

SC VALDOR CONSHIPPING SRL	Code : PO.8.5/7
DATA PROTECTION POLICY	Edition no.2/15.06.'18
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1. Scope and area of application

ValDor CONSHIPPING srl. - Maritime Crewing Agency with its office at 33, Petru Vulcan Street, Constanta, registered at the trade register in Tulcea with the following Unique Identification Code at European Level: J36/381/2013, having the Unique Registration Number 32245220, is committed to adopt and respect the Legal requirements regarding data protection of personal and sensitive details, as per the legislation in force, by data processing and protection, supplying services of recruiting, selecting and placement of seafarers.

The policy is implemented by ValDor CONSHIPPING SRL regarding all the seafarers willing to find a job on board, and also between the agency's collaborators. The main purpose of this GDPR is to protect the confidentiality of personal data, including sensitive details. Keeping this in mind, below, we will explain the nature of the actions after collecting the personal data, and also the ways of protection and utility.

If you DO NOT agree with the terms and conditions for processing and saving your personal data, please DO NOT send the application / C.V.

2. Definitions and abbreviations

Terms used in the Policy of Data Protection of Personal Details

- ❖ *'personal data'* means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
- ❖ *'processing'* means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- ❖ *'restriction of processing'* means the marking of stored personal data with the aim of limiting their processing in the future;

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- ❖ *'filing system'* means any structured set of personal data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis;
- ❖ *'controller'* means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;
- ❖ *'processor'* means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
- ❖ *'recipient'* means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the 4.5.2016 EN Official Journal of the European Union L 119/33 framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;
- ❖ *'third party'* means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
- ❖ *'consent'* of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;
- ❖ *'personal data breach'* means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

Abreviacions used in Data Protection Policy:

- ❖ *GDPR* – General Data Protection Regulation;
- ❖ *DPO* – Data Protection Officer;
- ❖ *C.V.* – Curriculum Vitae;
- ❖ *E.U.* – European Union.

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3. Responsibilities

DPO – supervises and applies GDPR și aplică RPDG in the company.

4. Description

Legislation in force:

'The European Parliament and the Council of the European Union have adopted, on 27th of April 2016, Regulation (EU) 2016/279 on the protection of natural persons 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).

Regulation (EU) 2016/279 was published in the Official Journal of the Union L119 from 4th of May 2016, and its provisions will be directly applicable in all the member states of the European Union, starting with 25th of May 2018.

Regulation (EU) 2016/279 enforces a unique set of regulations on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, replacing Directive 95/46/EC together with the provisions of 677/2001 Law.'

How does ValDor CONSHIPPING collect your data?

The agency's office is the main place of interacting with interested persons for finding a job in the maritime field, by filling a physical form in our database, or by sending the form electronically through means presented on the agency's website. Acting in this way we are going to consider it automatically as your consent to process your data, having the legal interest, by processing your data and supplying recruiting services for crew members.

Who are the candidates?

We reserve the right of understanding that by filling and sending your application/C.V. for a possible employment, no matter the way of sending it, you give your exclusive consent to collect and process your personal data. The mentioned action may lead to sending your personal data to possible employers, or the placement of your data as per our available positions through our agency. We must mention the fact that without your consent of processing your personal data, we will NOT have the permission and implicitly the possibility to find you a job.

Who are the clients / collaborators?

ValDor CONSHIPPING's main purpose is to offer useful information to the clients and respectively collaborators, but also it is necessary for an efficient conduct of the crewing activity and not only. Starting from these details, the seafarers must be informed that his personal data will be sent to:

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- ❖ Romanian Naval Authority – to declare his embarkation;
- ❖ Medical Centres – to schedule pre-joining medicals;
- ❖ Training Centres – to schedule the courses;
- ❖ Travel and Transport Agencies – to buy flight tickets and/or transport voucher;
- ❖ Insurance Brokers – to issue an ‘Insurance policy in case of non-payment of seafarers salary embarked on Romanian or foreign flag’;
- ❖ Suppliers of Personal Protective Equipment – to obtain the Personal Protective Equipment;
- ❖ Collaborators – that are designated to represent the recruited personnel from ValDor CONSHIPPING;
- ❖ Owners or Potential Owners – to obtain a job.

