

The rules for the processing of personal data

The rules for the processing of personal data (hereinafter referred to as "the Rules") have been prepared to take into account the European Parliament and Council Resolution from April 27, 2016. The provisions of Regulation (EU) 2016/679 (hereinafter referred to as "the Regulation") are intended to ensure the proper implementation and enforcement of personal data processing requirements.

The rules regulate the scope of data processed, establish the essential data protection requirements for the Company, the data storage period, the conditions for the implementation of the right "to be forgotten", the right of data subjects to receive information about the conditions and procedure for the data processed by the Company, the rights of the data subjects, whose rights were violated, and the procedure for resolving disputes.

1. The terminology used in the Regulations

1.1. The following definitions are used in the Regulation are defined in this section for the convenience of the data subject:

1.1.1. **The Company** – means SME Finance, Ltd, company code 304254910, A. Tumėno str. 4-23, LT-01109, Vilnius, tel. +37063411115, e-mail: info@smefinance.lt.

1.1.2. **Data subject** – means a natural person whose identity has been identified or whose identity can be identified from the personal data held.

1.1.3. **Customer** – a legal person who has concluded a service contract with the Company, as well as a legal person, which applies to the Company with the intention to use the services provided by the Company.

1.4.4. **Customer representative** – a natural person legally representing the Customer's interests by law or other legal bases.

1.1.5. **Employee** – a natural person working in the Company on the basis of an employment relationship.

1.1.6. **Personal data** – any information that is directly or indirectly related to a natural person, which can identify a specific data subject.

1.1.7. **Special personal data** – data relating to the racial or ethnic origin of a natural person, political, religious, philosophical or other beliefs, membership of trade unions, health, sex life, genetic data, biometric data, as well as information on a person's criminal record.

1.1.8. **Data management** – any operation or sequence of operations, whether automated or not by means of personal data or sets of personal data: collection, recording, sorting, systematisation, storage, adaptation or alteration, access, use, disclosure in transmission, distribution or other means, making it possible to use them, as well as matching or merging with other items, restriction, erasure or destruction.

1.1.9. **Profiliation** – the form of automated processing of personal data that assesses personal aspects of a natural person's personal data, in particular for the purpose of analyzing or predicting aspects related to the work of the data subject, economic status, state of health, personal interests, reliability or conduct, place or movement.

1.1.10. **Recipient of data** – a natural or legal person, public authority, agency or other institution for which personal data is disclosed.

1.1.11. **Agreement** – a specific and unambiguous expression of the free will of a duly notified data subject in a statement or unambiguous manner in which he agrees to process personal data relating to him.

1.1.12. **Direct marketing** – the offering of goods and services by the Company and third parties by applying to the natural person in writing, by means of communication, by e-mail, as well as by other means in direct communication with a natural person.

1.1.13. **Third person** – a natural or legal person, public authority, agency or other entity that is not a data subject, controller, processor, or person authorized by the direct controller or processor to process personal data.

1.2. Other terms used in the Rules shall be understood and interpreted in the light of the Resolution.

2. General provisions

2.1. These Rules regulate the main principles of the Company's activities in the process of processing personal data and implementing personal data protection requirements established in the Regulation and the other legal acts regulating the processing of personal data.

2.2. These Rules are a legally binding document in which data subjects can directly rely on the Company to enforce their rights regarding the general purpose of protecting personal data, protected by the Regulation. The rules are binding both on the internal and external levels.

2.3. When processing personal data, the Company strictly adheres to the principles of legality, fairness, transparency, limitation (reduction) of time and amount of the data processing, proportionality and expediency, does not require data subjects to submit and does not store data, which is not necessary.

2.4 The Company also complies with other general data protection principles, including the principles of data quality, customized and standardized data protection, the legal basis for data processing, the processing of special categories of personal data, the data protection regulations and data security measures established in these Regulations and requirements for the further transmission of data to institutions that do not have to comply with the mandatory rules of the company.

2.5. The Company collects and manages only the data necessary to ensure the security of the employees and the Customers, necessary in order to ensure the proper fulfilment of the contracts and legal obligations.

2.6. The personal data of a data subject can be found only by those employees of the Company and (or) the third parties for which personal data are necessary for the proper performance of the tasks entrusted to them. In this case, the Company shall take measures to ensure that personal data is used only at that time and only to the extent that is necessary for the provision of a quality service and a professionally performed assignment.

