



AXFINA HOLDING SA

PRIVACY NOTICE(S)

AxFina group is a group of undertakings which provides – among others – customer-centric debt collection and debt resolution activities across Central and Eastern Europe.

Our group members: AxFina Holding S.A. (parent and holding company) and its subsidiaries: AxFina Austria GmbH., AxFina d.o.o., AxFina Croatia d.o.o., AxFina Hungary Zrt. and AxFina Servicing Kft., AxFina Romania S.r.l., AxFina Polska S.A. and E-Kancelaria Grupa Prawno – Finansowa Sp. z o.o.

Our group members may act as data controllers (i.e. when servicing its own debt portfolios) or as data processors (i.e. when servicing third party debt portfolios).

When our group members act as data processors the relevant debt servicing privacy notices are available on the website of the portfolio owners.

When our group members act as data controllers the relevant privacy notices are available on the axfina.com website and/or on the specific group member's website. For the debt servicing privacy notices of AxFina d.o.o. (Slovenia) and AxFina Croatia d.o.o. (Croatia) please visit www.axfina.com (and select the Slovenian or Croatian language version). For the privacy notice of AxFina Polska S.A. please visit www.axfina.pl website. For the privacy notice of E-Kancelaria please visit www.e-kancelaria.comwebsite.

AxFina Holding SA during its holding activities takes your privacy seriously and are fully committed to keeping your information private. The processing and sharing of personal information comes with significant rights on your part and significant responsibilities on ours. This Data Privacy Notice is provided to fulfil our obligations under the General Data Protection Regulation (GDPR), effective from 25 May 2018, which requires greater accountability and transparency from organisations with regard to your personal information, and which gives you greater control over how we use it. Our Privacy Notice explains how and how long we (and our group members) collect personal data from and about you, why we do so and how we treat this information. It also explains your rights in relation to the collection of personal information and how you can exercise those rights.

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Data processing of our website

1. Name and contact details of the controller and data protection officer:

Data controller:

AxFina Holding SA (herein after: “AxFina” or “We”; Address: Grand-Duchy of Luxembourg, Luxembourg, Rue de la Boucherie 4-6.; e-mail: office@axfina.com; Web: <https://www.axfina.com>)

Contact details of the data protection officer:

E-mail: dpo@axfina.com

Phone: +36202646786

2. Purpose of the data processing:

The purpose of our data processing is to operate and maintain our main website www.axfina.com, including keeping access records (logs) with the purpose of being able to block and investigate suspicious and/or malicious activities. Functional cookies are for ensuring the appropriate functionality of our website and certain necessary cookies are for providing better user experience during visiting our website, our analytics cookies for tracking and making anonymous visitor analytics in order to develop our website and our business.

Please note, our website uses embedded third-party sites (such as Youtube to play Axfin demo videos). For the privacy notice of these third-party sites, please see the website of the third-party. These third-party data processing are out of AxFin’s control.

3. Legal basis for the processing:

The legal basis for the data processing is the legitimate interest of AxFin [point (f) GDPR art. 6(1)] as follow: to ensure the secure operation and maintenance of the website and business development. We believe that the risks posed to you are proportionate and appropriate as against our own interest.

The legal basis for using and storing cookies on your computer is your prior consent [point (a) GDPR art. 6(1)]. You can provide your consent by clicking on “Accept” button, you can decline by clicking on “Decline” button on the bottom line of our webpage.

4. Categories of personal data concerned:

The personal data categories concerned are:

- country, city, IP address
- language
- operating system
- type of the browser
- platform (mobile/desktop)
- screen resolution
- date and time of visits, engagement time
- visited pages
- cookies

Shortly about cookies:

A cookie is a small text file that in general might be used to: 1) maintain websites’ functionality (session management, pageviews, other anonymous metrics), 2) store information about user preferences, user location for better user experience (user personalization), 3) collect analytics data and other tracking data (tracking), 4) serve personalize ads (advertising). Cookies are stored on your computer’s hard drive and can be enabled or disabled in your web browser settings. Cookies are not programs, do not perform any function, but small text codes saved by the websites into your web browsers for the purposes above. AxFin website uses functional, necessary and analytics cookies, but does not use advertising cookies.