What we assure the clients / collaborators?

In order to ensure that you and your company are treated with seriousness and attention to details, we collect the information regarding the organisation, contacts and conversations received from emails, meetings, mail and references of the seafarers from former employers. These actions allow the agency to justify in its action of recruiting and supplying of crew members as per required standards.

What personal data is targeted?

Candidates:

ValDor CONSHIPPING Crewing Agency requires, in order to perform its activity, to following personal data:

- ❖ Name and surname, date of birth, home address, ZIP Code, citizenship, gender;
- ❖ National ID card, passport, documents and certificates that contain personal data;
- ❖ Phone number, date/ period when you can start your jobs, email address;
- ❖ Qualification obtained;
- ❖ Professional qualification, diplomas, studies, courses;
- ❖ Foreign languages obtained, professional experience;
- ❖ Next of kin’s (person to contact in case of emergency) name, relationship to you, address, contact number;
- ❖ Bank details;
- ❖ References from previous employers;
- ❖ IP address of the location where you have accessed our website;
- ❖ Recordings of our security camera as per legislation in force;

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- ❖ Previous conversations logs had with you on email/ social networks (Facebook, LinkedIn, WhatsApp, Viber, Skype, messaging).

Clients and Collaborators:

Between our crewing agency ValDor CONSHIPPING and clients, respectively our collaborators, we would like to implement the regulation on the protection of natural persons with regard to the processing of personal data in an agreeable manner, for a good evolution of the activity, collecting the following information:

- ❖ Name;
- ❖ Phone number;
- ❖ Address;
- ❖ Company email and the corresponding departments email;
- ❖ Previous history of the conversations via email;
- ❖ IP address if you access the agency website;
- ❖ Recordings of our security camera as per legislation in force, if you visit our premises.

How we ensure the security of your personal data?

We have to mention the fact that through offering your consent for processing and collecting your personal data, they have to be secured though physical, administrative and technological measures.

After we collect your information, we save them on our electronic database. The database is secured through passwords assigned to authorised personnel and it can be accessed only after signing a report in which we state the passwords to be used.

Another method to store the information is the physical database. The database is kept in a special secured place, under restricted access.

If you notice any nonconformity or a misconduct regarding your personal data, please contact us immediately at the following email address: dpo@conshipping.ro.

How do we respond to a data breach?

The actions taken after a data breach occurred will follow these steps:

- ❖ Contain the data breach to prevent any further compromise of personal information.
- ❖ Assess the data breach by gathering the facts and evaluating the risks, including potential harm to affected individuals and, where possible, taking action to remediate any risk of misuse. When performing the assessment we shall cover the following:
 1. *Initiate*: decide whether an assessment is necessary and start a risk assessment plan.

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2. *Investigate*: quickly gather relevant information about the suspected breach, including, what personal information is affected, who may have had access to the information and the likely impacts, and
3. *Evaluate*: make a decision, based on the investigation, about whether the identified breach is a data breach that needs notification.
 - ❖ Notify individuals and the Supervisory Authority if required. The notification must include the following information:
 - a) The identity and contact details of the organisation,
 - b) A description of the eligible data breach,
 - c) The kinds of information concerned and
 - d) Recommendations about the steps individuals should take in response to the data breach.
 - ❖ Review the incident and consider what actions can be taken to prevent future breaches.

Who should report a data breach?

All personnel from our crewing agency, our clients and collaborators have the responsibility to notify the data protection officer of actual or potential data protection compliance failures. By taking this action our DPO will take immediate steps to limit any further access or distribution of the affected personal information, or the possible compromise of other information.

How and when you will be notified?

As per GDPR, the DPO is legally obliged to notify the Supervisory Authority within 72 hours of the data breach (Article 33). Individuals have to be notified if adverse impact is determined (Article 34). In addition, our crewing agency must notify any affected clients without undue delay after becoming aware of a personal data breach (Article 33).

However, our agency does not have to notify you if anonymized data is breached. Respectively, the notice is not required if the data protection officer has implemented pseudo-anonymization techniques like encryption along with adequate technical and organizational protection measures to the personal data affected by the data breach (Article 34).

How do we review the data breach?