2.7. The Company takes steps to ensure that the data processed by the Company are complete, up-to-date and accurate, and therefore the Company's data is constantly corrected and updated. Data subjects have the right to get acquainted with their personal data processed by the Company and require them to supplement, update, modify, remove not real, inaccurate data.

2.8. The Company respects the privacy of the data subjects and undertakes to comply with the basic principles and requirements for the protection of personal data as specified in the Regulation, data protection legislation and these Rules.

2.9. The personal data of the data subject is kept for no longer than is necessary in view of the specific purposes of the processing, as well as in order to ensure the proper fulfilment of contractual and statutory obligations, as well as taking into account the requirements of laws and legal acts imposing an obligation to accumulate and protect providing personal data for tax administration, money laundering prevention, accounting, archiving purposes, as well as taking into account the provisions of the legal acts regulating the limitation period of the claim.

2.10. The Company does not disclose the cases provided for in the legal acts regulating data protection without the right to receive third persons other than the Regulation unless the data subject is obliged to do so by the Company.

3. Data Management Objectives

3.1. The Company processes personal data only for the following purposes:

3.1.1. ensuring identification of the requesting person, identification of the person representing the Customer;

3.1.2. to perform the requesting person, as well as the person seeking to assume financial obligations to the Company, in addition to the obligations of the Customer or otherwise, as well as the contract evaluation and monitoring of the risk of creditworthiness of the person seeking to conclude or contract the company, as well as to implement other obligations with the responsible lending undertaking to the Company, as the lending entity;

3.1.3. to execute properly the contract for which the data subject is a party or in order to take action at the request of the data subject prior to the conclusion of the contract with the data subject or the person in whose activities the data subject is directly involved;

3.1.4. to properly fulfil the obligations of the Company, arising from the law or from the performance of contractual obligations;

3.1.5. to protect the rights and legitimate interests of the Company, to implement the right to judicial defence, to submit a claim to a court or other dispute settlement institution transferring the claim right (arrears);

3.1.6. to ensure the security of the Company's assets and (or) personal security of employees, customers and data subjects;

3.1.7. at the request of the data subject, make an assessment of the credibility of the data subject.

3.2. The Company shall process personal data for purposes other than those provided for in paragraph 12 of these Rules only by providing the data subject with all necessary information and having received the prior written consent of the data subject.

3.3 The Company does not use personal data for direct marketing purposes without the prior consent of the individual written data subject.

4. Company collected data

4.1. Personal data may be obtained directly from the data subject, using the services of the Company from the activities of the data subject, as well as from external sources such as public and privately owned registers and other third parties lawfully managing data subjects.

4.2. The main categories of personal data processed by the Company are:

4.2.1. **identity data** – name, surname, personal identification number, date of birth.

4.2.2. **contact details** – address for correspondence, telephone number, e-mail address.

4.2.3. **data on relations with legal entities that are represented or participated by a data subject** – data provided by the data subject, the Client or obtained from public registers or in compliance with the Company's contractual or statutory obligations related to the compliance with the contractual and other legal obligations of the Company;

4.2.4. **financial data** – any data on the credibility of the data subject, such as data on accounts, ownership, transactions, loans, disposable income, liabilities, number of dependents, ownership of the property;

4.2.5. **data related to the credibility of the Customer and (or) the claimant and the assessment of the legality of the activity** – data on financial operations and the origin of money that is necessary for the Company to ensure proper compliance with law-making obligations, such as preventing possible money laundering, etc .;

4.2.6. **data obtained and (or) created in compliance with the requirements of legal acts** – data received by inquiries from courts, law enforcement authorities, notaries, tax authorities, courts and bailiffs;

4.2.7. **data collected by the Client and (or) the data subject using communications and other technical means** – data collected during the visit of the data subject to the premises of the Company (video data captured by video cameras) or data obtained during communication with the Company via e-mail, reg. mail, and data submitted together with the requests and claims of the Customer and (or) the data subject, requests, complaints.

4.2.8. **data relating to the execution of contracts** – data on the execution or non-execution of contracts between the data subject and the data subject's representatives, valid or expired contracts, applications, requests and complaints submitted.

4.3. Special personal data is processed solely in cases where it is necessary for the Company and (or) the data subject to fulfil his obligations and exercise specific rights in the field of employment and social security as permitted by the law on labour law and data protection provisions.

4.4. Sensitive personal data accidentally disclosed by the data subject or accidentally obtained from a third party shall be destroyed immediately upon written information to the data subject.

4.5. The Company does not handle the data subjects who have applied for the conclusion of contracts with the Company, but the contracts with them have not been concluded - after the decision on the non-conclusion of the contract has been made, the data is immediately destroyed, informing the data subject in writing.

