



## PERSONAL DATA RETENTION POLICY

This Personal Data Retention Policy („**Policy**“) applies to the processing of personal data conducted by the company **FORTENOVA GRUPA d.d.**, Marijana Čavića 1, Zagreb, OIB (IIN): 05937759187 („**Fortenova Group**“).

Fortenova Group is the data controller of the personal data of (i) Fortenova Group workers, (ii) workers of subsidiary and affiliated companies of Fortenova Group, (iii) candidates for employment at Fortenova Group and subsidiary and affiliated companies of Fortenova Group, (iv) members of the governing bodies of Fortenova Group and its subsidiary and affiliated companies, (v) business partners and suppliers to Fortenova Group and its subsidiary and affiliated companies, (vi) reporters of irregularities at Fortenova Group and its subsidiary and affiliated companies, (vii) Fortenova Group new instrument beneficiaries.

### 1. PURPOSE OF THE POLICY

This Policy is intended to secure that personal data processed by Fortenova Group are duly kept and protected, that such data are only retained for as long as required and that data that are no longer required are safely erased or destroyed.

In order to secure the compliance of Fortenova Group with personal data protection regulations, all Fortenova Group workers need to act in accordance with the instructions related to the protection of personal data processed by Fortenova Group that are set forth in this Policy.

### 2. AREAS OF APPLYING THE POLICY

This Policy applies to all divisions, departments and other organizational units and workers of Fortenova Group in such way that all workers have to abide by the Policy and the periods of retaining data that are set forth herein.

The Policy applies to all personal data records kept by Fortenova Group and by third parties that process personal data for Fortenova Group. Fortenova Group shall make sure its external personal data processing service providers comply with the provisions hereof.

### 3. PRINCIPLES OF PERSONAL DATA RETENTION

Within the scope of running its operations Fortenova Group collects various categories of personal data.

Fortenova Group strives to make sure to retain only personal data that are required or that Fortenova Group is obliged to process in accordance with regulations and strives to retain such personal data for only as long as stipulated by the law and other regulations.

For the majority of personal data processed, Fortenova Group is obliged to retain the collected personal data permanently, in particular when it comes to the personal data of workers.

In certain cases Fortenova Group shall retain the collected personal data for as long as it is necessary and recommendable in the context of the applicable statutes of limitation.

Under certain circumstances it may be required to keep personal data for a longer period of time in order to comply with statutory and other regulations, in order to provide evidence in court or other proceedings or for Fortenova Group's operating requirements. In particular, premature erasure or destruction of personal data might occasionally result in non-compliance with applicable regulations, inability to defend ourselves in court or other proceedings, operational difficulties or damage.

In cases where there is no obligation to permanently retain personal data, upon expiry of a certain period of retention for individual personal data categories Fortenova Group shall review whether there is any of the exceptions set forth herein, when personal data may be retained for a longer period than the envisaged retention period. If such exception does not exist, the personal data shall be appropriately destroyed or erased.

The specific retention periods shall be duly implemented through appropriate personal data processing conducted by Fortenova Group.

#### **4. RETENTION PERIODS FOR SPECIFIC PERSONAL DATA PROCESSINGS**

When determining the personal data retention periods Fortenova Group shall take into account the applicable laws and other regulations, its own by-laws, the interests of workers, employment candidates, suppliers and business partners of Fortenova Group and its subsidiary and affiliated companies, recommendations of supervising authorities and other relevant circumstances in order to determine the appropriate retention time for specific personal data categories. With every new processing Fortenova Group shall review whether the proposed personal data retention period is really necessary to achieve the specific purpose of the processing.

The retention periods for personal data processed by Fortenova Group are set out in the table enclosed hereto as Schedule 1.

#### **5. HANDLING OF DATA DURING THE RETENTION PERIOD**

In retaining personal data Fortenova Group takes care for each processing to be fair, proportionate and in accordance with the purpose for which the personal data were collected. Fortenova Group shall strive for all personal data collected to be accurate and up-to-date, to the extent Fortenova Group has been advised of data changes, and for personal data that are no longer required, to be timely erased or destroyed (if this is permitted pursuant to applicable regulations).

Fortenova Group shall make sure that all personal data it processes be adequately protected by appropriate technical, physical and organizational measures in order to protect their confidentiality and integrity.

#### **6. PRINCIPLES OF ERASING AND DESTROYING PERSONAL DATA**

Once the personal data are no longer required for the purpose for which they were processed and when the applicable regulations so allow, they need to be removed. The removal of personal data takes place by safe erasure or destruction.

In certain cases some personal data or personal data records may be transferred to the archives, pursuant to applicable regulations.

Decisions on retaining or ceasing to retain personal data (elimination of archival material) are made in compliance herewith and with the applicable regulations.

Physical personal data records are destroyed by shredding them in paper shredders and disposing of them in plastic bags which are handed over for industrial processing to authorized companies. This prevents the possibility of insight into data contained in the respective document by unauthorized persons.

Personal data in electronic form are destroyed or erased in coordination with workers employed with Information Security within the Group Corporate Security Area in order to make sure that possible backup copies have been erased as well.

