



# Sixty K EAD

## Data subject rights policy

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These Rules (“the Rules”) set out the terms and conditions under which natural persons, whose personal data is processed by SIXTY K EAD, UIC 200118762 (SIXTY K), may exercise their rights in compliance with the data protection legislation.

## 1. General principles

1.1. SIXTY K EAD shall process and protect the personal data collected in the interests of its activities fairly, lawfully and in compliance with the purposes the data has been collected for.

1.2. The officers who process personal data for the purposes of customers service – natural persons, as part of BPO (Business process outsourcing) services provision and the officers processing personal data where SIXTY K EAD appears as a controller, as part of their work obligations, shall respect the following principles in the personal data processing:

- i) Personal data shall be processed lawfully and in good faith.
- ii) Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with these purposes.
- iii) The personal data collected and processed in the human resources management is adequate, relevant and limited to the purpose it is processed for.
- iv) The personal data is accurate and where necessary, kept up to date.
- v) The personal data is erased or rectified if it is found to be inaccurate or disproportionate to the purposes it is being processed for.
- vi) Personal data is kept in form which permits identification of data subjects for no longer than it is necessary for the purposes the data has been collected for.

1.3 The officers who process personal data shall pass initial and periodic training for confidentiality of data and become familiar with the applicable law.

## 2. Definitions

The terms listed herein below shall have the following meaning:

**“Personal Data”** means any information relating to an identified or identifiable natural person directly or indirectly by an identification number, in particular by an identifier such as name, identification number, location data, online identifier, or by one or more features, specific to the physical, physiological, genetic, psychic, mental, economic, cultural or social identity of that natural person;

**“Applicable Law”** means the legislation of the European Union and the Republic of Bulgaria, relevant to personal data protection;

**“Profiling”** means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;

**“Regulation (EU) 2016/679”** means 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 repealing Directive 95/46/EC (General Data Protection Regulation), published in the Official Journal of the European Union on 4 May 2016.

### 3. Rights of data subjects

The data subjects shall have the following rights with respect to their personal data:

- i) Right of access;
- ii) Right of rectification;
- iii) Right of data portability;
- iv) Right of deletion;
- v) Right of deletion (“right to be forgotten”);
- vi) Right to request restriction of processing;
- vii) Right to object to personal data processing;
- viii) Right of data subject not to be subject to a decision based solely on automated processing, whether the processing includes profiling or not.

#### 3.1. Right of access

3.1.1 Upon request, SIXTY K EAD shall provide the following information to the data subject:

- i) information as to whether or not SIXTY K EAD processes the personal data of data subject;
- ii) a copy of the individual’s personal data, processed by SIXTY K EAD, and
- iii) explanation in terms of the data processed

3.1.2 The explanation under Art. 3.1.1 (iii) includes the following information concerning the personal data processed by SIXTY K EAD:

- i) purposes of the processing;
- ii) the relevant categories of personal data concerned;
- iii) the recipients or categories of recipients to whom the personal data has been or will be disclosed, in particular recipients in other countries or international organisations;
- iv) where possible, the envisaged period the personal data will be stored and, if that is not possible, the criteria used to determine that period;
- v) the availability of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data, related to the data subject or make objection to such processing;
- vi) the right of lodging a complaint with a supervisory authority;
- vii) where the personal data is not collected from the data subject, any available information related to their source;
- viii) the availability of automated decision-making, whether such processing includes profiling, and information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- ix) where the personal data is transferred to a other country or to an international organisation, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

- 3.1.3 The explanation related to the processed personal data contains the information which SIXTY K provides to the data subjects through confidentiality notices.
- 3.1.4 Upon request by the data subject, SIXTY K EAD may provide a copy of the personal data in the course of its processing.
- 3.1.5 When providing a copy of the personal data, SIXTY K EAD shall not reveal the following categories of data:
- i) personal data of third parties unless they have given their explicit consent to it;
  - ii) data that represents trade secret, intellectual property or confidential information;
  - iii) other information protected under the applicable law
- 3.1.6 The provision of access of the personal data subjects cannot adversely affect the rights and freedom of third parties or result in a breach of regulatory obligation of SIXTY K EAD.
- 3.1.7 Where the requests for access are manifestly unfounded or excessive in particular because of their repetitive character, SIXTY K EAD may charge a reasonable fee for the information provided based on administrative costs or refuse to act on the access request.
- 3.1.8 SIXTY K EAD shall assess on a case-by-case basis whether a request is manifestly unfounded or excessive.
- 3.1.9 In case of refusal to provide access to personal data, SIXTY K EAD shall justify its refusal and inform the data subject(s) of their right to lodge a complaint to the Commission for Personal Data Protection (CPDP).

## **3.2 Right of rectification**

- 3.2.1 You are entitled to request that your personal data processed by SIXTY K EAD is corrected if the latter is inaccurate or incomplete.
- 3.2.2 Upon approved request for rectification of personal data, SIXTY K EAD shall inform the other recipients to whom the data was disclosed (such as government bodies, service providers) so that they can make the necessary changes

## **3.3 Right of deletion (“right to be forgotten”)**

- 3.3.1 Upon request, SIXTY K EAD shall delete the personal data if any of the following grounds is present:
- i) the personal data is no longer necessary in relation to the purposes it was collected for or otherwise processed;
  - ii) the data subject withdraws his/her consent on which the data processing is based and where there is no other legal ground for the processing;
  - iii) the data subject objects to the processing and there are no overriding legitimate grounds for the processing;
  - iv) the data subject objects to the processing of personal data for the purposes of direct marketing;
  - v) the personal data has been unlawfully processed;
  - vi) the personal data has to be deleted for compliance with a legal obligation of SIXTY K EAD;
  - vii) the personal data has been collected in relation to the offer of services of the information society of children within the meaning of Art. 8 para.1 of the Regulation (EU) 2016/679.