4.6. After receiving of the consent of the person, the Company may also process other personal data if the processing of personal data becomes necessary in order to implement the legitimate aims specified in these Rules or in the request for consent.

5. Beneficiaries of personal data

5.1. Personal data may be submitted to third parties only in order to ensure the proper execution of contracts concluded by the Company, satisfactory implementation of the legal obligations applicable to the Company and the implementation of other objectives provided for in these Rules.

5.2. The main groups of recipients of personal data are:

5.2.1. State institutions, municipal institutions and institutions, other persons performing functions delegated to them by law (for example, courts, law enforcement agencies, bailiffs, notaries, lawyers, tax administration, control over the activities of the Company, institutions conducting financial crime investigation);

5.2.2. credit and finance, payment institutions, financial brokers and other financial market participants whose services are essential for the proper implementation of the Company's contractual and statutory obligations, such as submitting the necessary information for the payment, provide the payment institution with correct information about the payee, the borrower and etc .;

5.2.3. Auditors, lawyers, finance, tax consultants providing services to the Company, to the extent necessary for the implementation of the legal obligations applicable to the Company;

5.2.4. third parties handling public registers, such as the Population Register, the Register of Legal Persons, the Register of Securities, the Real Estate Register, etc., to the extent necessary to implement the data processing objectives specified in these Rules;

5.2.5. to third parties processing joint debtors data files in case if they have not properly performed their financial obligations to the Company. In such a case, the data shall be provided only in accordance with the conditions laid down by law, with the prior written reminder of the data subject and the circumvention of the data subject with prior written notice.

5.2.6. executing and debt recovery services, as well as persons who, in accordance with the procedure established by the law, transfer the claims to customers and contracts with the persons who have concluded the contracts with the Company, judicial institutions, bailiffs, notaries, bankruptcy administrators, etc.

5.2.7. other companies are used by third parties whose participation is necessary in order to ensure the proper performance of the Company's contractual obligations and proper provision of services, such as third parties, authorized representatives, agents providing services, postal / shipment services, etc.

5.3. Personal data may also be transferred to other third parties if such data transmission is necessary for the proper fulfilment of the Company's contractual obligations, or the Company is obliged to provide such information by the relevant legislation and (or) court decision as well as by the data subject.

5.4. In addition to the written consent of the data subject, data is not transferred to third countries.

6. Principal rights of the data subject

6.1. The data subject has the following basic rights arising from the processing of personal data and arising from the general principle of the protection of personal data:

6.1.1. to receive confirmation from the Company that the personal data concerning him are being processed and, if such personal data are processed, have the right to access personal data;

6.1.2. require the Company to grant access to the information necessary to ensure the integrity and clarity of the processing of data: the basis and purpose of the processing, the criteria for determining the processing period, the categories of data recipients for which personal data have been disclosed or may be disclosed;

6.1.3. receive personal data relating to him, which he provided to the controller in a systematic, commonly used and computer-readable format, and has the right to transfer that data to another data controller;

6.1.4. to demand that the Company directly transfer the personal data available to the data subject at the request of the data subject to the person specified by the data subject;

6.1.5. in cases where data is collected outside of the data subject, the data subject has the right to request the Company to provide information on the sources of personal data on the basis of which personal data have been obtained;

6.1.6. during the submission of data to the Company, has the right to request the Company to indicate the consequences of failure to provide personal data.

6.1.7. to demand that the Company immediately correct inaccurate or incorrect personal data relating to it, as well as supplement incomplete personal data, if such addition is necessary for the view of the purpose of the processing;

6.1.8. taking into account the purposes for which the data were processed, the data subject has the right to request the restriction or refusal of the processing of personal data relating to the data subject;

6.1.9. requiring the Company to delete personal data relating to him if personal data becomes unnecessary in order to achieve the purposes for which they were collected or otherwise processed reveals that personal data has been processed illegally, except where the processing of the data is necessary to ensure the Company the right to a judicial defense or in the public interest;

6.1.10. submit a complaint to the State Data Protection Inspectorate if it considers that the Company has infringed the rights of the data subject when processing personal data.

