

## **NOTICE ON PROCESSING PERSONAL DATA OF FORTENOVA GROUP'S SUPPLIERS, BUSINESS PARTNERS, IRREGULARITY REPORTERS AND NEW INSTRUMENT BENEFICIARIES**

This Notice on Processing Personal Data of Suppliers, Business Partners and Irregularity Reporters of Fortenova Group and its subsidiary and affiliated companies as well as Fortenova Group's New Instrument Beneficiaries (the "**Notice**") applies to the processing of personal data of suppliers, business partners, irregularity reporters and new instrument beneficiaries (jointly "**data subjects**") and their representatives performed by FORTENOVA GRUPA d.d. with registered seat in Zagreb, Marijana Čavića 1 („**Fortenova Group**“). The notice does not apply to data on companies nor to data related to the companies' operations.

Fortenova Group is the data controller of data subjects' personal data. This Notice is intended to describe who we are, what categories of your personal data we process, how and for what purpose we process them, how we protect your personal data and what rights you have in connection with our processing of your personal data.

### **1. SUPPLIERS' AND BUSINESS PARTNERS' PERSONAL DATA**

#### **1.1 What categories of suppliers' and business partners' personal data does Fortenova Group process?**

Fortenova Group processes the following personal data categories of Fortenova Group's and its subsidiary and affiliated companies' suppliers and business partners or their representatives:

<b>Identification data</b>	Given and family name, OIB (PIN), name and registration number of craft business and the like.
<b>Contact data</b>	Email address, phone number, permanent or temporary residence data and the like.
<b>Payment data</b>	Data related to the bank maintaining the current account, current account number etc.

## **1.2 For what purpose does Fortenova Group process suppliers' and business partners' personal data?**

Fortenova Group processes your personal data if you do business with us, use our websites or communicate and maintain a business cooperation with us in any other way.

We process personal data of our suppliers, business partners and their representatives primarily for the following purposes:

### **a. In order to close and execute/carry out contracts**

Fortenova Group processes personal data of its suppliers and business partners if they cooperate with Fortenova Group and its subsidiary and affiliated companies in that capacity. In that case Fortenova Group uses personal data in order for the suppliers and business partners to deliver goods, provide services and perform work. Fortenova Group also processes personal data of suppliers, business partners and their representatives for administrative purposes, such as communication, sending invoices or making payments.

Fortenova Group may also use personal data of suppliers, business partners and their representatives in order to communicate with them before closing a contract or over the course of the contractual relationship in order to respond to its business partners' questions and requests.

To this end Fortenova Group processes identification and contact data of its suppliers, business partners and their representatives as well as payment data.

In that case Fortenova Group processes the personal data as such processing is necessary in order to close and execute the contracts concluded by Fortenova Group or any of its subsidiary or affiliated companies with the suppliers and business partners and in order for Fortenova Group to take appropriate actions upon their request prior to closing the contracts.

### **b. In order for Fortenova Group to comply with regulations**

In certain cases Fortenova Group will process personal data of suppliers and business partners in order to comply with laws and other regulations, ie. to comply with the statutory obligations of Fortenova Group as data controller. This particularly applies to obligations related to taxes and other charges.

In pursuance of the above Fortenova Group may process personal data of suppliers and business partners in order to perform appropriate checks on the suppliers and business partners and their offers and to make a decision on the possible acceptance of their offer.

Pursuant to laws and other regulations Fortenova Group may be obliged to provide business partners' personal data to state institutions or supervising authorities.

To this end Fortenova Group may process business partners' identification data, data related to payments and other data provided by suppliers and business partners to Fortenova Group over the course of the contractual relation.

In that case Fortenova Group processes business partners' personal data as such processing is necessary in order to comply with Fortenova Group's legal obligations.

## 2. IRREGULARITY REPORTERS' PERSONAL DATA

### 2.1. What categories of irregularity reporters' personal data does Fortenova Group process?

Fortenova Group processes the following personal data categories of reporters of irregularities at Fortenova Group and its subsidiary and affiliated companies:

<b>Identification data</b>	Given and family name, OIB (PIN), name and registration number of craft business and the like.
<b>Contact data</b>	Email address, phone number, permanent or temporary residence data and the like.
<b>Other data voluntarily supplied by irregularity reporter</b>	Personal data supplied in oral and written communication.

### 2.2. For what purpose does Fortenova Group process irregularity reporters' personal data?

Fortenova Group processes irregularity reporters' personal data in order to comply with the law, other regulations and internal acts of Fortenova Group and its subsidiary and affiliated companies, ie. to comply with the statutory obligations of Fortenova Group as data controller. This particularly applies to obligations pursuant to the Act on Protecting Reporters of Irregularities.

Pursuant to laws and other regulations Fortenova Group may be obliged to provide irregularity reporters' personal data to state institutions or supervising authorities.

In that case Fortenova Group processes irregularity reporters' personal data as such processing is necessary in order to comply with Fortenova Group's legal obligations.

## 3. PERSONAL DATA OF NEW INSTRUMENT BENEFICIARIES

### 3.1. What categories of new instrument beneficiaries' personal data does Fortenova Group process?

Fortenova Group processes the following personal data categories of new instrument beneficiaries and their representatives:

<b>Identification data</b>	Given and family name, OIB (PIN), name and registration number of craft business and the like.
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<b>Contact data</b>	Email address, phone number, permanent or temporary residence data and the like.
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### **3.2. For what purpose does Fortenova Group process the personal data of new instrument beneficiaries?**

Fortenova Group processes the personal data of new instrument beneficiaries who have, as Creditors of Incompletely Recoverable Claims pursuant to Clause 5.1 of the Settlement Plan adopted in the Extraordinary Administration Procedure over Agrokor d.d. and its subsidiary and/or affiliated companies ("Settlement Plan"), received a set of instruments consisting of new equity capital and a structurally subordinated convertible bond and have thus become New Instrument Beneficiaries, ie. economic owners of the New Group in the sense of the Settlement Plan. Fortenova Group also processes data of the aforesaid New Instrument Beneficiaries for the purpose of keeping internal records and keeping transcripts of meetings.