5. Categories of recipients of the personal data. Persons entitled to access the data.

Your personal data is processed primarily by our departments and employees responsible for our website, such as the website technical and content administrators.

When and only to the extent this is necessary for the purposes we described in this Privacy Notice or fulfil our legal obligations, your personal data might be disclosed to recipients, as follow:

- website service provider



- our IT service provider (e-mail, storage)

We store and process your personal data on locations inside the European Union / European Economic Area ("EEA")

6. Source of the personal data:

We obtained your personal data from You by technical means (server logs, cookies) as a result of visiting our website.

7. The period and criteria used to determine the period for which the personal data will be stored:

Your personal data stored in our web server access logs are deleted in rotation, the logs are kept for 90 days. Cookies (_ga) are stored on your computer for 2 years and they will automatically expire. Please note, you can anytime easily delete these cookies manually in your web browser even before expiration. The exact way to do this might vary in each browser, but typically you will find this option within the settings (preferences) menu and security/privacy settings then cookie settings. In your browser you can easily make other settings for cookies as well as: disable/enable all cookies, disable third party cookies, check and delete cookies.

8. Your rights regarding data protection:

We trust that you will never have to, but requests regarding practising your data protection rights or your any complaints might be filled via any contact channel communicated above. We will process and respond to your request without undue delay and in any event within one month of receipt of the request. This period may be extended by two further months where necessary, taking into account the complexity and number of the requests. In case of reasonable doubts AxFina may request additional information necessary to confirm the identity and power of the natural person making the request.

Right of access:

You have the right to obtain from AxFina confirmation as to whether or not your personal data are being processed, and access to the personal data and the information set out in GDPR art. 15 (1), such as: the purpose of the processing, the categories of personal data concerned, the duration of the data processing, who received or will receive the personal data and for what purpose, your rights in relation to data processing, the right to lodge a complaint with the supervisory authority.

Right to modification (rectification), right to erasure:

You have the right to obtain from AxFina the rectification of your inaccurate data, also to have incomplete data completed. You have the right to obtain from AxFina the erasure of your data in case of GDPR art. (17) (1), such as: the time period for the storage expired, the processing is unlawful, data have to be erased for compliance with a legal obligation, as a result of right to object.

Right to restriction of processing:

You have the right to obtain from AxFina restriction of processing if the accuracy of your data is contested by you, or the processing is unlawful and you oppose the erasure and request the restriction, or AxFina no longer needs the personal data for the purposes, but they are required by you for the establishment, exercise or defence of legal claims, or as a result of right to object.

Right to object:

You have the right to object, on grounds relating to your particular situation, to processing of your data which is based on the legitimate interest of AxFina.

Withdrawal of consent:

Where we process your personal data on your consent (cookies), you have the right to withdraw consent at any time.

You can anytime easily delete these cookies manually in your web browser. The exact way to do this might vary in each browser, but typically you will find this option within the settings (preferences) menu and security/privacy settings then cookie settings. In your browser you can easily make other settings for cookies as well as: disable/enable all cookies, disable third party cookies, check and delete cookies.



Right to complaint and judicial remedies:

If you have any remarks or objections regarding the processing of your personal data, you can contact AxFina's data protection officer via the contacts set out above.

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with the supervisory authority, in particular in the EU member state of your habitual residence, place of work or place of the alleged infringement if you consider that the processing infringes GDPR. You also have the right to an effective judicial remedy where you consider that your rights under GDPR have been infringed as a result of the processing of your data in non-compliance with GDPR. You also have the right to an effective judicial remedy against a legally binding decision of a supervisory authority.

Contact details of the supervisory authority:

National Commission for Data Protection (CNPD)
Boulevard du Jazz
L – 4370 Belvaux
Grand-Duchy of Luxembourg
Contact form: <https://cnpd.public.lu/en/support/contact.html>
Phone (+352) 26 10 60 -1
Web: <https://cnpd.public.lu/>

Changes to this privacy notice:

We recognise that transparency is a continuous responsibility, so we will keep this privacy notice under regular review.

