

PRIVACY POLICY OF RECOVERSO RMC OÜ

1. THE PURPOSE OF THE PRIVACY POLICY

- 1.1 The purpose of this privacy policy (“**Policy**”) is to provide information about personal data processing done by Recoverso RMC OÜ (“**Recoverso**”/“**us**”/“**we**”) in the course of Recoverso’s business activities. In this Policy we describe how, why and what personal data we process about our cooperation partners’ and their representatives and other data subjects’ e.g., debtors, creditors, connected person (i.e., “**data subject**”/“**you**”), in the course of our business activities.
- 1.2 Disclosure of this Policy helps to fulfill the notification obligation arising from Articles 13 and 14 Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and on the repeal of Directive 95/46/EC (the “**GDPR**”).
- 1.3 The definitions given in the GDPR have the same meaning in the Policy as in the GDPR.

For more detailed information or if you have any questions, you can contact us using the contact information provided in clause 2.1.

2. ABOUT RECOVERSO AND PROCESSING ROLES IN DEBT COLLECTION

- 2.1 Recoverso RMC OÜ, with registry code 14189704, address Harju County, Tallinn, Põhja-Tallinn district, Toompuiestee 35, 10149, is a company buying debt claims and collecting debt in Poland. You can contact Recoverso by writing to us at collection@recoverso.com or by sending as a letter at our previously stated physical address. In case you have questions about how Julianus Inkasso Poland (Julianus Inkasso Sp. z o. o) is processing your personal data you can write to collection@recoverso.com. If you have questions about Recoverso’s personal data processing you can write to our group’s data protection officer at andmekaitse@aktivafinance.eu.
- 2.2 Recoverso is the controller of personal data for processing done in connection to acquired debt claims and collection of those debt claims.
- 2.3 Julianus Inkasso Poland (Julianus Inkasso Sp. z o. o) is the service provider we use for debt collection in Poland. In the processing of personal data when collecting our debt claims Julianus Inkasso Poland is our processor. You can read more about debt collection process and specific of Julianus Inkasso Poland from their privacy policy <https://julianus.pl/polityka-prywatnosci/>.

3. ABOUT OUR PRIVACY POLICY

- 3.1 This Policy is applicable whenever we process personal data in the course of our business activities – i.e., buying debt and collecting debt, incl. processing personal data of our cooperation partner or client or the representatives’ of them. Our personal data processing is always based on the principles stated in the Policy and we ensure data subject’s rights when prerequisites for the rights are fulfilled.
- 3.2 We can unilaterally change this Policy. We will give notice of any material changes on our group [website](#) or by email, or in another suitable way.
- 3.3 Our supervisor authority in connection to personal data processing is the Data Protection Inspectorate of the Republic of Estonia (<https://www.aki.ee/et>).
- 3.4 We are not responsible for links on our group website, which lead to the pages of other service providers. The pages of other service providers are governed by the terms and conditions of the respective service providers.