In certain cases Fortenova Group shall process the personal data of New Instrument Beneficiaries in order to comply with laws and other regulations, particularly in order to comply with the legal obligations of Fortenova Group as data controller. This applies in particular to the obligations under the Settlement Plan.

Pursuant to laws and other regulations Fortenova Group may be obliged to provide personal data of New Instrument Beneficiaries to state institutions or supervising authorities.

In that case Fortenova Group processes the personal data of New Instrument Beneficiaries as such processing is necessary in order to comply with Fortenova Group's legal obligations.

## **4. FOR HOW LONG DOES FORTENOVA GROUP RETAIN DATA SUBJECTS' PERSONAL DATA?**

Fortenova Group retains the personal data of data subjects (including their representatives) for as long as required to achieve the aforesaid purposes.

Fortenova Group retains the aforesaid personal data in the periods stipulated by the law or other regulations and in certain cases as long as it is reasonable and recommendable in the context of the applicable statutes of limitation.

Fortenova Group may be obliged to permanently retain some personal data of data subjects, as stipulated by Fortenova Group's internal acts and applicable regulations.

The periods of personal data retention and other rules of keeping personal data are set forth in Fortenova Group's Personal Data Retention Policy.

Fortenova Group shall keep the data subjects' personal data accurate and updated, in accordance with the data provided to Fortenova Group by the respective data subject.

Once the time required or stipulated for the personal data processing has lapsed, Fortenova Group shall safely erase or destroy the data subjects' personal data.

## **5. WHO HAS ACCESS TO DATA SUBJECTS' PERSONAL DATA?**

Access to data subjects' personal data may be given to Fortenova Group workers who have limited rights of accessing and processing data for the purpose of performing their respective job, particularly employees of the Legal Affairs and Compliance Area, Finance and Accounting Area, Group Corporate Security Area and Investor Relations Area.

Fortenova Group workers authorized to access or otherwise process data subjects' personal data are obliged to keep such personal data confidential and act in accordance with privacy notices, policies, procedures and other internal acts as well as contractually assumed obligations of Fortenova Group.

To the extent this is necessary and permitted by regulations, in order to achieve the purpose for which the personal data have been collected and/or processed, Fortenova Group may share them with third party recipients such as:

- a. Service providers who provide specific services pursuant to special contracts, that may include the processing of personal data of Fortenova Group business partners, eg. providers of accounting, legal or IT services etc.
- b. Public authorities or privately owned legal entities, when Fortenova Group is obliged to provide data subjects' personal data in accordance with a statutory obligation and when this is required for Fortenova Group to protect its rights and interests.

In some cases personal data may be transferred to countries outside the European Union and the European Economic Area, that have different and possibly lower data protection standards than those set forth in the Republic of Croatia. In such case Fortenova Group shall take appropriate protection measures in order to provide for the appropriate protection of your personal data. Such protection measures include the closing of contracts in accordance with forms approved for this purpose by the European Commission (use of so-called standard contractual clauses for the transfer of personal data to third countries).

## **6. HOW ARE DATA SUBJECTS' PERSONAL DATA PROTECTED?**

In order to protect the personal data of data subjects, Fortenova Group takes appropriate protection measures in compliance with the applicable privacy and data protection regulations.

This also includes the requirement towards Fortenova Group service providers to take appropriate measures in order to protect the confidentiality and security of data subjects' personal data.

In its operations Fortenova Group has implemented technical, physical and organizational measures for the protection of data subjects' personal data from accidental or illicit destruction, accidental loss, damage, change, unauthorized disclosure or access as well as from any other form of illicit and/or excessive processing.

## **7. WHAT RIGHTS DO DATA SUBJECTS HAVE AND HOW CAN THOSE BE EXERCISED?**

Within the scope of personal data protection data subjects have the following rights:

- a. Right to access their personal data, ie. the right to request confirmation as to whether their personal data have been processed and if so, the right to request access to and information on the processing and a copy of the personal data that have been processed;
- b. Right to correct inaccurate and amend incomplete data;
- c. Right to delete personal data, particularly if such data are not necessary any more with regards to the purpose for which they were collected, if they have been illicitly processed, if there is an obligation to erase them in order to comply with statutory obligations or if the given consent has been withdrawn;
- d. Right to limitation of personal data processing;
- e. Right to raise an objection against the processing of personal data;
- f. Right to file a complaint with the Personal Data Protection Agency.

Fortenova Group shall take all measures to ensure that data subjects are able to exercise the aforesaid rights, but in certain cases those rights may be limited or excluded.

#### **8. TO WHOM CAN YOUR QUERIES RELATED TO PERSONAL DATA PROTECTION BE ADDRESSED?**

For any additional information please do not hesitate to contact Fortenova Group via email sent to the attention of the data protection officer at the address: [zastita.podataka@fortenovagrupa.hr](mailto:zastita.podataka@fortenovagrupa.hr).

#### **9. CHANGE OF NOTICE AND CLEANSED VERSION**

This Notice applies as of 1 April 2019 and is subject to change from time to time.

The latest version hereof, that shall always apply to the personal data processing of suppliers, business partners, reporters of irregularities and new instrument beneficiaries, is available at the link <https://www.fortenovagrupa.hr>.