

STATEMENT OF THE PERSONAL DATA CONTROLLER

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Introduction

In this document you will find information about the rules under which we process your personal data and what rights you have in this respect.

Please note that we use terms such as “you” and “we” to make communication between us easier:

- 1) if we write in the form “you” (you, to you, your, etc.) – we mean the person whose personal data we process. This also applies to sentences where we use words such as, for example, you may, you are entitled to;
- 2) if we write in the form “we” – we mean Sopockie Towarzystwo Ubezpieczeń na Życie ERGO Hestia S.A. This also applies to sentences where we use words such as, for example, we have appointed, we process.

Who is the controller of your personal data and how to contact them

1. The controller of your personal data is us, i.e. Sopockie Towarzystwo Ubezpieczeń na Życie ERGO Hestia S.A. (hereinafter referred to as: ERGO Hestia).
2. You can contact us in the way of your choice:
 - 1) by sending a letter to: ul. Hestii 1, 81-731 Sopot;
 - 2) by calling: 801 107 107 or (58) 58 555 60 00;
 - 3) to the electronic delivery address: AE:PL-71115-41590-RJWRG-16.

Who is the Data Protection Officer and how to contact them

3. We have appointed a Data Protection Officer who supports us in fulfilling obligations relating to personal data protection. Therefore, you can contact them in all matters related to the processing of personal data and the exercise of the rights to which you are entitled in this respect.
4. If you would like to contact our Data Protection Officer, you can do so in the way of your choice:
 - 1) by sending a letter to the address: ul. Hestii 1, 81-731 Sopot;
 - 2) by sending an email to: iod@ergohestia.pl;
 - 3) via the contact form in the Personal Data Protection section at www.ergohestia.pl;
 - 4) to the electronic delivery address: AE:PL-71115-41590-RJWRG-16.

For what purposes do we process your personal data

5. The purposes for which we process your personal data are indicated in Table 1.

Table 1. Purposes of data processing

Purposes of data processing	Additional information
insurance risk assessment in order to present an offer to conclude an insurance contract or grant insurance cover	we process data in order to assess risk, present an offer, conclude a contract or grant insurance cover; when determining the amount of the premium, we use profiling; decisions related to profiling are made on the basis of the necessary data which we already have or collect when preparing an offer and concluding a contract or granting cover, relating, inter alia, to: <ul style="list-style-type: none"> • date of birth, • health information, • data collected via the databases of the Central Statistical Office regarding the business activity carried out (in the group life insurance product for employees and their relatives) • information about the occupation performed and physical activities (in the individual life insurance product)
verification and ensuring accuracy of identification data in the process of concluding and performing an insurance contract	we may obtain data from the Central Statistical Office, the Central Registration and Information on Business, and the National Court Register for individuals conducting sole proprietorship, namely: business name, NIP [Tax Identification Number], REGON [National Business Registry Number], PKD [Polish Classification of Activity], registered office address of the business, form of business activity and the date it commenced
performance of the insurance contract	we perform, inter alia, insurance activities related to determining liability or the amount of the benefit; if a claim is reported, for the purpose of claims handling we use profiling on the basis of the data we collect when the claim is reported and relating to the type of claim
reinsurance of risks (where applicable)	we reduce the insurance risk related to concluding an insurance contract, granting cover and performing the insurance contract
pursuing claims	in the event of a dispute between you and us, it may happen that we are forced to pursue our claims
direct marketing of our own products and services	in the case of direct marketing of our own products and services, we will use profiling
counteracting insurance crimes	if this is necessary to prevent abuse and using our activity for criminal purposes
handling complaints and appeals submitted	we handle submitted complaints and appeals regarding our services, as well as applications and enquiries addressed to us
analytics and statistics	as part of our insurance activity, we conduct analytics and statistics
fulfilling obligations arising from legal provisions	we fulfil legal obligations, among other things: <ol style="list-style-type: none"> 1) we verify identity in order to maintain insurance confidentiality; 2) we submit reports and statements required by law; 3) we process the health data of the insured persons or persons entitled under an insurance contract, respectively for the purpose of insurance risk assessment or contract performance, in accordance with Article 41(1) of the Act of 11 September 2015 on Insurance and Reinsurance Activity;

