

PRIVACY POLICY

I. PRELIMINARY PROVISIONS

With this Policy, brought after 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 (Official journal EU L 119/1, hereinafter: GDPR) and The Act on Implementation of the General Data Protection Regulation (Official Gazette No. [42/2018](#), hereinafter: The Act), we further explain our data processing of individuals, the rights of individuals and all the other questions regarding our data processing.

II. WHO ARE WE

Lawyer Jelena Rubeša Bilobrk and lawyer Robertino Bilobrk, both with the law office address in Zagreb, Augusta Cesarca 8, (hereinafter individually: Lawyer) and a close team of business associates and employees. More about us on website <http://www.orb.hr/> (hereinafter: Website).

The Lawyer acts as data controller in the situations where we determine the means and purposes of data processing, which are all the situations further explained in this Policy.

The Lawyer acts as data processor or sub-processor in the situations where we process the data on behalf of the other persons (e.g. when we provide the services of substitute representation under instructions and in behalf of other lawyers.)

III. HOW TO CONTACT US

You can contact us by:

- submitting an inquiry in the designated fields on the Website and selecting the submit option;
- email: poslovna.tajnica@orb.hr;
- telephone: 00385 1 4615 820;
- fax: 00385 1 4615 822 and
- postal services: on address Zagreb, Augusta Cesarca 8.

III. PURPOSE OF THIS POLICY

Purpose of this Policy is to explain our data processing, in particular:

- what personal data do we process;
- how do we collect the data;
- what are our data processing purposes;
- what are our legal basis;
- for how long we keep the collected data;
- whom can we reveal the data and under which terms;
- what are the rights of data subjects relating to our data processing;
- other questions important to here explained data processing.

IV. DEFINITION

In terms of this Policy:

- “client” means an individual or legal person to whom the Lawyer provides his services as attorney-at-law;
- “employee candidate” means an individual who (by introduction letter, participating in a work interview and similar) seeks to be an employee of the Lawyer, on basis of

employment contract, work contract, authors contract, student contract or some similar contract;

- “business associate” means an individual or a legal person with whom the Lawyer has an established business relationship (e.g. lawyers with whom the Lawyer has a contract of cooperation, an accounting service, IT service, service for maintaining the equipment of the law office and similar);
- “business administration” means everything the Lawyer undertakes in order to keep his own records, to organize and divide the work in the law office, to keep records prescribed under the mandatory provisions and similar (e.g. internal reports, working documents, copies, backups, investigation of suspicions of fraud, filing of documents and similar).

V. WHAT PERSONAL DATA DO WE PROCESS

The Lawyer collects and processes the personal data of the following categories of individuals:

- persons inquiring about Lawyer`s services (e.g. inquiries on the telephone, emails, by personal contacts);
- clients;
- employees and employee candidates;
- business associates.

Also, as part of performing the activities of a lawyer and providing services to clients, the Lawyer may collect the personal data of third parties, such as personal data of a counterparty, personal data of the counterparties representatives and attorneys, personal data of the individual with whom the client is in a significant legal relation and similar. The legal basis of collecting such data is performing the obligations from the contract of providing the services to client and if the later isn`t applicable, the legitimate interest of the Lawyer.

VI. THE DESCRIPTION OF PROCESSING THE DATA OF INDIVIDUALS INQUIRING ABOUT OUR SERVICES

From these individuals the Lawyer may collect and further process the following data:

1. data such as name, surname, telephone number, email address, other contact data;
2. data necessary for making an informed decision of the Lawyer about the possibility to provide the service or answering the inquiry;
3. if applicable, data necessary for organizing the meeting (e.g. place and time of a meeting);
4. if applicable, data necessary for compiling with obligations on preventing money laundering and financing terrorism and similar.

Ways of collecting the data:

- from the individuals themselves who note the data to us, e.g. via email, phone call, email, personal arrival and similar;
- if needed, from the individuals we may ask further data and the data received may be checked or supplemented with publicly available information (e.g. with information in the public registers, information stored by public bodies, business banks and similar).

Purpose:

- identifying the individuals, answering the inquiries, making the decision of providing the services.

Legal basis:

- for data processing described under points 1.-3., if the basis isn't taking steps at the request of the data subject prior to entering into a contract, the legal basis is the legitimate interest of the Lawyer (the Lawyer's legitimate interest is to identify the person who is approaching him and to provide the best possible service and/or answer to a request);
- for data processing described under point 4, the legal basis is complying with the Lawyer's legal obligations.

