



# **Procedure Regarding the Processing of Personal Data**

## **1. Purpose of the Procedure**

- Establishing the manner of carrying out activities related to the processing of personal data,
- Ensuring the existence of adequate documentation and implementing the requirements of Regulation No. 679/2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data,
- Ensuring the continuity of operations, including under conditions of staff turnover,
- Supporting audits and/or other authorised bodies in auditing and/or control actions, and supporting management in decision-making,
- Supporting the person designated as DPO (Data Protection Officer) within the company in carrying out their activities.

## **2. Scope of Application**

- This procedure applies to all departments within the company as well as to all its personnel.

## **3. Reference Regulations Applicable to Personal Data Processing Activities**

- Regulation No. 679/2016 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) (Text with EEA relevance) - (GDPR),
- Law on Local Public Administration No. 215/2001,
- Law No. 102/2005 on the establishment, organisation and functioning of the National Supervisory Authority for Personal Data Processing,
- National Archives Law No. 16/1996,
- Law No. 544/2001 on free access to information of public interest.

#### **4. Definitions**

- "personal data" means 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, mental, economic, cultural or social identity of that natural person;
- "processing" means any operation or set of operations 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;
- "restriction of processing" means the marking of stored personal data with the aim of limiting their processing in the future;
- "profiling" means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;
- "pseudonymisation" means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person;
- "filing system" means any structured set of personal data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis;
- "controller" means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

- "processor" means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
- "recipient" means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;
- "third party" means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
- "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;
- "personal data breach" means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;
- "genetic data" means personal data relating to the inherited or acquired genetic characteristics of a natural person which give unique information about the physiology or the health of that natural person and which result, in particular, from an analysis of a biological sample from the natural person in question;
- "biometric data" means personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images or dactyloscopic data;
- "data concerning health" means personal data related to the physical or mental health of a natural person, including the provision of health care services, which reveal information about his or her health status;
- "main establishment" means:

- (a) as regards a controller with establishments in more than one Member State, the place of its central administration in the Union, unless the decisions on the purposes and means of the processing of personal data are taken in another establishment of the controller in the Union and the latter establishment has the power to have such decisions implemented, in which case the establishment having taken such decisions is to be considered to be the main establishment;
- (b) as regards a processor with establishments in more than one Member State, the place of its central administration in the Union, or, if the processor has no central administration in the Union, the establishment of the processor in the Union where the main processing activities in the context of the activities of an establishment of the processor take place to the extent that the processor is subject to specific obligations under this Regulation;
- "representative" means a natural or legal person established in the Union who, designated by the controller or processor in writing pursuant to Article 27, represents the controller or processor with regard to their respective obligations under this Regulation;
- "enterprise" means a natural or legal person engaged in an economic activity, irrespective of its legal form, including partnerships or associations regularly engaged in an economic activity;
- "group of undertakings" means a controlling undertaking and its controlled undertakings;
- "binding corporate rules" means personal data protection policies which are adhered to by a controller or processor established on the territory of a Member State for transfers or a set of transfers of personal data to a controller or processor in one or more third countries within a group of undertakings, or group of enterprises engaged in a joint economic activity;
- "supervisory authority" means an independent public authority which is established by a Member State pursuant to Article 51;
- "supervisory authority concerned" means a supervisory authority which is concerned by the processing of personal data because: (a) the controller or processor is established on the territory of the Member State of that supervisory authority; (b) data subjects residing in the Member State of that supervisory authority are substantially affected or likely to be substantially affected by the processing; or (c) a complaint has been lodged with that supervisory authority;