- 3.3.2 SIXTY K EAD is not obliged to delete personal data as far as the processing is necessary:
- i) for the exercise of the right of freedom of expression and the right of information;
  - ii) for compliance with a legal obligation of SIXTY K EAD;
  - iii) for reasons of public interest in the field of public health pursuant to Art. 9, para. 2, letters g) and h), and Art. 9, para. 3 of the Regulation (EU) 2016/679;
  - iv) for the purposes of archiving in public interest, for scientific or historical research or for statistical purposes, insofar it is likely that the right of deletion can make it impossible or seriously hindering the purposes of such processing to be achieved; or
  - v) for the establishment, exercise or protection of legal claims.

### **3.2. Right to request restriction of processing**

- 3.4.1 The data subject shall have the right to request restriction of processing when one of the following applies:
- i) the accuracy of personal data is contested by the data subject; the restriction of processing is applied for a period that allows the controller to verify the personal data accuracy;
  - ii) the processing is unlawful, but the data subject does not want the personal data to be deleted, and instead requires restriction of its use;
  - iii) SIXTY K EAD does not need any longer the personal data for processing purposes, but the data subject(s) request it for establishment, exercise or defense of legal claims;
  - iv) the data subject has objected to the processing on the basis of the legitimate interest of SIXTY K EAD and there is an ongoing verification whether the legal grounds of the controller prevail over the interests of the data subject.
- 3.4.2 SIXTY K EAD may process personal data whose processing is restricted only for the following purposes:
- i) for data storage;
  - ii) with the consent of the data subject;
  - iii) for establishment, exercise or defense of legal claims;
  - iv) to protect the rights of another individual(s); or
  - v) for important reasons of public interest
- 3.4.3 Where the data subject has requested restriction of processing and some of the grounds under Art. 3.4.1 above are present, SIXTY K EAD shall inform the data subject before revoking the restriction of processing.

### **3.5 Right of data portability**

- 3.5.1 The data subject shall have the right to receive the personal data concerning him or her which he or she has provided to SIXTY K EAD in a structured, widely used and machine-readable format.
- 3.5.2 Upon request, this data can be transferred to another controller, specified by the data subject, where this is practically feasible.
- 3.5.3 The data subject may exercise the right of portability in the following cases:
- i) the processing is based on the data subject consent;
  - ii) the processing is based on a contractual obligation;
  - iii) the processing is carried out by automated means

3.5.4 The right of data portability shall not adversely affect the rights and freedom of others.

### **3.6 Right to object**

3.6.1 The data subject shall have the right to object to the processing of his/her personal data by SIXTY K EAD, if the data is processed based on one of the following grounds:

- iv) the processing is necessary for the performance of a task of public interest or in the exercise of the official powers granted to the controller;
- v) the processing is necessary for purposes related to the legitimate interests of SIXTY K EAD or a third party;
- vi) the data processing involves profiling

3.6.2 SIXTY K EAD shall terminate personal data processing, unless it proves that there are compelling legal grounds for its continuation, which prevail over the interests, rights and freedom of the data subject, or for the establishment, exercise or protection of legal claims.

### **3.7 Right of objection to personal data for the purposes of direct marketing**

3.7.1 When personal data is processed for the purpose of direct marketing, the data subject is entitled at any time to object to the processing of personal data for that purpose, including the terms of profiling related to direct marketing.

3.7.2 When the data subject objects to processing for direct marketing purposes, the processing of personal data for these purposes shall be ceased.

### **3.8 Right of human intervention in automated decision making**

3.8.1 3.8.1 Where SIXTY K EAD takes automated individual decisions, whether those decisions are taken with the help of profiling that give rise to legal consequences for individuals or affect them substantially in a similar way, these individuals may request reconsideration of the decision by human intervention, as well as to express their point of view.

3.8.2 SIXTY K EAD shall provide the natural persons-subject to automated decision making with substantial information about the logic used, as well as the significance and foreseeable consequences of such processing for the relevant individual.

## **4. Procedure for exercising the data subject rights**

4.1 The data subject(s) may exercise the rights under these Rules by submitting a request to exercise the relevant right.

4.2 Requests of the data subject(s) for exercising their rights may be submitted in the following manner:

- i) by email to the Data Protection Officer at the following email address: [dataprotection@60k.bg](mailto:dataprotection@60k.bg)
- ii) at the office of SIXTY K EAD

- iii) by mail - at the address of the head office of SIXTY K EAD: Sofia 1839, Kremikovtzi region, 264 Botevgradsko shose Blvd.

4.3 The request for the exercise of rights relating to the personal data protection shall contain the following information:

- i) identification of the individual - name and PIN (where applicable)
- ii) contacts for feedback - address, telephone, e-mail address
- iii) request - description of the request

4.4 SIXTY K EAD shall provide information on the action(s) undertaken in relation to the request of the data subject(s) for exercising their rights within one month of the request receipt.

4.5 If necessary this term can be extended further by two months considering the complexity and the number of requests from a particular person. SIXTY K EAD shall inform the person of any such extension within one month of the request receipt indicating the reasons for this delay.

4.6 SIXTY K EAD is not obliged to respond to a request, if it is not able to identify the data subject.

4.7 SIXTY K EAD may request provision of additional information, necessary to validate the data subject identity where there are reasonable concerns about the identity of the individual submitting the request.

4.8 Where the request is made by electronic means, the information shall, if possible, be provided by electronic means unless the data subject has requested otherwise.

## **5. Amendments**

SIXTY K EAD reserves the right to periodically update the Policy for data subject rights.