Obligation to provide the personal data and consequences of failure to provide such data:

- providing of all the above-mentioned data depends solely on the individual in question, but if he/she does not provide the data, the purposes of data processing will not be fulfilled (Lawyer will not be able to provide the requested services nor give the answer to the inquiries).

VII. THE DESCRIPTION OF PROCESSING THE DATA OF CLIENTS

Apart from the data the Lawyer processes of individuals in point VI., from clients the Lawyer processes and collect also the following data:

1. tax number and/or OIB number, number of transaction account, residence or domicile data (if the client is a natural person);
2. first and last name, email and other contact data for the individuals acting as representatives and/or contact persons (if the client is a legal person);
3. the data given by the client and/or data which the Lawyer is instructed to obtain from third parties (e.g. the client gives the appropriate proxy to the Lawyer or the client instructs the Lawyer to obtain the data from public registries);
4. other data necessary to provide the services for which the Lawyer is engaged, and which may be obtained from the public records or from the third parties (e.g. through the court testimony);
5. the data needed to comply with mandatory provisions (e.g. the data on source of the funds and similar, all according to the provisions on preventing the money laundering and financing of terrorism, data on paying the bills for applying and calculating taxes);
6. the data needed for eventual enforcing of Lawyers claims for services rendered.

Ways of collecting the data:

- from the clients, thorough proxy, from public records and every other way allowed which is in conformity with the received instruction and services of a lawyer;
- if needed, the Lawyer may ask further data from clients and the data received may be checked or supplemented (in public registries, on other ways available).

Purposes:

- communication with clients, providing the services, payment of services, providing the best service to the client, business administration.

Legal basis:

- processing of the clients' personal data is generally based on the consent of a client;
- if the consent is not applicable, for the data processing described under points 1.-4., the legal basis is performing the contract with the client or taking steps prior to entering into a contract, and for the processing of data described under point 5. the legal basis is complying with the Lawyer's legal obligations;

- for data processing described under point 6. the legal basis is the legitimate interest of the Lawyer.

Obligation to provide the personal data and consequences of failure to provide such data:

- providing of all the above mentioned data is contractual and/or legal obligation of the data subject and in case the data subject does not provide all the described or additionally requested information, the purposes of data processing would not be fulfilled (the Lawyer will not be able to provide the requested services nor will the contract of providing the services be concluded).

VIII. THE DESCRIPTION OF PROCESSING THE DATA OF EMPLOYEE CANDIDATES

From the employee candidates the Lawyer may collect and further process the following data:

1. first and last name, residence or domicile data, telephone number, email address, other contact data;
2. data on professional qualifications;
3. work experience (former employers, duration of employment, work description and similar);
4. data on education and similar.

Ways of collecting the data:

- from the employee candidates, by noticing or delivering the data to Lawyer (e.g. with introduction letter delivered via e-mail, regular mail or other means);
- if needed, the Lawyer may ask further data from employee candidates (e.g. by calling the candidate on an interview, by asking the additional data) and the data received may be checked or supplemented (in public registries, on other ways available).

Purposes:

- communication with employee candidates, enabling the Lawyer to choose the best possible person for the certain position.

Legal basis:

- the legitimate interest (it is Lawyer`s legitimate interest to seek and to conclude the work contract with the most suitable persons).

Obligation to provide the personal data and consequences of failure to provide such data:

- providing of all the above mentioned data depends solely on the data subject, however, in case the data subject does not provide all the described or additionally requested information, the purposes of data processing would not be fulfilled (the Lawyer will not be able to make a decision on hiring or concluding the contract).

IX. THE DESCRIPTION OF PROCESSING THE DATA OF BUSINESS ASSOCIATES

From business associates the Lawyer may collect and further process the following data:

1. data such as name, surname, telephone number, email address, other contact data (if the business associate is a natural person);
2. first and last name, email and other contact data for the individuals acting as representatives and/or contact persons (if the business associate is a legal person);
3. tax number and/or OIB number, number of transaction account, number of registration of the business, licenses and similar data needed for concluding and exercising the

contract (for business associates natural persons and for persons acting as representatives of the legal person, if applicable).