- "cross-border processing" means either: (a) processing of personal data which takes place in the context of the activities of establishments in more than one Member State of a controller or processor in the Union where the controller or processor is established in more than one Member State; or (b) processing of personal data which takes place in the context of the activities of a single establishment of a controller or processor in the Union but which substantially affects or is likely to substantially affect data subjects in more than one Member State;
- "relevant and reasoned objection" means an objection to a draft decision as to whether there is an infringement of this Regulation, or whether envisaged action in relation to the controller or processor complies with this Regulation, which clearly demonstrates the significance of the risks posed by the draft decision as regards the fundamental rights and freedoms of data subjects and, where applicable, the free flow of personal data within the Union;
- "information society service" means a service as defined in point (b) of Article 1(1) of Directive (EU) 2015/1535 of the European Parliament and of the Council (1); (1) Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on information society services (OJ L 241, 17.9.2015, p. 1). (as of 23-May-2018, Art. 4, point 25 of Chapter I rectified by point 2 of the Corrigendum of 23-May-2018)
- "international organisation" means an organisation and its subordinate bodies governed by public international law, or any other body which is set up by, or on the basis of, an agreement between two or more countries.

## 5. Description of the Procedure

Personal data is any information that relates to a an identified or identifiable natural person. Different pieces of information which, collected together, can lead to the identification of a particular person also constitute personal data. Personal data that has been anonymised, encrypted or pseudonymised, but can be used to re-identify a person remain personal data and are subject to the GDPR. Personal data that has been made anonymous in such a way that the natural person is not or no longer identifiable are no longer considered personal data. For data to be truly anonymised, the anonymisation must be irreversible. The GDPR protects personal data regardless of the technology used for processing such data – it

is “technologically neutral” and applies to both automated and manual processing, provided the data is organised according to predefined criteria (e.g., in alphabetical order). It also does not matter how data is stored – in an IT system, through video surveillance or on paper; in all these cases, personal data is subject to the protection requirements set out in the GDPR.

### **List of Personal Data to be Processed by E-COLETLOGISTIC S.A. pursuant to Regulation No. 679/2016**

Data Category	Personal Data
Other personal characteristics	Foreign national: visa details, work permit, special conditions
Other personal characteristics	Work-to-home commute route
Authentication	Access codes
Authentication	Mother's first and last name
Authentication	Father's first and last name
Authentication	Series and number of the access card of an employee or visitor
Contact	Home address (including previous addresses, if any)
Contact	Email address (personal and/or work)
Contact	Phone number (personal and/or work)
Contact	Residence address (if different from home address)
Demographic	Date of birth
Demographic	Place of birth
Demographic	Age
Financial Elements	Financial information: salary, benefits, bonuses, pension, taxes, etc.
Financial Elements	Licences, diplomas, certifications, professional activities
Financial Elements	Bank account number of a client (natural person)
Financial Elements	Employee bank account number
Ethnicity	Citizenship

Ethnicity	Language
Ethnicity	Nationality
Family	Children's national identification number (National Identification Number (National Identification Number (CNP)))
Family	Spouse's national identification number (National Identification Number (National Identification Number (CNP)))
Family	Child's date of birth
Family	Spouse's date of birth
Family	Information about other family members
Family	Marital history: previous marriages, divorces, etc.
Family	Children's first and last names
Family	Parents-in-law's first and last names
Family	Spouse's first and last name
Family	Spouse's maiden name
Family	Spouse's married name
Family	Series and number of marriage, divorce, death certificate, etc.
Identification	National Identification Number (National Identification Number (CNP))
Identification	Issue date
Identification	Expiry date
Identification	First and last name
Identification	Photo from ID card
Identification	Signature
Identification	Series and number of ID card/passport
Identification	Extended digital certificate data
Identification electronica	Cookies
Identification electronica	IP addresses of devices used by employees (e.g. computers, phones, etc.)
Identification electronica	Employee access logs
Identification electronica	Web access logs
Professional history	Professional qualifications
Professional history	Career
Professional history	Data subject's CV
Professional history	Professional evaluations
Professional history	Current employer information
Professional history	Employment termination information
Professional history	Data subject's employment interview
Professional history	Data subject's education
Professional history	Occupation

