

# Statement of the Data Controller

## 1. Who is the controller of your personal data?

The controller of your personal data is Sopockie Towarzystwo Ubezpieczeń ERGO Hestia SA (hereinafter: "ERGO Hestia")

Mailing address: ul. Hestii 1, 81-731 Sopot

Phone number: 801 107 107 or (58) 555 55 55

## 2. Who is the Data Protection Officer?

The personal data controller has appointed a Data Protection Officer whom you can contact in all matters regarding the processing of your personal data and the exercise of your rights related to data processing.

Contact details of the Data Protection Officer:

Mailing address: ul. Hestii 1, 81-731 Sopot

Email address: [iod@ergohestia.pl](mailto:iod@ergohestia.pl)

## 3. For what purposes is your personal data processed?

Your personal data is processed for the following purposes:

- 1) **conclusion and performance of an agreement/contract, presentation of an insurance offer** — profiling is used to determine the amount of the insurance premium. Decisions related to profiling will be made on the basis of data collected in the process of drawing up the insurance offer and the conclusion of the agreement/contract and the information obtained through the Insurance Guarantee Fund. For example, the more damage has occurred in the insurance history, the higher the insurance risk may be and, therefore, the premium may be higher. If damage is reported, profiling is used to determine the liquidation path. Decisions on the selection of a liquidation path will be made on the basis of data collected during the damage notification process and damage data contained in the databases of the personal data controller. For example, if in the last year no damage was reported under a given policy, it is likely that the damage will be eliminated in a simplified manner, and, therefore, without the need to inspect the vehicle or property by an ERGO Hestia representative,
- 2) **insurance risk assessment in an automated manner, including profiling** — in the case of concluding an insurance contract in the direct model, i.e. online, and in the event of automatic renewal of liability insurance (OC) for risk assessment, we will use profiling to determine the amount of the insurance premium.

In the event of automatic renewal of liability insurance, decisions related to profiling will be made on the basis of an automatic assessment of data resulting from a previous insurance contract. The amount of damage incurred is the data which has a significant impact on insurance risk. The more damage has occurred, the higher the insurance premium. Decisions will be based on profiling, i.e. on automatic assessment of insurance risk of concluding an insurance contract with you. In connection with automated decision-making, you have the right to receive relevant explanations as to the grounds for the decision taken, to challenge it, to express your own point of view or to obtain human intervention (i.e. have the data analysed and decisions taken by a person).

In order to determine the amount of the insurance premium when an insurance contract is concluded via the Yanosik application, profiling is used and automatic decisions are made related to the assessment of driving safety. Decisions will be made based on the assessment of the driving style, monitored through the indicated application. For example, the more damage has occurred in the insurance history or the greater the driving dynamics of the data subject, the higher the insurance risk may be and, therefore, the premium may be higher,

- 3) **reinsurance of risk,**
- 4) **pursuing claims** — in justified cases, in relation to the required claims arising from insurance contracts, after an unsuccessful process of their pursuit, ERGO Hestia decides to transfer the data to another entity,
- 5) **direct marketing of the controller's own products and services** — in the case of direct marketing of own products and services, we will use profiling. This means that, based on your data and other information, we will develop a marketing profile to present you with offers tailored to your needs. Based on such a profile, no automated decisions will be taken,
- 6) **counteracting insurance crimes** — to the extent necessary to prevent abuse and using ERGO Hestia's activities for criminal purposes,
- 7) **handling of complaints and appeals** regarding services provided by ERGO Hestia, as well as requests and queries addressed to ERGO Hestia,
- 8) **fulfilling the obligations** incumbent on the controller in connection with sanctions introduced by relevant regulations of the United Nations, the European Union or the United States of America,
- 9) **performance of a contract for the provision of services by electronic means,**
- 10) **related to customer service via the hotline** — your personal data may be processed in the form of a recorded conversation,
- 11) **ensuring security of persons and property — the controller uses video surveillance,**
- 12) **analytical and statistical purposes.**

#### 4. What is the legal basis for processing your personal data?

Legal basis for data processing:

- 1) **necessity to conclude and perform an insurance contract**, grant insurance cover and perform the contract,
- 2) **legitimate interests of the data controller** — including conducting direct marketing of his/her services, the possibility of redress, counteracting and prosecuting crimes committed to the detriment of the insurance firm, reducing the insurance risk associated with concluding an insurance contract,
- 3) **compliance with the legal obligations of the data controller** (arising from the provisions of national and international law, including European Union law) — processing to fulfil the obligations arising from legal provisions includes, inter alia, processing based on accounting regulations, handling complaints related to reporting to public authorities, including supervisory authorities and to other entities to which ERGO Hestia is obliged to report,
- 4) **legitimate interest of a third party**, i.e. the parent company in the MunichRe capital group (to which the controller belongs), as an entity directly obliged to apply the sanctions of the United States of America and ensure that related parties observe them,
- 5) **consent in the event that it is given freely.**

#### 5. To which recipients will your personal data be transferred?

Your personal data may be transferred to:

- 1) entities processing personal data at the request of ERGO Hestia, among others IT service providers, data processors for the purpose of debt collection, provision of archiving services, conducting liquidation proceedings of insurance benefits, insurance agents,
- 2) reinsurance undertakings,
- 3) medical facilities,
- 4) other insurance firms in case separate consent is granted,
- 5) other entities in case separate consent is granted,

- 6) other controllers if legitimate interests of the data controller exist.

If you give consent, your data may be forwarded to other insurance firms in order to assess insurance risk and to entities from the ERGO Hestia capital group for the purpose of direct marketing of their products and services.

### **Transfer of personal data outside the European Economic Area**

ERGO Hestia will transfer your personal data to recipients located in countries outside the European Economic Area if it proves necessary to perform the insurance contract we have concluded with you. ERGO Hestia shall ensure appropriate safeguards to secure the personal data. For information on how to obtain a copy of these safeguards or where they have been made available, please contact the data controller or the Data Protection Officer.

### **6. What are your rights related to the processing of personal data?**

1. The right to withdraw consent — to the extent that consent is the basis for the processing of your personal data, you have the right to withdraw consent. Withdrawal of consent does not affect the lawfulness of processing which was based on consent before its withdrawal,
2. the right to access personal data (information about processed data, copies of data) and the right to request its rectification (correction), deletion or restriction of its processing,
3. the right to object to the processing of personal data — you have the right to object to the processing of your personal data — to the extent that this personal data is processed on the basis of the legitimate interests of the controller. In particular, you have the right to object to the processing of personal data for the purposes of direct marketing and profiling,
4. the right to data portability — you also have the right to transfer personal data, i.e. to receive your personal data from the controller in a structured, commonly used and machine-readable format and you have the right to transmit this data to another controller,
5. the right to lodge a complaint with a supervisory authority responsible for the protection of personal data,
6. in the case of automated decision-making, you have the right to receive relevant explanations as to the grounds for the decision made, to challenge it, to express your own point of view or to obtain human intervention (i.e. have the data analysed and the decision taken by a person).

In order to exercise the above rights, please contact the data administrator or the Data Protection Officer.

Contact details are indicated in points 1-2 above.

## **7. Other information**

### **For what period will your personal data be stored?**

Where an insurance contract has been concluded or insurance cover granted, personal data shall be stored until the expiry of the limitation period for claims under the insurance contract or until the obligation to store the data under the law expires, in particular the obligation to keep the accounting documents relating to the insurance contract. If no insurance contract has been concluded or insurance cover granted, personal data shall be stored until the claims resulting from those expire. If consent is given, personal data shall be used for the purposes specified in this consent (e.g. for marketing purposes) until it is withdrawn. The data will be processed for analytical and statistical purposes for a period of 12 years from the date of termination of the insurance contract.

### **Information on the requirement to provide data**

The provision of personal data with regard to the contract being concluded is necessary for the conclusion and performance of the insurance contract and for the insurance risk assessment — without the provision of personal data, it is not possible to conclude an insurance contract, present an offer and carry out liquidation proceedings.

Where the provision of personal data is necessary for the handling of complaints, failure to provide personal data will render handling of complaints impossible.

The provision of personal data for marketing purposes is voluntary.