MEANS OF OBTAINING PERSONAL DATA

7.1. BTA collects or can obtain Personal data in some of the following ways:

7.1.1. from the Customer in the process of contract conclusion, to include indicating the Personal data of the insured person, beneficiary or contact person;

7.1.2. from applications, e-mail communications, telephone conversations or in any other way documenting the Customer's interaction and communication with BTA;

7.1.3. from the Customer, if an insurance claim is made;

7.1.4. from the Customer's authorization at BTA's Portal or mobile application;

7.1.5. from external sources, such as public and private registers or databases, including the EMIB databases, when calculating insurance premium for motor insurance;

7.1.6. from business partners, insurance intermediaries, payers of insurance premiums, insurance object holders, insurance indemnity claimants, as well as natural persons related to BTA customers - legal entities, for example: shareholders, board members, company representatives, signatories, actual beneficiaries;

7.1.7. from law enforcement authorities;

7.1.8. from job seekers when applying for a vacancy;

7.1.9. from BTA's website cookies;

7.1.10. or otherwise, in compliance with the legal basis for the processing the Personal data.



8. PERSONAL DATA PROTECTION

8.1. BTA provides, constantly keeps reviewing and improving the protective measures for Customer's Personal data protection against unauthorized access, accidental loss, disclosure or destruction. To achieve this, BTA uses modern technologies, technical and organizational requirements, including the use of firewalls, intrusion attempt detection, analysis software and data encryption.

8.2. Before concluding a cooperation agreement and during its effective period, BTA carefully inspects all service providers who process the Customer's Personal data on behalf of BTA, as well as evaluates whether cooperation partners (Personal data Processors) apply appropriate security measures to ensure that the Customer's Personal data is processed in accordance with the requirements of BTA regarding security and of the regulatory enactments regulating the insurance sector. Within the framework of the cooperation agreement, Personal data processors are not allowed to process the Personal data of BTA Customers for other purposes not specified in the cooperation agreements, except for cases when required so by regulatory enactments.

8.3. BTA shall not be liable for any unauthorized access to Personal data and/or loss of Personal data if it does not depend on BTA, neither it shall be liable for improper processing due to the Customer's fault and/or negligence, for example, the Customer has provided inaccurate data to BTA for further communication, or has not deleted its personal information when handing over data carriers to BTA.

9. CATEGORIES OF PERSONAL DATA RECIPIENTS

BTA, observing the requirements of applicable regulatory enactments, has the right to transfer the Customer's Personal data to:

9.1. VIG group companies for processing Personal data in accordance with the purposes defined by BTA and in accordance with mutually concluded agreements.

9.2. Persons with whom BTA cooperates in the execution of the concluded insurance contract or for purposes of performance of its activities or functions, incl. to reinsurance undertakings, but only to the extent necessary to achieve their purposes.

9.3. Persons who provide monitoring and collection services to BTA regarding policyholder's overdue insurance premiums or other payments arising from the insurance contract, but only to the extent necessary to achieve the purpose.

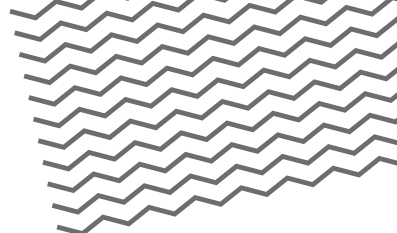
9.4. Financial service providers for whose benefit an insurance contract has been concluded, in order to inform them about the terms of the insurance contract, the validity of the insurance contract and insurance claims handling, but only to the extent necessary to achieve the purpose.

9.5. The Compulsory Motor Vehicle Owners' Civil Liability Insurance Information System, maintained by EMIB, although responsible for the accuracy, integrity and availability of these data are RELIKA and BTA, which has sent the data to EMIB, for purposes and within the scope specified in the regulatory enactments regulating the field of compulsory motor third party liability insurance.

9.6. Other partners related to the provision of BTA services, such as archiving and postal service providers, couriers as well as those providing services to BTA customers – claims handling experts, car repair shops, medical institutions, sports clubs, pharmacies, optical salons (shops), but only to the extent necessary to achieve the purpose.

9.7. Law enforcement authorities, such as the police, court or other national and municipal institutions, if it follows from regulatory enactments or a reasoned request for information from the relevant authority.

9.8. BTA IT infrastructure technical and System maintenance teams, for example, IT solution developers as Personal data Processors.



