

Principles for processing personal data

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1. INTRODUCTION

The principles for processing personal data explain how and based on which principles ERGO (including ERGO Insurance SE and ERGO Life Insurance SE's Estonian branch) processes the personal data of its clients.

When processing personal data, ERGO adheres to the European Union General Data Protection Regulation, Insurance Activities Act, and other relevant legislation.

ERGO protects personal data with its security and confidentiality rules and has adopted organisational, physical, and information technology measures necessary for protecting personal data. When processing client data, ERGO shall set a limit as to the minimum procedures that are necessary for achieving the established objectives. The employees of ERGO are obliged to keep personal data confidential without a term.

2. TERMS

The Data Protection Regulation is Regulation No. 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons.

The Data Controller is ERGO Insurance SE and/or ERGO Life Insurance SE's Estonian branch, which processes personal data or assigns the task to someone else.

The Data Subject is an identifiable natural person whose personal data is processed purposefully by ERGO (hereinafter also referred to as: client).

Personal Data is any data belonging to a natural person (data subject) who has been or will be identified.

The Identifiable Natural Person is a person who can either directly or indirectly be identified by an identifier, such as name, personal identification code, location information, or network identifier, or by one or several of their physical, physiological, genetic, mental, economic, cultural, or social features.

Special types of personal data are data related to the health of the data subject that ERGO processes in order to conclude and perform life insurance, accident insurance, and health insurance contracts.

The processing of personal data is any procedure conducted with personal data, e.g. the collection, storage, preservation, or amending of such data, providing access, making of enquiries, use, and forwarding thereof.

The Data Processor is a person who processes personal data in the name of ERGO and pursuant to a contract concluded with ERGO.

3. LEGAL BASES

ERGO relies on the following legal bases when processing personal data.

3.1 The processing of personal data pursuant to the contract and contract application

This is the main legal basis, based on which ERGO processes personal data: identifies persons, receives and enters personal data into the information system, prepares documents, issues invoices, deals with losses, archives documents, processes judicial claims, sells surplus, etc.

ERGO shall request a separate consent from the client in order to process special personal data (sensitive personal data). This is valid, for instance, in the case of personal data regarding an individual's state of health, which is required for handling claims of damage, requesting information and submitting requests to medical institutions or other third parties.

3.2 The processing of personal data pursuant to a legal obligation

ERGO also processes personal data in order to perform an obligation under the law. The activity of ERGO as an insurer is regulated by the Insurance Activities Act, Money Laundering and Terrorist Financing Prevention Act, Funded Pensions Act, Motor Insurance Act, Personal Data Protection Act, Accounting Act, and other legislation. This also forms the basis for the identification of the client's insurable interest and requirements before concluding an insurance contract.

To perform the obligations arising from law, ERGO shall forward personal data to third parties: national registers (e.g. motor insurance register, traffic register), the reinsurer, mortgagee, commercial pledge holder, auditor; surveillance institutions, investigators, prosecutor's office, court, and money laundering information office.

3.3 The processing of personal data with the data subject's consent

With the data subject's consent, ERGO shall process personal data to forward clients ERGO marketing information and the best insurance solutions after the termination of the insurance contract.

In addition, ERGO shall process personal data with the data subject's consent to forward the client's contact details to enterprises of the ERGO group in Estonia (data cross-usage) in order to provide the client the best insurance solutions of ERGO group enterprises.

3.4 Legitimate interest

A legitimate interest is ERGO's interest in using personal data in such a way that the tasks required for its business activities are performed. Such tasks are direct marketing and receiving feedback

from the client while the contract is valid, determining insurance premium rates, developing insurance service, preventing fraud, managing business risks, IT system network security, and ensuring the safety of ERGO's information.

4. PURPOSES FOR PROCESSING THE PERSONAL DATA

ERGO processes the data of life, health, and non-life insurance clients for the following purposes:

- 1) identifying the identity of the client or their representative;
- 2) determining the client's insurable interest and needs;
- 3) carrying out the main obligation that arises from the insurance contract (including consultations with experts, lawyers, doctors, and reinsurers);
- 4) evaluating the insured risk upon the conclusion and execution of the insurance contract;
- 5) providing additional financial services to the client, forwarding information on ERGO services and consultations;
- 6) reinsuring an insured risk;
- 7) maintaining the client loyalty programme;
- 8) verifying the accuracy and completeness of client data;
- 9) carrying out the accessory obligations arising from the insurance contract (e.g. payment date notifications to the policyholder, or informing the mortgagee or the holder of a commercial pledge, or contract renewal notifications);
- 10) managing business risks (e.g. verification of the data in the information system, or the regular checking of logs);
- 11) processing claims against ERGO and claims of ERGO in court;
- 12) archiving the insurance documents;
- 13) ensuring the security of ERGO's offices (use of surveillance cameras).