6.1.11. to demand from the Company to compensate the damages caused by the violation of data processing or processing of personal data;

6.1.12. require the Company to restrict personal data processing operations, except for storage, in the event that the data are considered to be inaccurate and the accuracy of the data is disputed, also if the processing is considered to be unlawful and the data subject requests data not to be erased but to be limited to their use;

6.1.13. to demand the restriction of data processing in cases where the data processed by the Company becomes unnecessary for the Company for the purposes of processing personal data, but such data is necessary for the data subject himself in order to properly exercise the right to legal protection;

6.1.14. cancel at any time its consent to the processing of personal data in cases where personal data is processed on the basis of the consent of the person;

6.1.15. to oppose the use of a fully automated decision, including profiling, if such decision-making has legal implications or a similarly significant impact on the data subject. This right does not apply where such decision making is necessary for the purpose of concluding the contract for the purpose of the execution of the contract and is permitted under the data protection legislation.

6.2. Revocation of an authorization shall not affect the lawfulness of the processing of personal data until the moment of cancellation of the moment.

6.3. The Company must submit a request for information and data in the same form as received by the person's request no later than within 30 days from the receipt of the request.

7. Profiling and automatic data processing

7.1. Personal data is processed manually and automatically using the means of data processing provided by the Company.

7.2. Company profiling involves the processing of personal data in an automated way in order to evaluate certain financial and creditworthiness circumstances of a data subject necessary for the adoption of a responsible lending decision.

7.3. Profiling activity is not carried out for direct marketing purposes, without the prior consent of the individual writer.

8. Community commitments to ensure data security

8.1 The Company must implement the appropriate technical and organizational measures to ensure an adequate level of security taking into account the level of development of technical possibilities, the implementation costs of the nature, coverage, context and objectives of data processing, as well as the risks of diversification and seriousness of data processing to individuals rights and freedoms.

8.2. The Company must apply intelligent, technologically advanced and proportionate measures to safeguard the data subject's data security, and which help protect personal data from any unauthorized handling, including destruction, unauthorized disclosure, or distortion.

8.3. The Company undertakes to take appropriate security measures related to the protection of used data processing systems, software, employees, premises and data warehouses.

8.4. The Company shall ensure that personal data is provided with the status of confidential information.

8.5. The Company must use the data processors or third parties which the Company has used for the provision of ordered services to guarantee the necessary technical and organizational measures for the protection of personal data and to ensure that such measures are observed.

8.6. The Company ensures that the employees of the Company performing separate processing and processing of data subjects strictly adhere to the provisions of these rules.

8.7. The company must periodically provide appropriate training for employees in order to ensure that the personal data protection is ensured in the Company.

8.8. About any security risk to the security of personal data, the Company must immediately notify, but not later than within 72 hours from the moment of finding of the violation, the State Personal Data Protection Authority and the data subject.

8.9. The company must immediately inform the data subject about the end of processing of personal data, destruction (deletion), as well as data correction or restriction of data processing.

8.10. The company must cooperate with the State Personal Data Protection Authority, comply with the recommendations of the State Personal Data Protection Service regarding data storage.

9. Liability and dispute settlement procedure

9.1. The Company assumes responsibility for violations of these Regulations, Regulation and/or other data protection legislation and must compensate the data subject for material or non-material damage caused by violation of these Rules, the Regulation and/or other legal acts regulating data protection.

9.2. The provisions of the Regulations shall be interpreted and disputes arising from these rules shall be dealt with in accordance with the provisions of the Regulation and the legal acts of the Republic of Lithuania. Disputes concerning these Rules and the legal relationship arising from the application of these Rules should, in particular, be resolved by negotiation, by way of cooperation between the parties.

9.3. A data subject who considers that the Company has violated his rights regarding the protection of personal data has the right to apply to the Company with a request/complaint in any way convenient to the data subject - reg. email, email by post directly to the premises of the Company. The data subject must submit identity documents to the Company, from which it is possible to identify the data subject and verify the identity of the data subject.

9.4. Failure to resolve the dispute peacefully, the data subject has the right to apply to the State Data Protection Inspectorate, which is responsible for the supervision and control of personal data protection legislation in Lithuania.

9.5. The data subject is also entitled to apply to the court in the manner prescribed by law.

10. Validity and replacement of the Rules

10.1. The Company publishes these Rules at the Company's website www.smefinance.lt. The Company has the right to partially or completely change the Rules by notifying it on the website.

10.2. The Rules, the amendments and amendments to the Rules shall come into force on the day the Rules are published on the Company's Internet site.

10.3. Workers with the Rules, the amendments to the Rules are introduced by signing.

10.4. The Data Subject shall be informed about these Rules in the Agreement and / or in the application for the agreement, consent or other documents on the basis of which personal data is processed, with reference to the Company's website.