Professional history	Level of education/training
Public life	Marital status

## General Rules for the Protection of Personal Data

- The preparation, receipt, storage, access, transmission, transport, use and handover of documents containing personal data shall be carried out exclusively by employees trained in the rules of personal data protection.
- The preparation, receipt, storage, access, transmission, transport, use and handover of documents containing personal data shall be carried out in strict compliance with the rules of personal data protection.
- The preparation, receipt, storage, access, transmission, transport, use and handover of documents containing personal data shall be carried out exclusively for the purpose of fulfilling job duties or complying with legal requirements.
- Any disclosure of documents containing personal data, as well as any personal information contained therein, is strictly prohibited.
- **Preparation.** Documents prepared for employees at the department level are treated as documents containing personal data and are subject to the rules of personal data protection.
- **Receipt.** Documents containing personal data shall be received promptly and the storage or use procedures shall be immediately complied with.

- **Storage.** Documents containing personal data shall be kept in a locked space, except in situations where their normal use is required for the purposes of the activity.
- **Access.** Documents containing personal data shall be accessed only when and for as long as their use is necessary. Access to personal data documents for the proper conduct of business, as well as for ensuring the realisation of the rights and interests of clients/suppliers, buyers, etc., at the level of each department, by requesting such data from the person/department responsible for them.
- **Transmission.** The transmission of physical documents containing personal data between employees with responsibilities for managing them shall be done in person or via a dedicated internal courier.
- The transport of physical documents containing personal data shall be done in a sealed envelope or sealed container.
- The transmission and transport on electronic storage devices (e.g. USB drives) of copies of documents containing personal data shall be carried out in compliance with the rules for the transmission and transport of documents containing personal data.
- The electronic transmission of copies of documents containing personal data shall be carried out in compliance with the company's IT security rules.
- **Use.** Documents containing personal data shall leave the space in which they are stored only for the period of time necessary for their normal use, in accordance with the needs of the activity.

- **Handover.** The handover and receipt of physical documents containing personal data shall be accompanied by a handover-receipt report, which is subject to the same regime as documents containing personal data.
- If a physical document containing personal data is not covered by the Personal Data Protection Procedure, the person responsible for personal data protection shall be notified immediately.
- If a source of information that contains or is likely to trigger the collection of personal data is not covered by the Personal Data Protection Procedure, the person responsible for personal data protection shall be notified immediately.

### **Example Physical Document: Complaint**

**Receipt.** Complaints are received by the person designated as the company's DPO, who has been trained in personal data protection.

**Attention! Complaints contain the first name, last name, home address, and the series and number of the identity card!**

**Storage.** Complaints shall be kept in the DPO's office, in compliance with the rules for storing documents containing personal data, for a period of 6 months, which is considered sufficient for the use of complaints at company level.

**Access.** Access to the complaints storage area shall be granted exclusively to the DPO or employees specifically designated by the DPO, who have been trained in personal data protection.

**Use.** Complaints shall be used exclusively for the purpose of resolution, as well as to facilitate correspondence with the complainant and with various public authorities/institutions for the clarification of any irregularities.

**Handover.** Complaints shall be handed over by department heads to the DPO, in compliance with the rules for the transmission of documents containing personal data.

## 6. Contents

Component number in the formalised procedure	<b>CONTENTS</b>	Page
	Cover	1
1.	Purpose of the Procedure	2
2.	Scope of Application	2
3.	Reference Regulations Applicable to Personal Data Processing Activities	2
4.	Definitions	3
5.	Description of the Procedure	7
6.	Contents	16
7.	Annexes	17

## ANNEX 1

### REQUEST FOR EXERCISING THE RIGHT OF ACCESS

To:  
E-COLETLOGISTIC S.A.

The undersigned \_\_\_\_\_ (first and last name) with \_\_\_\_\_ domicile/residence in \_\_\_\_\_ street \_\_\_\_\_ no. \_\_\_\_\_ bldg. \_\_\_\_\_ stair. \_\_\_\_\_ apt. \_\_\_\_\_ county \_\_\_\_\_ phone \_\_\_\_\_ (optional) e-mail address. \_\_\_\_\_,

pursuant to Article 15 of Regulation No. 679 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), I kindly request that you inform me whether the personal data concerning me \_\_\_\_\_ \*, have been processed or not within your company.