After steps have been taken to resolve the data breach, our crewing agency will review the cause of the breach and evaluate if existing protection and prevention measures and processes are sufficient to prevent similar breaches from occurring, and where applicable put a stop to practices

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which led to the data breach. If deemed necessary a report recommending any changes to systems, policies and procedures will be considered.

The review will consider:

- ❖ Where and how personal data is held and where and how it is stored;
- ❖ Where the biggest risks lie, and will identify any further potential weak points within its existing measures;
- ❖ Whether methods of transmission are secure;
- ❖ Identifying weak points within existing security measures;
- ❖ Personnel awareness and training level;
- ❖ Implementing a data breach plan and identifying individuals responsible for reacting to reported breaches of security.

What represents sending your information to third parties?

In the process of collecting your personal information through our agency we make sure that we will not disclose your personal data. The exceptions are the institutions and governmental authorities, by subpoena either by prosecution due to personal data theft. In other cases personal data may be sent to other companies that have proof of implementing the regulation and you have been previously informed, by offering your consent.

How is personal data processed in UE and in Non EU countries?

1. In the European Union

Cross-border processing means processing of personal data which takes place in the context of the activities of establishments in more than one Member State of a controller or processor in the Union where the controller or processor is established in more than one Member State or processing of personal data which takes place in the context of the activities of a single establishment of a controller or processor in the Union but which substantially affects or is likely to substantially affect data subjects in more than one Member State.

2. Outside the borders of European Union

ValDor CONSHIPPING, as a crewing agency, is an international business. We offer services of personnel recruitment for clients and collaborators from worldwide. Therefore, in order to be sure that we offer the best services, we are obliged to collect and send your information towards countries outside the European Union:

- ❖ Between our group companies;
- ❖ To overseas clients;
- ❖ To data storage facilities;
- ❖ To our suppliers where appropriate.

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What are your rights?

The regulation offers more rights than before, to the natural persons, when their personal data is collected and processed as per bellow:

- ❖ *'right of access'* – The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data;
- ❖ *'right of rectification'* – The data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement;
- ❖ *'right to erasure' (right to be forgotten)* – The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay;
- ❖ *'right to restriction of processing'* – The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies: the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data; the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead; the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims; the data subject has objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of the controller override those of the data subject.
- ❖ *'right to data portability'* – The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided.
- ❖ *'right to object'* – The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Article 6(1), including profiling based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which

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override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

All above mentioned rights can be exercised by a written request, signed and dated, sent to our headquarters.

How long we keep your personal data?

Your personal data will be kept in our records no longer that they will be necessary. Excepting the cases in which we are obliged to keep them as per legislation in force such as taxation, fiscal declarations, wage payments, etc. Emphasizing on the offered details, we will not keep personal data if we stopped collaborating. Thus, you have the right to withdraw your consent at any moment by presenting to our ValDor CONSHIPPING office, on 33 Petru Vulcan Street, Constanta.

Which are the terms and conditions?

By accessing the www.conshipping.ro website it means that you accept our Data Protection Policy by sending us an Application/ C.V. online or by presenting it to our office.

ValDor CONSHIPPING reserves the right to modify and update this Policy in any moment without notifying you, but the changes will be available on our agency website.

Where can you refer for queries or additional questions?

DATA PROTECTION OFFICER:

Name: Anamaria MANEA

Contact number: +40721300229

E-mail: dpo@conshipping.ro

Where can you refer for complaints?

'AUTORITATEA NAȚIONALĂ DE SURAVEGHERE A PRELUCRĂRII DATELOR CU CARACTER PERSONAL'

Address: 28-30 Gheorghe Magheru Bvd., Sector 1, 010336, Bucharest, Romania

E-mail: anspdcp@dataprotection.ro

Contact numbers: +40.318.059.211

+40.318.059.212

Website: <http://www.dataprotection.ro/index.jsp?page=contact>

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5. Quality relevant records			
Registration of record	Code	Shall be kept	
		at	duration
Consent form	F.8.5-8	Administrative department	Undefined, until the consent is withdrawn
Confidentiality agreement	F.8.5-9	Administrative department	Undefined

6. Documents applicable to the process	
Name of document	Code
Quality Manual	MC-01
Documents Control	PS.7.5/1
Records Control	PS.7.5/2
Crewing	PO.8.5/2