4. DATA PROCESSING PRINCIPLES, CATEGORIES, AND SOURCES

- 4.1 Our personal data processing is based on the following principles: legality, fairness, transparency, purposefulness, data minimization, accuracy, limitation of storage, integrity, confidentiality, privacy by design and accountability.
- 4.2 We process personal data of the following data subjects: our cooperation partner, cooperation partner's representatives, creditor (if natural person; or creditor's representatives if creditor is a legal person), debtor (if natural person; or debtor's representatives if debtor is a legal person), third parties involved in debt proceedings (e.g., the person who pays the debt on behalf of the debtor) and surety, heirs. We may process the personal data of a deceased person.
- 4.3 We mainly receive personal data from the sources we buy debt claims – i.e., original or previous creditors, and from Julianus Poland in case of debt collection procedure. Mainly, the following types and sources of personal data may also be processed during buying and collecting debt claims:
- 4.3.1 When we buy and collect debt – we generally process:
- (a) **Cooperation partner's and/or their representatives' data** – full name, company registration details (NIP, KRS, REGON), position title, phone number, address, e-mail, claim/debt information (as stated in point (d) below), incl. creditor's and debtor's data (see below), contract data (if debt is bought); source of data for relevant cooperation partner; we may verify or enrich data from public sources and state registries
 - (b) **Details of the original/previous creditor or its representative:** full name, company registration details (NIP, KRS, REGON) contact details (email(s)/telephone(s)/address(es)), correspondence address, position, details of the agreement or invoices based on which liability appeared; if a company, then company information, including representative details; source of data original/previous creditor, we may verify or enrich data from publicly available sources and state registries;
 - (c) **Debtor:** information may depend on the circumstances, generally: full name, surname, , PESEL number, date of birth, contact (address(es), phone number(s), email address(es)), payment information (as stated in point (f) below, claim/debt information (as specified in point (d) below ,original agreement(s), call recordings) ; property status information (real estate, holdings, etc.) from public registries, payment default information - information is generally obtained from the creditor, but in part the information can be obtained and checked from publicly available sources and state registers, other data (as stated in point (h) below), data related to dispute (as stated in point (g));
 - (d) **Claim/debt information:** details of original/previous creditor, amount, bank account(s), history of payments and payment information (e.g. partial payment information), type, circumstances (time of occurrence and other circumstances), related documents; other information provided by the parties, which may contain personal data (depends on the requirement - contract, correspondence, certificates, etc.) - information generally provided by the creditor; the debtor can provide information on their part - the check can be carried out from various public registers or with the help of service; source of data original/previous creditor; we may verify data from publicly available sources and state registries
 - (e) **Third-party information:** persons related to the debt, e.g., surety or heir, information of the person who paid off the debt of another person, representative information, etc. - generally full name, PESEL number, date of birth, contact details, connection to the debtor/debt - generally obtained from the original/previous creditor; we may verify or enrich data from publicly available sources and state registries
 - (f) **Payment information,** payment history, payment amount, payer's information, bank account numbers, claim date/end date, claim information (principal debt + secondary claims; state fee, representation fee (if any)); document proving the debt; source of data: see previous clauses;
 - (g) **Data related to the dispute** (personal data varies depending on the dispute, but generally: civil case number, bailiff execution number, documents exchange by the parties and all the data and information provided in them including representatives details, name, personal identification number, the content of the dispute, communications, result) - directly from the

data subject, creditor, and data generated during the procedure; source of data: see previous clauses;

- (h) **Other data** debt collector (Julianus Poland) gathers in the course of debt collection e.g., communications (written, oral during the phone calls with employees which may be recorded), surveys (if any); source Julianus Poland.

4.3.2 When debt is collected in our name, then personal data is processed by Julianus Poland. You can read about how they process personal data from <https://julianus.pl/polityka-prywatnosci/>.

4.3.3 **Information obtained from debt collector** - Julianus Inkasso Poland acts as a debt collector in Poland in the name of Recovero. Usually only financial information about debt claims and their collection is forwarded back to Recovero. However, in case of dispute, supervision procedure or in case of other business needs of Recovero – Recovero may get all data about creditors, debtors and debt claims and collection procedure done in the name of Recovero.

4.4 In addition, we may also process the following types of personal data:

4.4.1 payment data (invoicing) of the cooperation partner (if a natural person) – payment and claim data collected during accounting;

4.4.2 other data provided by the data subject (in communication with us - email, chat, calls).

5. PURPOSES AND LEGAL BASIS OF DATA PROCESSING

5.1 In general, the basis for processing a debt claims is our legitimate interest (the GDPR art 6 (1) f) and in certain cases some data may be processed based on a contract (the GDPR art 6 (1) b) (contract can be used in case the debtor is a natural person and the debt is due to a contract with the said debtor, and we have bought the contractual claim causing the debt).

5.2 In addition to the above, we may process personal data on the following grounds and purposes:

5.2.1 **Processing of personal data on the basis of consent (General Data Protection Regulation art. 6 (1) a).** On the basis of consent, we process personal data precisely within the limits, to the extent and for the purposes for which the data subject has given their consent. The data subject's consent must be freely given, specific, informed, and unambiguous (e.g., ticking a box on a website). The data subject always has the right to withdraw their consent at any time. Withdrawal of consent does not affect the legality of the processing of personal data based on consent prior to the withdrawal of consent.