Ways of collecting the data:

- from the business associates, by noticing or delivering the data to Lawyer (e.g. with their offer, by direct contact, by negotiations on cooperation);
- if needed, the Lawyer may ask further data from data subjects (e.g. licences) and the data received may be checked or supplemented (in public registries, on other ways available).

Purposes:

- communication with business associates, preparing, performing and keeping track on performing of an agreement, business administration.

Legal basis:

- if the legal basis isn't concluding and performing of an agreement to which the business associate is a party, the legal basis is the legitimate interest (it is Lawyers legitimate interest to keep track of his associates, to communicate with them and to do the work necessary for business administration).

Obligation to provide the personal data and consequences of failure to provide such data:

- providing of all the above-mentioned data is contractual and/or legal obligation of the data subject and in case the data subject does not provide all the described or additionally requested information, the purposes of data processing would not be fulfilled.

For his business associates the Lawyer chooses only the persons who sufficiently guarantee the implementation of the required technical and organization measures, the way that the data processing is in accordance with the GDPR and it provides the protection of the right of the data subject.

X. SPECIAL CASES OF COLLECTING THE PERSONAL DATA

Answering machine

If the Lawyer is contacted by phone and is not able to answer, you can leave the message on the answering machine. The left message will be recorded and by cessation of reasons because of which the Lawyer could not answer the call, the message will be listened to in full.

The purpose of recording and storing the message is to secure the availability and the best possible service to clients. The legal basis is the legitimate interest.

The recorded message can be stored on the more permanent basis and be further processed if the rules of data processing described in this Policy are fulfilled (e.g. the message was left by client who gives the additional data necessary to provide the service of the Lawyer).

E-mail correspondence, correspondence via mobile applications or postal services

E-mail correspondence, messages sent or received via mobile phone or mobile applications, as well as all correspondence received on the Lawyers address, can be stored and made notice of. The purpose of storage and making notice of such correspondence are the reasons of providing the best possible service to clients, as well as the reasons of business administration. The legal basis is the legitimate interest of the Lawyer.

The correspondence will be further processed if the rules of data processing described in this Policy are fulfilled (e.g. an e-mail was delivered from the counter-party's attorney, with the data necessary to provide the service of the Lawyer).

The above mentioned refers as to correspondence made on Lawyer's official (business) e-mail addresses and phone number, as to correspondence made on official (business) e-mail addresses and phone number of Lawyer's employees and associates.

XI. HOW LONG DO WE KEEP THE DATA FOR

The personal data the Lawyer will delete after cessation of a contract, cessation of the purposes for which the data was collected, and after the expiration date of all the legal obligations for keeping that data, whichever is longer.

In the event of a dispute concerning the exercise of rights arising out of or in connection with employment, or in case of a complaint/dispute concerning the provision of services, dispute regarding payment or similar, regardless who started the complaint/dispute, the Lawyer is obligated to keep the relevant personal data until the end of the dispute.

XIII. WHOM CAN WE REVEAL THE PERSONAL DATA AND UNDER WHICH CIRCUMSTANCES

Depending on the purpose and legal basis for processing of the personal data, the Lawyer can share and deliver the personal data to the following persons:

- to business associates (other lawyers, accountants, translators and similar), who are obligated to keep the confidentiality of the delivered data (the data will be delivered to them only if it is necessary to execute the contract with the data subject or to provide the best possible service to the client);
- to state bodies, regulatory bodies, courts and other competent authorities, if necessary for complying with mandatory provisions, court orders and other binding measures (e.g. we submit the data on paying our bills to the tax administration) or if necessary for protection of rights and property of the Lawyer or safety of employees and persons in the law office.

Personal data of employees and business associates (e.g. first and last name, contact information and similar), if necessary and depending on the work the employee or business associate is engaged with, the Lawyer may put on the Power of attorney and deliver to third persons (e.g. clients, courts), all for the purpose of: executing the contractual obligations of employee/ associate, executing the Lawyer's contract with the client and purpose of providing the best possible service to the client.

XIII. CONFIDENTIALITY OF THE PERSONAL DATA

Everything the client shares with the Lawyer or what the Lawyer finds out by other means when representing the client, including the personal data of the client and other data subjects, the Lawyer is obligated to keep secret as attorney-client privilege. The obligation of attorney-client privilege relates to all Lawyer's employees and business associates (current, previous and future).