10. GEOGRAPHIC TERRITORY OF PERSONAL DATA PROCESSING

10.1. Personal data processing, in compliance with the requirements of regulatory enactments, may take place in Estonia as well as in other EU/EEA Member States or non-EU/EEA countries in cases of claims handling or cases of the choice of IT solutions.

10.2. Personal data transfer and processing outside EU/EEA may take place, when there are legal grounds for that and appropriate security measures are taken that the protection of Personal data was ensured in accordance with the degree of protection of Personal data in Estonia and the EU/EEA.

11. DATA STORAGE PERIOD

11.1. Personal data will only be processed for as long as is necessary to achieve a specific data processing purpose. Storage period is justified as long as at least one of the following conditions exists:

11.1.1. the Personal data necessary for execution of contractual obligations will be stored until the contract is executed and until other storage terms criteria are met;

11.1.2. Personal data that must be stored in order to comply with the requirements of regulatory enactments will be retained for the periods specified in the relevant regulatory enactments, for example, source documents for accounting must be kept for at least five years;

11.1.3. data to prove the fulfilment of obligations will be stored, taking into account the limitation period for claims set in regulatory enactments – 3 years set in General Part of the Civil Code Act.

11.2. BTA erases or anonymises unnecessary or irrelevant personal data. The Customer may refuse its Personal data being processed to the extent specified in regulatory enactments by notifying BTA thereof in the form of a written application, insofar as the processing of Personal data is not related to BTA's obligations and rights under regulatory enactments.

12. CUSTOMER'S RIGHTS AND OBLIGATIONS

BTA takes care that the following rights of Customers are satisfied:

12.1. Right to access own data

BTA provides the Customer with an opportunity to access own Personal data, processed about the Customer, by submitting a written application to BTA.

12.2. Right to rectification of own data

BTA, when receiving a reasoned written request from the Customer for rectification of data, rectifies the inaccurate data and/or completes incomplete Personal data, taking into account the processing purposes.

12.3. Right to object to processing of own data, on the basis of consent

BTA provides the Customer with an opportunity to revoke his or her consent to the processing of his or her Personal data via BTA Portal, as well as to address BTA with a written request, upon receipt of which BTA evaluates it and, if the request is justified, terminates the Customer's Personal data processing.

12.4. Right to erasure or right to be forgotten

BTA ensures the Customer's Personal data erasure at the Customer's request in the form of a written application, insofar as it does not contradict the compliance with the obligations specified in regulatory enactments. BTA evaluates each case on an individual basis and provides the Customer with a substantiated and reasoned answer.

12.5. The right to lodge a complaint regarding data processing

The Customer has the right to lodge complaints regarding the use of Personal data to the Data State Inspectorate, if the Customer considers that BTA violates its rights and interests in the processing of Personal data in accordance with the applicable regulatory enactments.

Duties of Customers:

12.6. To provide BTA with accurate Personal data about themselves so that BTA could properly and accurately provide services to the Customer and maintain further communication.

12.7. To update own Personal data at least once a year or to contact BTA within a reasonable period of time when there have been changes in the Customer's Personal data.

12.8. Yet prior to starting the cooperation, get acquainted with this Privacy Policy, as well as acquaint with it any person who is related to the provision of BTA services and whose interests may thus be affected in the processes of processing Personal data.

13. PROFILING, PERSONALIZED OFFERS AND AUTOMATED DECISION MAKING

13.1. Profiling is automatic processing of personal data used for automated decision making to calculate insurance premiums in popular types of insurance, calculation of insurance indemnity, for risk assessment and direct marketing purposes.

13.2. BTA processes Personal data in order to prepare offers suitable for the Customer. Unless the Customer has objected to the receipt of commercial messages, BTA is entitled to process Personal data to prepare general and personalized offers of BTA services, as well as to prepare and send special offers of BTA cooperation partners.

13.3. BTA ensures that Customers can make a choice and use a tool to manage their privacy settings on BTA Portal.

14. CONTACT INFORMATION

The Customer may contact BTA with respect to consent withdrawal, requests, exercising rights of data subjects and complaints regarding Personal data use.

14.1. The Customer may e-mail to andmekaitse@bta.ee or write to the address Lõõtsa 2b, Tallinn 11415.

14.2. Contact information of the Data Protection Officer: bta@bta.ee or andmekaitse@bta.ee or writing to the address Lõõtsa 2b, Tallinn 11415, specifying – to Data Protection Officer.

15. POLICY'S VALIDITY AND AMENDMENTS

15.1. BTA is entitled to unilaterally amend this Policy at any time in accordance with the applicable laws and regulations.

15.2. This Policy is available to Customers at BTA's website www.bta.ee