Purposes of data processing	Additional information
	<ul style="list-style-type: none">4) we counteract money laundering and the financing of terrorism, in accordance with the provisions of the Act of 1 March 2018 on Counteracting Money Laundering and the Financing of Terrorism (hereinafter referred to as: the AML Act), which require us, inter alia, to apply financial security measures, i.e. to check whether there are circumstances that would prevent the conclusion and performance of an insurance contract;5) where applicable – we fulfil the obligation to exchange tax information with the United States of America arising from the Act of 09.10.2015 on the implementation of the Agreement between the Government of the Republic of Poland and the Government of the United States of America to improve international tax compliance and to implement FATCA legislation (hereinafter referred to as: the FATCA Act),6) where applicable – we fulfil obligations arising from the Act of 09.03.2017 on the exchange of tax information with other states (hereinafter referred to as: the CRS Act)

On what basis do we process your personal data

6. We process your personal data if:
- 1) they are necessary to conclude a contract or grant insurance cover, perform the contract, reinsure risks (where applicable);
 - 2) we have a legitimate interest, such as:
 - a. direct marketing of our products and services (excluding marketing using automatic calling systems and telecommunications terminal equipment),
 - b. pursuing claims,
 - c. preventing and prosecuting crimes committed to our detriment,
 - d. reducing the insurance risk associated with concluding a contract and granting insurance cover,
 - e. the legitimate interest of a third party, i.e. the parent company in the Munich Re Group (to which the personal data controller belongs), as an entity directly obliged to apply the sanctions of the United States of America and ensure that related entities observe them;
 - 3) we fulfil the legal obligations of the personal data controller arising from provisions of national and international law, including European Union law, inter alia provisions on insurance confidentiality, accounting, handling complaints, reporting to public authorities (including supervisory authorities) and to other entities to which we are obliged to report, as well as those related to the verification of sanctions lists, the AML Act, the FATCA Act and the CRS Act;
 - 4) you give your consent.

To whom we may transfer your personal data

7. We may transfer your personal data to:
- 1) entities processing personal data on the basis of an agreement concluded with us and in accordance with our instructions, including:
 - a. IT service providers,
 - b. entities processing data for debt collection, archiving, claims handling,
 - c. insurance agents,
 - 2) reinsurance undertakings,
 - 3) entities providing medical services,
 - 4) other entities if you give separate consent,
 - 5) other controllers where the legitimate interests of the personal data controller exist,
 - 6) entities and authorities authorised to process such data under the provisions of law.

Whether and on what terms we may transfer your personal data outside the EEA

8. We may transfer your personal data outside the European Economic Area (hereinafter referred to as: the EEA) only where this is necessary and we ensure an adequate level of protection for it. We transfer data only to a third country for which an adequate level of data protection has been confirmed on the basis of a European Commission decision, or using standard contractual clauses approved by the European Commission. The European Commission publishes on its website a list of countries that have received such a decision. In addition, within the Munich Re Group, to which ERGO Hestia belongs, data may be transferred to third countries on the basis of Binding Corporate Rules applicable within the Group. These rules are available at <https://www.munichre.com/en/general/privacy.html>
9. Recipients of data in third countries may include:
 - 1) state authorities legally designated to collect data about an event or conducting proceedings related to a reported event in that country;
 - 2) entities providing assistance services or other services in that country in order to help an injured person or mitigate the effects of the event,
 - 3) entities providing IT services.
10. We may transfer data outside the EEA only where this is necessary to:
 - 1) perform a contract between you and us;
 - 2) perform a contract concluded in your interest (between us and another natural or legal person);
 - 3) establish, pursue or defend claims,
 - 4) provide commissioned IT services.
11. You may request further information on the methods of obtaining a copy of the safeguards or on where they are made available.
12. If you have concluded a Global Doctors insurance contract and the Insured person chooses a medical facility located in a third country (outside the EEA) which does not ensure an adequate level of protection (i.e. for which the European Commission has not issued the decision referred to in point 8) or where there are no appropriate safeguards specified in Article 46 of the GDPR, we will inform you about the risk that the proposed transfer of personal data to such a medical facility may entail for you.