5.2.2 **Processing of personal data for the conclusion and performance of a contract (General Data Protection Regulation art. 6 (1) b).** When concluding and performing the contract, we may process personal data for the following purposes:

- (a) taking of measures before the conclusion of the contract, which is necessary for the conclusion of the contract or which the data subject requests (then the full name, contact data, personal identification data, authorization data are used);
- (b) fulfilling assumed obligations (e.g., billing) (payment information, account information, contract information);
- (c) communication-related to the provision of the service/contract, including sending information and reminders about the execution of the contract or the use of the service (contract information, contact details);
- (d) protection of rights and claims (depending on the data, all collected data may be used);
- (e) detection, prevention, and resolution of technical problems (depending on the problem, all collected data may be processed).

5.2.3 **Processing of personal data due to a legal obligation (General Data Protection Regulation art. 6 (1) c).** In this case, we process personal data to fulfill a legal obligation in accordance with the law and to the extent stipulated therein. For example, there is an obligation to preserve accounting documents arising from the Accounting Act, or certain obligations under Credit Collection and Buyers Act.

5.2.4 In addition to the aforementioned, we may use legitimate interest (General Data Protection Regulation art. 6 (1) f) in connection to the collection of debt claims and management of our business. We may use the legitimate interest as a basis for processing personal data for the following purposes:

- (a) General statistics and analytics for development of services (mainly anonymously; depending on the development, however, financial data, debt data, cooperation partner's data may be used);
- (b) processing for organizational purposes, in particular for the management and processing of personal data for the purposes of internal management (as well as for audits and other possible supervision), including the processing of personal data of cooperation partner's or representatives and debt data;
- (c) preparation, submission, or defense of legal claims, including assignment or transfer of claims (depending on the claim/problem, all data may be processed);
- (d) for the purposes of administration, strategic management, and service provision, we may transfer personal data between group companies on the basis of legitimate interest (generally cooperation partner information, debt information if necessary);
- (e) for enabling business transactions, e.g., if we or our group company is involved in a merger, acquisition, or sale/purchase of assets, we may transmit and receive personal data necessary to complete the transaction.

The data subject has the right to get acquainted with the legitimate interest assessment evaluating the processing of his personal data by writing to collection@recoverso.com. We identify (e.g., by means of a digitally signed request) the data subject before completing the request or issuing personal data to ensure that personal data is made available to the correct data subject.

5.3 If we processes personal data for a purpose other than the one for which they were originally collected, if the processing is not based on the consent of the data subject or on European Union or Member State law, then we carefully evaluate the permissibility of such new processing. In order to determine whether processing for a new purpose is compatible with the original purpose of collecting personal data, the following shall be taken into account, among other things:

- (a) any connection between the purposes for which the personal data is collected and the purposes for the intended further processing;
- (b) the context of the collection of personal data, in particular, the relationship between the data subject and the processor;
- (c) the nature of the personal data, in particular, whether special types of personal data or personal data related to convictions and crimes are processed;
- (d) possible consequences of the planned further processing for data subjects;
- (e) the existence of appropriate safeguards, which may include encryption or pseudonymization.

5.4 Overview of main personal data processing by us:

Purpose	Legal basis	Personal data (please see categories in clause 4.3.1 and 4.4)
Buying debt claims	GDPR art 6 (1) f	Cooperation partners' data (or representatives'); original debt data, incl. debtor's and creditor's data
Processing of personal data for entering into contract	GDPR art 6 (1) b or f (depending if the contract is entered	Please see clause 5.2.2

