

## **DATA PRIVACY MATTERS**

This document is prepared in accordance with the requirements of the General Regulation on Personal Data Protection (GDPR, Regulation 2016/679) and aims to present to the clients of the investment intermediary ELANA Trading AD information about the processing of personal data

### Information about the Privacy Controller

1. ELANA Trading AD (JSC) performs investment activities and offers investment services due to Decision № 74-IP from 03.04.1997 and license № ПГ-3-0030 of 18.03.2014, issued by the Financial Supervision Commission. The company has its registered office and business address: Sofia, Sredets, 4, Kuzman Shapkarev Str., Registered in the Commercial Register of the Registry Agency, UIC: 831470130 and address for correspondence: Sofia 1756, "Lachezar Stanchev" № 5, Sopharma Business Towers, Tower B. Investment Intermediary "ELANA Trading" JSC (ELANA Trading) is represented by every two of: Kamen Marinov Kolchev – Deputy Chairman of Board of Directors, Momchil Stanchev Tikov, - Executive Director and Radoslava Georgieva Masarska, - Chairwoman of the Board of Directors. In order to perform business activities, ELANA Trading processes personal data of the individuals with whom it establishes legal relations - clients using the investment services of ELANA Trading AD.

### 2. Contact information on the protection of personal data

ELANA Trading

5 Lachezar Stanchev Str., Sopharma Business Towers, Tower B, fl. 12, Sofia 1 756

e-mail: [privacy@elana.net](mailto:privacy@elana.net)

Contact person: Mihaila Morteveva

Contact phone: 02/8100039

### 3. How and why we process your personal data

We process your personal data in the context of our services in order to establish and execute contractual relationships with clients, process and execute orders, fulfill legal obligations, protect our interests.

We process personal data in accordance with the following general principles: lawfulness; good faith and transparency; relevance of the purpose; accuracy and timeliness; minimizing data; storage limitation; accountability; integrity and confidentiality; user consent to data processing when the purpose requires it.

### Processing of personal data based on legal requirements

We process your personal data to fulfill our obligations under both national and European legislation. Applicable to our business are the following national acts (the list is not exhaustive): Law on Markets in Financial Instruments (MFIA), Law on Measures against Money Laundering (LMML), Law on Measures Against Financing of Terrorism (LMFT), Tax and Social Insurance Procedure Code, The Financial Supervision Commission Act, Act on the Activities of the Collective Investment Schemes and other Collective Investment Undertakings (LLC), etc. Part of the obligations of ELANA Trading are for example: obligations related to customer identification,

Know Your Client proceedings, evaluation of the offered service (appropriateness test and/or suitability assessment), provision of information to regulators and third parties.

Processing personal data for performance of a contract or in the context of pre-contractual relations

We process your personal data in order to provide you with products and services as well as fulfill our contractual obligations with you. It is also possible to process personal data in a pre-contractual phase. The processing of personal data in those cases involves: establishing the identity of the client, providing him with legal information and drafting a contract, defining the essential elements of the contract, afterwards executing terms and conditions in compliance with the contract, preparing and sending notifications and/or reports in execution of the contract, processing complaints, etc.

Processing personal data to manage legitimate interest

We process your personal data to manage our business or our legitimate interest by analyzing your data in order to improve our services. Such processing is acceptable if it does not harm fundamental rights and freedoms of data subjects. For example, within our legitimate interest, we provide additional information about the products and services you already use. We strive our information materials to be always objective, correct, clear, accurate, not ambiguous or misleading. In this manner we believe that providing you with up-to-date market information is crucial to make informed investment decision and your financial culture will expand and excel as well. You are given the opportunity at any time to object receiving of these materials and we will always fulfill your wish. The communication channel of these information materials is via e-mail, the periodicity and content of the materials are structured in view of the different types of investment services and products that the company offers.

Processing of personal data after your consent

In some cases, we process personal data with your consent. Consent should be freely expressed, specified, informed and unambiguous, given by means of a statement or a clear confirmatory act. Consent may be withdrawn at any time without affecting the established legal relationship.

Processing of anonymized data

We can process personal data when performing analyzes for statistic or regulatory purposes, in which case the results are generalized and the data is anonymous.

We do not process your personal data for the purposes of automated decision making, including profiling.

4. What personal data we collect

In order to meet the above mentioned goals, we process different categories of personal data, related to: physical identity (names, personal identification code, address, telephone, birthplace, passport unique number, citizenship, etc.); economic status (property status, financial status, participation and / or holding of shares or securities of companies, bank account, etc.); labor experience (professional experience and knowledge with regard to our investment products and services, etc.).

In some cases, we may process your data even though you are not our client in a personal capacity, if you are a beneficial owner or a member of a managing / supervisory body of our client. In these cases, your personal data is processed in accordance with the principles set forth in this policy.

When visiting our website, information can be gathered about your activity, such as a browser identifier, a history of pages visited to identify preferences for a certain type of content, a history of the page searches made, a track of the sections visited, a time of stay in the site, using technology known as cookies, which can often be controlled via Internet browsers. For detailed information about the cookies we use and the purposes for which we use them, see our cookies policy.

We collect information about your Internet browser settings or other Internet Protocol (IP) and other relevant information that helps us identify your geographic location when providing our services.

