

POLISH MOTOR INSURERS' BUREAU - INFORMATION ON PERSONAL DATA PROCESSING

In connection with the implementation of the requirements of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals 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) ("GDPR"), the Polish Motor Insurers' Bureau ("the PMIB") would like to inform you about the principles of personal data processing and about your rights.

I. Identification of the controller

The controller of your personal data is the Polish Motor Insurers' Bureau with its registered office in Warsaw, ul. Świętokrzyska 14, 00-050 Warsaw, If you have any questions about the processing of your personal data, please do not hesitate to:

- contact the Data Protection Officer by e-mail: iod@pbuk.pl
- contact us in writing under the following address: Polish Motor Insurers' Bureau with its registered office in Warsaw, ul. Świętokrzyska 14, 00-050 Warsaw,
- contact us in person at the registered office of the PMIB.

II. Purposes and legal basis of the processing of your personal data:

Personal data is processed by the PMIB for the following purposes:

- 1) settlement of claims and payment of indemnities,
- 2) recovery of dues to which the PMIB is entitled,
- 3) identification and provision of the data of the third party liability insurers, claims representatives and correspondents responsible for claim handling,
- 4) fulfillment of the PMIB's obligations towards foreign National Bureaux and compensation bodies of the Member States of the European Union.

With respect to the above purposes, the PMIB processes your personal data on the basis of the grounds for fulfilling the controller's legal obligation set forth in Article 6(1.c) of the GDPR and article 9(2.b) of the GDPR.

The legal obligations of the PMIB have been defined in Article 120 of the Act of 22nd May 2003 on Compulsory Insurance, the Insurance Guarantee Fund and the Polish Motor Insurers' Bureau (Polish Journal of Laws of 2019, item 2214) and art. 29 of the Act of 11 September 2015 on insurance and reinsurance activities (Polish Journal of Laws of 2020, item 895).

If you act as a proxy, employee of a third party or employee of a public administration body, your personal data is processed in order to pursue legitimate interests pursued by the PMIB in connection with the statutory basis, the power of attorney which has been granted to you and which authorises you to represent your principal or to exchange correspondence.

In such a case, the PMIB processes your personal data on the basis of the controller's legitimate interest (Article 6(1.f) of the GDPR) in handling the case/ enquiry/application submitted by you on behalf of your principal or in handling correspondence with third parties.

III. Categories of personal data processed

If the PMIB does not collect personal data directly from you, the PMIB processes the following categories of data:

- identification data,
- address and contact details,
- the necessary data relating to the case handled by the PMIB.

IV. Source of collection of personal data

If the PMIB has not obtained personal data directly from you, we inform you that the personal data was obtained in connection with the performance of statutory tasks incumbent on the PMIB and other entities. In particular, personal data may have been collected from insurance companies, public authorities, central registers (e.g. CEIDG (Central Registration and Information on Business), PESEL (the Register of Polish Residents' ID numbers), REGON (the Register of Statistical Numbers), CEPIK (Central Vehicle and Driver Register)), foreign National Bureaux, compensation bodies, guarantee funds, information centres or other duly authorised entities (e.g. proxies).

V. Obligation to communicate personal data

In some cases, the provision of personal data may result from your legal obligation to do so. Information on the specific duties and consequences of failure to provide information is provided to you in the contents of the letters.

VI. Information on the recipients of your personal data

Please note that your personal data may be shared with the following categories of recipients:

- 1) public authorities and entities performing public tasks or acting on behalf of public authorities, to the extent and for the purposes provided for by the provisions of law (e.g. The Police, the Public Prosecutor's Office, relevant registrars such as the Insurance Guarantee Fund);

- 2) insurance companies, including the ones in the third countries;
- 3) National Bureaux, including the ones in the third countries;
- 4) claims representatives;
- 5) compensation bodies;
- 6) guarantee funds;
- 7) information centres;
- 8) entities providing support and development of IT services;
- 9) logistic services providers;
- 10) document archiving services providers;
- 11) entities providing postal and courier services;
- 12) entities providing substantive support services (e.g. certifying physicians, property appraisers, legal representatives acting in court);
- 13) parties to the claim settlement procedure and their proxies.

VII. Periods of processing of personal data

Your personal data will be processed until the expiry of the limitation period for claims under the insurance contract or the expiry of the legal obligation to retain data in accordance with the Act of 14th July 1983 on the National Archive Resources and Archives (a uniform text: Polish Journal of Laws no. 2018.217, as amended), the Act of May 22, 2003 on compulsory insurance, the Insurance Guarantee Fund and the Polish Motor Insurers' Bureau (Polish Journal of Laws of 2019, item 2214) and the Act of September 11, 2015 on insurance and reinsurance activities (Polish Journal of Laws No. 2020, item 895).

VIII. Profiling and automated decision making

In order to perform statutory tasks, in the process of processing your personal data the PMIB does not make any decisions based on automated data processing, including profiling.

IX. Rights of the data subject

All persons whose personal data is processed by the PMIB are entitled to appropriate rights under the GDPR. You therefore have the following rights:

- 1) The right of access to your personal data, including the right to obtain a copy of such data;
- 2) The right to demand that your personal data be corrected and supplemented if the data is incorrect or incomplete;
- 3) The right to demand the deletion of your personal data (the so-called "right to be forgotten") in the event that
 - a) the data is no longer necessary for the purposes for which it was collected or otherwise processed,
 - b) the data subject has objected to the processing of personal data and the controller has not demonstrated that there are valid grounds for further processing of personal data overriding the interests, rights and freedoms of the data subject or grounds for establishing, pursuing or defending a claim,
 - c) the data subject has withdrawn the consent on which the processing is based and there is no other legal basis for the processing,
 - d) the data is unlawfully processed,
 - e) data must be erased in order to comply with a legal obligation;
- 4) The right to demand that the processing of your personal data be restricted if:
 - a) the accuracy of the personal data is contested by the data subject,
 - b) the processing is unlawful and the data subject objects to the deletion of the data and requests that such processing should be restricted instead,
 - c) the controller no longer needs the data for his or her own purposes, but the data subject needs it for the purpose of establishing, defending or pursuing a claim,
 - d) the data subject has objected to the processing of the data, as long as it has not been established whether there are overriding reasons on the part of the controller in relation to the grounds for objection;
- 5) The right to object to the processing of your personal data when the PMIB processes your personal data on the basis of a legally justified interest of the controller.

X. Right to lodge a complaint with a supervisory authority

In all cases involving the processing of personal data, you have the right to lodge a complaint with the competent data protection supervisory authority.

Information about complaints

The entity responsible for loss adjustment shall, within seven days from the day on which the claim has been lodged, provide information on the complaint submission and review procedure as referred to in Article 4(2) of the Act of 5th August 2015 on Complaint Review by Financial Market Entities and on the Financial Ombudsman.