	into with the data subject)	
Debt collection	Mainly GDPR art 6 (1) f ; in case of contract with the debtor (natural person) – GDPR art 6 (1) b	Please clause 4.3.1 and for more information about the debt claiming procedure if necessary - see Julianus Poland's privacy policy - https://julianus.pl/polityka-prywatnosci/
Communications with debtor or other data subject (generally for support, information, in connection to debt claims)	GDPR art 6 (1) f or GDPR art 6 (1) c (e.g., answering data subject requests)	Depending on the communication, all data may be processed
Service development – improve existing and develop new services and solutions Anonymization may also be used	GDPR art 6 (1) f	Generally anonymous, but depending on the development general financial data and cooperation partner's data may be processed
Necessary processing related to legal obligations	GDPR art 6 (1) c	All personal data may be processed
Data exchange within the group for the following purposes: administration, management, accounting, analytics, legal Anonymization may also be used	GDPR art 6 (1) f; and in case of obligatory transfer GDPR art 6 (1) c)	Generally non-personalized, but depending on the purpose, personal data may also be processed, e.g. in accounting information (financial data)
To prepare and respond to legal claims, inquiries, etc.	GDPR art 6 (1) f	All personal data may be processed
Fraud detection and prevention	GDPR art 6 (1) f	All personal data may be processed
Processing in the context of commercial transactions - merger, acquisition, purchase, sale of an association or of shares - processing of data in the framework of carrying out a transaction and consulting Anonymization may also be used	GDPR art 6 (1) f	Generally non-personalized, but accounting information may also be processed and, depending on the transaction, the processing of all personal data may be necessary
Other processing under legitimate interest	GDPR art 6 (1) f	See clause 5.2.4

This table provides easy overview information about most essential personal data processing. Please read the full Policy for a complete overview of our data processing.

6. RECEIVERS, PROCESSORS, AND FORWARDING OUTSIDE THE EEA

- 6.1 We may forward data related to debt claims and payment default data to companies belonging to the same group and to OÜ Julianus Öigusbüroo, which provides us legal representation services in court and in enforcement proceedings. Group companies may provide us with accounting, management and analytics services (generally financial and cooperation partner's data). Also, we may transfer debt claims to European Collectors Association member cooperation partners in foreign countries for collection, following the necessary requirements and implementing security measures.
- 6.2 We may issue personal data to state authorities (police, security agencies, prosecutor's office, etc.) and courts on the basis of legislation requiring the release of data for the purpose of fulfilling information requests from state authorities and courts. The request and related correspondence and documents will be stored for up to 10 years from the date of fulfillment of the data protection requirement or its justified refusal.
- 6.3 In addition to the above, we may transfer personal data to our cooperation partners or service providers, with whom we have entered into a contract. In addition, cooperation is carried out with persons to whom the personal data of the data subject may be transferred within the framework of cooperation and for this purpose. Such third parties are:
- (a) debt collection service providers (Julianus Poland)(see clause 4.3.1 for personal data processed);
 - (b) various advisors, e.g., legal service providers (depending on the service, they may have access to all personal data);
 - (c) ICT partners, i.e., providers of various technical services (depending on the service, they may have access to all personal data);

provided that the respective purpose and processing are lawful, and in the case of authorized processing, personal data is processed in accordance with our instructions and on the basis of a valid contract.

- 6.4 As a general rule, we do not transfer personal data outside the European Economic Area (EEA). Should the transfer outside the EEA take place, then in compliance with the requirements of Chapter 5 of the GDPR. For example, personal data may be transferred if there is a protection adequacy decision* (see Article 45 of the General Data Protection Regulation) or the EU standard terms and conditions** (see Article 46 of the General Data Protection Regulation) or if the company is included in the new EU-US Data-Privacy Framework list***. We take all reasonably necessary measures to ensure that personal data is processed securely and in accordance with this data protection policy. More information about transfers outside the EEA can be obtained by writing to the email address collection@recoverso.com.

*Adopted protection adequacy decisions can be found [here](#).

**The text of EU standard clauses can be found [here](#). The data subject can ask for the text of specific standard clauses related to the transfer of their personal data.

*** The Data-Privacy Framework list can be found [here](#).

7. PERSONAL DATA STORAGE PERIOD

- 7.1 As the controller, we follow the purpose of the processing when choosing the storage time of personal data, the expiration dates of claims in case of possible claims, and the storage periods stipulated by law. Personal data is stored as long as necessary, depending on the purpose of the processing. Certain personal data is stored in accordance with the requirements of the applicable law, e.g., accounting data for seven years and employment contract data for ten years. When the retention period has expired, then personal data will be destroyed or anonymized.
- 7.2 In general, we retain personal data as follows:
- 7.2.1 data processed on the basis of obligatory legal requirements will be processed for the period for which legal provisions require the storage of data;

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- 7.2.2 data processed for the purpose of concluding and performing a contract will be processed for the period necessary for its performance and settlement, which may be extended, in appropriate cases, by the limitation period for civil claims (10 years as stated in the General Part of the Civil Code § 146);
 - 7.2.3 data processed on the basis of the legitimate interest of us will be processed until an objection is effectively filed or such interest ceases, e.g. data processed for the purpose of pursuing or defending against claims will be processed for a period equal to the limitation period for such claims (10 years as stated in the General Part of the Civil Code § 146);
 - 7.2.4 data processed on the basis of consent will be processed until the consent is withdrawn.
 - 7.3 We store personal data related to cooperation partners and disputes during the validity of the contract and for an additional ten years to protect possible legal claims.