## 5. When and why we share personal data

We do not disclose your personal information, but we can provide it to:

- Courts and other regulatory and competent authorities - in accordance with or as prescribed by law. These include, for example, the Financial Supervision Commission, the Personal Data Protection Commission, the National Revenue Agency, the Consumer Protection Commission, etc .;
- third parties in connection with the fulfillment of our contractual obligations, for example Bulgarian Stock Exchange - Sofia AD, Central Depository AD, Bulgarian National Bank, contractors - financial institutions;
- service providers required to carry out our business, including legal advisers, accountants, auditors, technical specialists, information service providers;
- companies from the Elana group, partners and suppliers of financial services;
- any person you may authorize or which may be authorized under our terms of service.

We require any organization to which we disclose your information or who may obtain it on our behalf to ensure its confidentiality and to process it in accordance with the Data Protection Act and the General Data Protection Act.

As a personal data administrator, ELANA Trading AD may transfer personal data to a third country or an international organization. In cases where the third country does not respect the necessary level of protection of personal data and adequate measures are not taken, the data transfer will only be realized according to an agreement between ELANA Trading AD and the third party, based on the standards imposed by the European legislation. Additionally, if you are a subject whose data will be transferred to third parties, we will notify you.

In addition to this, we may disclose your personal data and the persons authorized by you to represent you in establishing and managing our relationships with us. In addition to your proxies, this could also be the broker (the investment firm) or the credit institution that serves you.

## 6. For what period do we store your personal data

The period for which we store your personal data depends on the regulatory deadlines applicable to the current activity. We hold personal data for at least five years after the termination of the legal relationship or longer period such as prescribed in accordance with applicable law, for example - obligations under the Accounting Act for the storage and processing of accounting data (10 years). The term for storing data also depends on the fulfillment of obligations to provide information to the court, competent state bodies, etc. grounds provided for in current

legislation. Personal data will not be destroyed if they are necessary for pending court, administrative proceedings or proceedings to deal with your complaint.

## 7. Your rights under the General Regulation

Under the General Regulation, you have the following rights in relation to the processing of your personal data:

Right to information:

You have the right to request:

- information about whether data relating to you are being processed, information for the purposes of such processing, the categories of data, and the recipients or categories of recipients to whom the data is disclosed;
- a message in an intelligible form containing your personal data being processed, as well as any available information about their source;
- Information about the logic of any automated processing of personal data relevant to you, at least in the case of automated solutions.

Right of correction:

In case the processed data for incomplete or erroneous / erroneous data, you have the right, at any time, to request:

- delete, correct, or block your personal data, the processing of which does not meet the requirements of the law;
- to notify third parties to whom personal information has been disclosed of any erasure, correction or blocking, except where this is impracticable or involves excessive effort.

Right of objection:

You may at any time:

- You object to the processing of your personal data if there is a legitimate reason for doing so; where the opposition is justified, the personal data of the individual concerned can no longer be processed;
- You object to the processing of your personal data for the purposes of direct marketing.

Right to Limit Processing:

You may request a limitation of the processing customizable data if:

- question the accuracy of the data for the period we must verify its accuracy; or
- the processing of the data is without legal basis, but instead of deleting it, you want their limited processing; or
- we no longer need these data (for the intended purpose), but you need them for the establishment, exercise or protection of legal claims; or
- You file an objection to processing the data, pending verification that the reasons for the administrator are legal.

You should keep in mind that deletion of personal data or limitation of processing is possible only after the expiry of the statutory deadlines for storage.

Data portability:

You may ask us to provide the personal data you have entrusted to our care in an organized, orderly, structured, generally accepted electronic format if:

- process the data under the contract and based on the declaration of consent that may be withdrawn or a contractual obligation and
- Processing is done automatically.

This right only affects personal data processed with your consent or for performance of a contract and processing is done by automated means. In exercising this right, you may not receive all the information you have in exercising the right to information. The right of portability is limited to the extent it is technically feasible, we may not be able to receive personal data that we have received and are not responsible for their accuracy.

Right to appeal:

If you believe that we are violating the applicable legal regulations, please contact us to clarify the issue of the following coordinates:

ELANA Trading AD

5 Lachezar Stanchev Str., Sopharma Business Towers, Tower B, fl. 12, Sofia 1 756

e-mail: [privacy@elana.net](mailto:privacy@elana.net)

Contact person: Mihaila Morteveva

Contact phone: 02/8100039

You have the right to file a complaint with the Personal Data Protection Commission at the following coordinates:

e-mail: [kzld@cpdp.bg](mailto:kzld@cpdp.bg)

Website: [www.cpdpc.bg](http://www.cpdpc.bg)

Address: "Prof. 2 Tsvetan Lazarov

Sofia 1592

Requests for access to information or for correction are filed in person or by an explicitly authorized person by a notarized power of attorney. An application may also be made electronically, in accordance with the Electronic Document and Electronic Signature Act.

We will rule on your request within 14 days of its filing. If it is objectively necessary for a longer period - in order to collect all the requested data and this seriously impedes our activity, this period may be extended to 30 days. By our decision we give or deny access and / or the information requested by the applicant, but always motivate our response.

## 8. Provision of personal data

The provision of your personal data is a statutory requirement as required by the national and European laws applicable to our business. The refusal to provide personal data is a ground for refusing to provide or not to continue to provide you with a product or service.

## 9. Actuality of policy

In order to apply the most up-to-date protection measures and to comply with current legislation, we may update this Privacy Policy. We invite you to review the current version of this Privacy Policy on a regular basis to be constantly informed about how we take care of the

protection of the personal data we collect. The document will always be posted on the company's website, in the dedicated section for this. If you wish to have the Privacy Policy delivered to you in a durable medium, please contact the contact person or visit some of our offices to get it.