Any destruction or erasure of personal data has to be reported to the Personal Data Protection Officer of Fortenova Group and appropriate minutes need to be made containing the indication of personal data that were destroyed or erased, the date of the destruction and the name of the person who approved such action.

## **7. TO WHOM CAN DATA SUBJECTS ADDRESS QUERIES RELATED TO PERSONAL DATA PROTECTION?**

For any additional information the data subject may 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).

## **8. CHANGE OF POLICY AND CLEANSED VERSION**

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

The latest version hereof, that shall always apply to personal data processing, is available at the link <https://www.fortenovagrupa.hr>.

**SCHEDULE 1**
**PERSONAL DATA RETENTION PERIODS**
**1. Personal data of workers and employment candidates**

<b>TYPE OF PROCEDURE</b>	<b>RETENTION PERIOD</b>	<b>EXPLANATION</b>
<b>1. Workers' records</b>	Permanently	Rulebook on the content and way of keeping records on workers
<b>2. Data from the employment contract, current account card, certificates of award payments, decisions on using paid vacation etc. Tax card data</b>	Not less than six years as of termination of employment.  Until termination of employment.	Rulebook on the content and way of keeping records on workers
<b>3. Working hour records</b>	Not less than six years or until final and non-appealable completion of labor dispute.	Rulebook on the content and way of keeping records on workers
<b>4. Payroll and termination benefit / severance payment records</b>	Not less than six years or until final and non-appealable completion of labor dispute.	Rulebook on the content of payroll, remuneration or termination benefit payment records.
<b>5. Payroll lists, analytical records of salaries for which mandatory contributions are paid.  Documents based on which data were entered in the journal and general ledger.  Documents based on which data were entered in the auxiliary ledgers.  Travel orders.</b>	Permanently.  Not less than eleven years.  Not less than eleven years.  Not less than eleven years.	Accounting Act
<b>6. Data on using company assets (email address, car, mobile phone and telephone, personal computer etc.)</b>	Until termination of employment.	Legitimate interest of Fortenova Group

<b>7. Biometrical data of specific workers collected for the purpose of physical control of accessing specific premises</b>	<b>Until termination of employment.</b>	Worker's consent
<b>8. Safety at work</b>  <b>Personal data collected via video surveillance</b>	<b>Permanently.</b>  <b>Video surveillance and security service – not longer than 6 months.</b>	Safety-at-Work Act, Safety-at-Work Rulebook, Rulebook on Safety-at-Work Records, Documents, Reports and Surveillance Books Legitimate interest of Fortenova Group
<b>9. Records on employees of Fortenova Group subsidiary and affiliated companies</b>	<b>Until termination of employment and 6 years after termination of employment (general statutes of limitation stipulate 5 years, additionally 1 year due to slow justice system).</b>	Legitimate interest of Fortenova Group
<b>10. Data from CV's, job applications, open applications of candidates who have not been selected</b>	<b>Up to 1 year / until withdrawal of consent.</b>	Taking actions that precede closing of contract. Consent of job candidate

## 2. Other data

<b>TYPE OF PROCEDURE</b>	<b>RETENTION PERIOD</b>	<b>EXPLANATION</b>
<b>1. Personal data collected from data subjects for marketing and promotion purposes.</b>	<b>In accordance with the period set forth in the consent or until withdrawal of consent.</b>	Data subject's consent
<b>2. Personal data collected in the process of internal revision of established business processes.</b>	<b>As long as the revision process lasts and not longer than the retention periods stipulated for specific types of data as indicated herein.</b>	Legitimate interest
<b>3. Personal data of supervisory and management board members, executive directors and members of the Board of Directors</b>	<b>Permanently – decisions on appointing members of the company's governing bodies 30 days upon expiration of term of office – other data</b>	Court Register Act, By-laws on the process of valuating, selecting and eliminating archival material.
<b>4. Personal data of business partners and suppliers</b>	<b>Business ledgers and accounting documents as well as other records – 10 years from the beginning of the period set by the statutes of limitation in the sense of the General Tax Act.</b>	General Tax Act, VAT Act, Income Tax Act, Accounting Act – retention of accounting documents.



	Accounting documents in the sense of the Accounting Act – 11 years. Other data – lifespan of contract + 5 years statutes-of-limitation period + 1 year due to slow justice system.	
<b>5. Data on data subjects other than Fortenova Group workers collected via video surveillance and records at the entrance to the Fortenova Group business premises</b>	<b>Not longer than 6 months</b>	Safety-at-Work Act, regulations on safety-at-work records, documents, reports and surveillance books Legitimate interest
<b>6. Data on new instrument beneficiaries</b>	<b>As long as they hold the instruments and 7 years thereafter</b>	Settlement plan in the Extraordinary Administration Procedure over Agrokor d.d. and its subsidiary and affiliated companies
<b>7. Data on reporters of irregularities</b>	<b>5 years statutes-of-limitation period + 2 years due to slow justice system</b>	Act on Protecting Reporters of Irregularities
<b>8. Workers' business email correspondence</b>	<b>8 years</b>	Legitimate interest of Fortenova Group