XIV. MEASURES FOR PROTECTING THE PERSONAL DATA

The Lawyer undertakes all the appropriate technical, HR and organizational measures to protect the personal information of data subjects, which measures are necessary to protect that

personal data from accidental loss or destruction, from unlawful accesses, unauthorized modification, unlawful disclosure and every other misconduct.

The technical measures for protecting the personal data include, at least, the control of physical access to the data (security entrance door, alarm systems with passport, locked closets and similar), moreover, the logical control of access (by appointing the user name and password known only to persons processing the data), by securing the operating system and e-mail accounts, by using the antivirus software, access only by safety protocols and other measures. For additional safety, the personal data are stored on portable memories and back-up copies on locally placed server.

Access to computers and other automated means of processing, can be monitored by accessing the data of such access, recorded on relevant automated means of processing.

XV. THE RIGHTS OF DATA SUBJECTS

Everybody whose personal data the Lawyer processes as the data controller, has the following rights:

1. right to be informed

- right to receive the information about the Lawyer, our purposes, legal basis and other important information on our processing of the data;
- we made this Policy for providing you with the previous information;
- when applicable (e.g. common data processing, foreseen and explained in this Policy) the needed information will be given by publishing this Policy or by referring to it, which is the reason for reading this Policy carefully;

2. right of access

- right to receive a confirmation whether we process the personal data and if we do, to obtain all the information about our processing (the same as mentioned by right to be informed)
- this information the Lawyer shall, whenever appropriate, provide by referring to this Policy;

3. right to rectification

- the right to request to have the personal information, that is inaccurate or incomplete, rectified or amended;

4. right to erasure

- right to ask to delete the personal information where we no longer need it for the purposes for which we collected it or when there is no legal basis for our processing of the data;
- this right cannot be actualized if the data has to be processed for Lawyer to fulfil his legal obligations, to protect the public health interest or to determine, exercise or defend legal claims;

5. right to restrict processing

- right to ask to 'block' or suppress the processing of personal information for the period until the objection to our data processing is decided;
- restriction of processing can always be asked as an alternative to the request for erasure;

6. right to data portability

- right to ask to obtain the personal information you provided us or to ask us to transfer that data to other data processor, in appropriate form;
- this right can be used if we received the data in a structured, commonly used and machine-readable format and if the further conditions are fulfilled: our

processing of that data is based on a consent or on a contract and it is carried out by automated means;

7. right to object

- right to ask us to stop processing of the personal information on basis of legitimate interest and for the performance of tasks carried out in the public interest; the Lawyer can continue with processing of the data if we can demonstrate a compelling legal ground for the processing (which includes the establishment, exercise or defense of legal claims);
- if you are not satisfied with our answer or think we process your information unlawfully, you can lodge a complaint to the relevant supervisory authority;
- the supervisory authority in Republic of Croatia is Agencija za zaštitu osobni podataka (contact information: <http://azop.hr/>).

In case we don't collect the personal data directly from data subjects, the Lawyer shall, within the reasonable period not later than one month, provide you with all the necessary information regarding processing of the data, except:

- you are already informed about our data processing; or
- the provision of such information proves impossible or would involve a disproportionate effort, or would seriously jeopardize the goals of data processing; or
- that data processing (collecting and disclosure) is expressly laid down by the law that obligates the Lawyer; or
- the personal data has to remain confidential in accordance to an obligation of professional secrecy (attorney-client privilege).

XVI. RIGHT TO WITHDRAW CONSENT

The consent given, the data subject can withdraw at any time. The withdrawal, however, does not affect the lawfulness of our data processing on basis of their consent prior to the withdrawal.

In case of withdrawal the Lawyer can further process the personal data if we have other legal basis for processing (e.g. legitimate interest or mandatory obligations).

XVII. OTHER PROVISIONS

Browsing of the Website is anonymous. From the Website browser we collect only the basic data necessary for normal functioning of the Site and for protection from unlawful access.

The Lawyer does not apply processes of profiling nor the automated decision-making.

The Lawyer does not transfer the personal data to third countries where laws do not provide the same level of protection as laws in the EU and Croatia, with the exception when the data subject has explicitly consented to the transfer or when the transfer is necessary for: the performance of a contract, the establishment, exercise or defense of legal claims, important reasons of public interest or for protecting the vital interests of the data subjects.

XVIII. ENTERING IN FORCE

This Policy is brought and effective from the day 25th of May 2018.