What rights do you have in connection with the processing of your personal data

13. Your rights related to the processing of personal data are presented in Table 2.

Table 2. Rights related to the processing of personal data

Rights	Additional information
the right to access personal data	you will obtain from us information about the processed data and a copy of the data
the right to request rectification, deletion or restriction of the processing of personal data	we will correct data if it is incorrect and complete incomplete data; you may request that we delete your personal data or restrict its processing
the right to object	you may object to the processing of personal data if we process it on the basis of the legitimate interests of the controller, including: for the purposes of direct marketing and profiling
the right to data portability	you may receive your personal data from us in a structured, commonly used and machine-readable format; if processing is based on consent, on a contract or is carried out by automated means then you have the right to transmit the data to another controller
the right to lodge a complaint	you have the right to lodge a complaint with the President of the Personal Data Protection Office, i.e. the supervisory authority responsible for personal data protection
the right to withdraw consent	if consent is the basis for processing personal data, you may withdraw it; if you withdraw consent to the processing of data, this will not affect the lawfulness of actions taken before its withdrawal

Rights	Additional information
the right to obtain explanations as to the grounds for an automated decision, to challenge it and to express your own position or request human intervention in order to re-analyse the data and obtain a decision	if we use profiling, i.e. make decisions in an automated manner, you have the right to obtain explanations as to the grounds for such a decision; you may challenge such a decision and express your own position or request human intervention so that a person re-analyses the data and you obtain a decision

14. If you want to exercise the rights set out in Table 2, contact us or our Data Protection Officer – the contact details are indicated above in points 1-4..

How long we store your personal data

15. If we have concluded an insurance contract with you or granted you insurance cover, we store your personal data until:

- 1) the expiry of the limitation period for claims under the insurance contract,
- 2) the expiry of the obligation to store data arising from provisions of law,
- 3) the end of the legitimate interest of the personal data controller.

16. The obligation to store personal data arising from provisions of law relates in particular to the obligation to store accounting documents related to the insurance contract and the obligation arising from the AML Act.

17. If we have not concluded an insurance contract with you or granted you insurance cover, we store your personal data until the expiry of the limitation period for claims on that basis.

18. If you give consent, we will use your personal data for the purposes specified in it (e.g. marketing using automatic calling systems and telecommunications terminal equipment) until you withdraw it.

19. For analytical and statistical purposes, we store data for no longer than 12 years from the date of termination of the insurance contract.

Do you have to provide us with your data, and what happens if you don't

20. You must provide us with your personal data so that we can:

- 1) assess insurance risk,
- 2) conclude an insurance contract or grant you cover,
- 3) perform the insurance contract, including handling complaints,
- 4) fulfil our legal obligations.

21. If you do not provide personal data, we will not be able to conclude an insurance contract or grant you insurance cover, or handle claims.

22. If you do not provide personal data that is necessary for handling a complaint, we will not be able to handle it.

23. For purposes other than those specified above, e.g. marketing purposes, you provide your personal data voluntarily. If you do not provide us with data for these purposes, this will not affect the conclusion or performance of the insurance contract.

Additional information for a person indicated by the insured in an insurance contract or during claims handling

24. ERGO Hestia is the controller of your personal data provided by the insured person in connection with granting them insurance cover, which include:

- 1) in the case of a main beneficiary or an additional beneficiary – first name, surname and date of birth;
- 2) in the case of a partner – first name, surname, PESEL number, [Personal Identification Number] citizenship, and where there is no PESEL number – the type and number of the identity document,
- 3) in the case of persons other than the insured person who use benefits – first name, surname, contact details (e-mail, telephone).