5. THE SHARING OF PERSONAL DATA

Pursuant to the objective of processing personal data, ERGO shall share the personal data with its data processors and persons who have a legal basis for such a claim, i.e.:

- 1) authorities (e.g. Financial Supervision Authority, police, bailiffs, notarial authorities, tax authorities, money laundering information office, and the Estonian Data Protection Inspectorate);
- 2) credit and financial institutions (banks, leasing companies);
- 3) persons providing service to ERGO upon concluding insurance contracts (insurance agents, insurance brokers, doctors, and experts);

- 4) enterprises providing service to ERGO upon managing and executing insurance contracts (postal companies, telephone companies, call handling service providers, enterprises managing information systems, marketing enterprises);
- 5) persons providing service to ERGO upon handling insured events (car repair companies, doctors, lawyers, and experts);
- 6) auditors, legal consultants;
- 7) third parties who keep registers (e.g. credit registers, population registers);
- 8) other insurers (upon processing insurance fraud and related suspicions);
- 9) debt collectors, upon handling claims, courts, and trustees in bankruptcy.

6. TRANSFER OF PERSONAL DATA TO THIRD COUNTRIES

Generally, ERGO processes personal data within the limits of the European Union or the European Economic Area, but it could occur that ERGO also transfers personal data to countries located outside the European Union or the European Economic Area.

Transferring and processing personal data outside of the European Union or European Economic Area takes place provided that there is a legal basis, e.g. performing a judicial obligation or the client's consent, and that relevant protection measures are applied.

Relevant protection measures are, for instance, the following:

- 1) the data protection level of a country located outside the European Union or the European Economic Area is sufficient based on a resolution of the European Commission;
- 2) a contract needs to be concluded with a partner, which includes standard contract terms established by the European Union or approved guidelines, certifications, and other similar things that comply with the data protection regulation.

7. RETENTION OF PERSONAL DATA

ERGO shall retain personal data adhering to the objectives of their processing or as long as the obligations arising from legislation have been performed, thereby taking into account the expiry date for the claim arising from the insurance contract (a maximum ten years).

After the retention date has passed, ERGO shall delete electronic personal data and electronic documents that contain personal data and destroy paper documents.

ERGO shall retain only such personal data regarding a client that is objectively required, so the insurer could:

- 1) perform their obligations arising from the law;
- 2) ensure their rights arising from the law, including submitting recourses;

- 3) perform their obligations to the clients;
- 4) check how a client performs an insurance contract.

8. PROFILE ANALYSIS

Profile analysis is automatic personal data processing, the objective of which is to assess the client's personal traits and the usage of existing services to analyse or estimate their insurance needs, preferences, and interests and offer services that the client presumably needs.

Profile analysis shall be used when advising the client, for marketing, and for making decisions regarding managing the client's risk, evaluating the insured risks, and validating transactions to fight fraud.

9. DATA PROTECTION SPECIALIST

ERGO has assigned the tasks of data protection specialist to the Head of the Legal Department of ERGO.

10. THE RIGHTS OF A DATA SUBJECT

The data subject shall have the following rights:

- 1) the subject can apply to correct their personal data if these are insufficient, incomplete, or incorrect;
- 2) the subject can object to the processing of their personal data, if the use of personal data is based on a legitimate interest, including profile analysis with the objective of direct marketing (e.g. receiving marketing offers or participating in surveys);
- 3) the subject can apply for the deletion of their personal data, for instance, if personal data are processed with their consent and this consent has been taken back. Such a right shall not be applied if personal data that the client wants to be deleted are additionally processed under other legal bases, for instance, under a contract or for performing judicial obligations;
- 4) the subject can limit the processing of their personal data at a time when ERGO is evaluating if the client has the right to demand the deletion of their data;
- 5) the subject can receive information on whether ERGO is processing their personal data and, if is doing so, to get access to the data in question;
- 6) the subject can obtain the data that they have submitted and which is being processed with their consent or for the performance of the contract, either in writing or in a generally used electronic format and, if technically possible, to submit this data to another service provider (the transferability of data);
- 7) the subject can withdraw the consent granted for the processing of their personal data;

- 8) the subject can apply for a decision regarding the client to not be made based only on automated decision-making, including profile analysis, if this brings about legal circumstances or has a significant impact on them. This right shall not be applied if making the decision is required to conclude a contract with the client or for executing the concluded contract or if making the decision has been allowed pursuant to an applicable right or if the client has given their clear consent;
- 9) the subject can submit claims regarding the usage of their data to the Data Protection Inspectorate (website www.aki.ee), if the subject finds that processing the personal data violates their rights and interests.