8. RIGHTS OF THE DATA SUBJECT

- 8.1 The data subject has the right to receive information about whether and how we process their personal data. The data subject's rights are not absolute, and we must assess each request to determine whether and to what extent the data protection legislation enables the request to be fulfilled.
- 8.2 The data subject has the following rights arising from the GDPR:
 - 8.2.1 The data subject has the right to access their personal data being processed, as well as to receive a copy of their personal data.
 - 8.2.2 The data subject can request correction of their personal data and restriction of processing.
 - 8.2.3 The data subject may demand the deletion of personal data for which the person has given consent, and the processor has the right to consider the deletion of personal data processed on other legal grounds (legitimate interest) in certain cases, e.g., in the case of a legal processing obligation, deletion does not take place.
 - 8.2.4 The data subject can object to the processing of their personal data and demand the termination of the processing of their personal data.
 - 8.2.5 As a general rule, we do not process personal data based on consent. However, if we have asked for a consent, then the data subject can withdraw their consent to the processing of personal data at any moment. The withdrawal of consent does not affect the lawfulness of the processing that took place before the withdrawal. If we use consent, then we provide an easy way to withdraw the consent. In addition, data subject can always write to us at collection@recoverso.com for withdrawal of consent.
 - 8.2.6 The data subject has the right to transfer certain personal data; that is, in certain cases, the data subject has the right to receive the personal data in a machine-readable form with them or to transfer it to another controller.
 - 8.2.7 The data subject has the right to get acquainted with the legitimate interest analysis of the data processing concerning their personal data (to get acquainted with the legitimate interest analysis, please send a request to the email address collection@recoverso.com; to avoid issuing data to the wrong person, please digitally sign the request).
 - 8.2.8 The data subject has rights regarding automated processing and profile analysis. The data subject, based on their specific situation, has the right to object at any time to the processing of personal data concerning them on the basis of automated decisions/profile analysis and to demand human intervention. The data subject may also request an explanation of the logic behind the automated decision-making. For the sake of clarity, we do not use automatic processing or profiling, which significantly affects the data subject or their rights.
 - 8.2.9 If a person is concerned about an alleged violation of the GDPR or other legislation related to personal data at Recoverso. We kindly ask you to write to us at the email address collection@recoverso.com. If a person is not satisfied with the way we resolved their complaint, they have the right to file a complaint with the Data Protection Inspectorate. The contact details of the Data Protection Inspectorate are as follows: telephone +372 627 4135; email address info@aki.ee; postal address Tatari 39, Tallinn 10134. The data subject has the right to contact the data protection supervisory authority of the country of residence or

the supervisory authority in the country in which the alleged violation occurred. The contacts of data protection supervisory authorities of the EU member states can be found [here](#). It is also possible to appeal to the court if, in the opinion of the data subject, the processing of personal data violates their rights and interests.

- 8.2.10 **Response and identification of the data subject.** We will respond to the submitted request within one calendar month; if necessary, it has the right to extend the deadline for responding to the request by notifying the data subject. We will appropriately identify the data subject before issuing personal data in order to avoid issuing personal data and information to the wrong person. In general, the identification of the data subject means the digital signing of the request by the data subject.

9. SECURITY

- 9.1 We have use various guidelines and policies to ensure the security and proper processing of personal data. Appropriate organizational and technical measures are also used to ensure the security of personal data.
- 9.2 In the event of an incident involving personal data, we will do our best to mitigate the consequences and reduce such risks in the future. When reporting an incident, the notification requirements of the GDPR are followed.

10. CHANGES

10.1 Overview of changes:

Disclosure	Entry into force	Link to old privacy policy or list of changes
	02.05.2022	NA