In view of the above, I kindly request that you take the legal measures necessary for me to receive the requested information pursuant to the provisions of Regulation No. 679 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) at the following address \_\_\_\_\_ or at the e-mail address \_\_\_\_\_.

DATE

SIGNATURE

\* Se list the personal data cu concerned.

## ANNEX 2

### REQUEST FOR EXERCISING THE RIGHT TO OBJECT

To:  
E-COLETLOGISTIC S.A.

The undersigned \_\_\_\_\_ (first and last name) \_\_\_\_\_ with \_\_\_\_\_ domicile/residence in \_\_\_\_\_ street \_\_\_\_\_ no. \_\_\_\_\_ bldg. \_\_\_\_\_ stair. \_\_\_\_\_ apt. \_\_\_\_\_ county \_\_\_\_\_ phone \_\_\_\_\_ (optional) e-mail address. \_\_\_\_\_, pursuant to Article 21 of Regulation No. 679 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), I kindly request that you take the necessary measures to cease the processing of personal data concerning me \_\_\_\_\_\*, for the following reasons \_\_\_\_\_

\*\*

Annexes in original/copie urmatoarele documente pe care se intemeiaza prezenta cerere:

In view of the above, I kindly request that you ensure that information regarding the measures taken in accordance with the present request be communicated to me at the following address \_\_\_\_\_ or at the e-mail address \_\_\_\_\_.

DATE

SIGNATURE

\* Se list the personal data cu concerned.

\*\* Se list the justified si and legitimate reasons related de to their particular situation.

## ANNEX 3

### REQUEST FOR EXERCISING THE RIGHT TO DATA PORTABILITY

To:  
E-COLETLOGISTIC S.A.

The undersigned \_\_\_\_\_ (first and last name) with \_\_\_\_\_ domicile/residence in \_\_\_\_\_ street \_\_\_\_\_ no. \_\_\_\_\_ bldg. \_\_\_\_\_ stair. \_\_\_\_\_ apt. \_\_\_\_\_ county \_\_\_\_\_ phone \_\_\_\_\_ (optional) e-mail address. \_\_\_\_\_,

pursuant to Article 20 of Regulation No. 679 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), I kindly request that you take the necessary measures for the transmission (portability) of personal data concerning me \_\_\_\_\_\*, to the controller \_\_\_\_\_\*\*, if this is technically feasible.

In view of the above, I kindly request that you ensure that information regarding the measures taken in accordance with the present request be communicated to me at the following address \_\_\_\_\_ or at the e-mail address \_\_\_\_\_.

DATE

SIGNATURE

\* Se list the personal data cu concerned.

\*\* Se specify the name of the controller.

**REQUEST FOR EXERCISING THE RIGHT TO RESTRICTION OF PROCESSING**

To:  
E-COLETLOGISTIC S.A.

The undersigned \_\_\_\_\_ (first and last name) with \_\_\_\_\_ domicile/residence in \_\_\_\_\_ street \_\_\_\_\_ no. \_\_\_\_\_ bldg. \_\_\_\_\_ stair. \_\_\_\_\_ apt. \_\_\_\_\_ county \_\_\_\_\_ phone \_\_\_\_\_ (optional) e-mail address. \_\_\_\_\_,

pursuant to Article 18 of Regulation No. 679 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), I kindly request that you take the necessary measures to restrict the processing of personal data concerning me \_\_\_\_\_\*, for the following reasons \_\_\_\_\_

\*\*

In view of the above, I kindly request that you ensure that information regarding the measures taken in accordance with the present request be communicated to me at the following address \_\_\_\_\_ or at the e-mail address \_\_\_\_\_.

DATE

SIGNATURE

\* Se list the personal data cu concerned.

\*\* Se list the justified si and legitimate reasons related de to their particular situation.