Data processing of our “Let’s talk!” form

1. Name and contact details of the controller and data protection officer:

Data controller:

AxFina Holding SA (herein after: “AxFina” or “We”; Address: Grand-Duchy of Luxembourg, Luxembourg, Rue de la Boucherie 4-6.; e-mail: office@axfina.com; Web: <https://www.axfina.com>)

Contact details of the data protection officer:

E-mail: dpo@axfina.com

Phone: +36202646786

2. Purpose of the data processing:

The purpose of our data processing is to operate and maintain a web based contact form on our main website: www.axfina.com. This is an alternative communication channel to e-mail, phone or postal letters. By this channel we receive incoming messages, inquiries, requests, than provide answers via the channels indicated in the message. We use this correspondence for ensuring transparency and documentary proofs (in case of possible legal disputes).

3. Legal basis for the processing:

The legal basis for the data processing is your prior consent [point (a) GDPR art. 6(1)]. You provide your consent by clicking on “I accept the terms in the Privacy Policy/Notice” button then “Submit”.

4. Categories of personal data concerned:

The personal data categories concerned are:

- Name
- E-mail address
- Phone
- Company name
- Subject
- Message (might contain further categories of personal data)

When sending messages please do not enter special categories of personal data and provide only those personal data which is strictly necessary for contacting and answering.

5. Categories of recipients of the personal data. Persons entitled to access the data.

Your personal data is processed primarily by our departments and employees responsible for our website, such as the website technical and content administrators.

When and only to the extent this is necessary for the purposes we described in this Privacy Notice or fulfil our legal obligations, your personal data might be disclosed to recipients, as follow:

- website service provider
- form solution provider (accepts form submissions and sends emails)
- our IT service provider (e-mail, storage)

We store and process your personal data on locations inside the European Union / European Economic Area (“EEA”)

6. Source of the personal data:

We obtained your personal data from you as the result of using this communication channel.

7. The period and criteria used to determine the period for which the personal data will be stored:

We keep your message and our answers for 3 years then we delete the correspondence. In case of a legal dispute we keep your personal data for 3 years after the legal dispute is finally closed, provided your personal data is not necessary to exercise and defence further legal claims.

8. Your rights regarding data protection:



We trust that you will never have to, but requests regarding practising your data protection rights or your any complaints might be filled via any contact channel communicated above. We will process and respond to your request without undue delay and in any event within one month of receipt of the request. This period may be extended by two further months where necessary, taking into account the complexity and number of the requests. In case of reasonable doubts AxFina may request additional information necessary to confirm the identity and power of the natural person making the request.

Right of access:

You have the right to obtain from AxFina confirmation as to whether or not your personal data are being processed, and access to the personal data and the information set out in GDPR art. 15 (1), such as: the purpose of the processing, the categories of personal data concerned, the duration of the data processing, who received or will receive the personal data and for what purpose, your rights in relation to data processing, the right to lodge a complaint with the supervisory authority.

Right to modification (rectification), right to erasure:

You have the right to obtain from AxFina the rectification of your inaccurate data, also to have incomplete data completed. You have the right to obtain from AxFina the erasure of your data in case of GDPR art. (17) (1), such as: the time period for the storage expired, the processing is unlawful, data have to be erased for compliance with a legal obligation, as a result of right to object.

Right to restriction of processing:

You have the right to obtain from AxFina restriction of processing if the accuracy of your data is contested by you, or the processing is unlawful and you oppose the erasure and request the restriction, or AxFina no longer needs the personal data for the purposes, but they are required by you for the establishment, exercise or defence of legal claims, or as a result of right to object.

Right to object:

You have the right to object, on grounds relating to your particular situation, to processing of your data which is based on the legitimate interest of AxFina.

Withdrawal of consent:

Where we process your personal data on your consent (cookies), you have the right to withdraw consent at any time.

You can anytime, free of charge

Right to complaint and judicial remedies:

If you have any remarks or objections regarding the processing of your personal data, you can contact AxFina's data protection officer via the contacts set out above.

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with the supervisory authority, in particular in the EU member state of your habitual residence, place of work or place of the alleged infringement if you consider that the processing infringes GDPR. You also have the right to an effective judicial remedy where you consider that your rights under GDPR have been infringed as a result of the processing of your data in non-compliance with GDPR. You also have the right to an effective judicial remedy against a legally binding decision of a supervisory authority.

Contact details of the supervisory authority:

National Commission for Data Protection (CNPD)
Boulevard du Jazz
L – 4370 Belvaux
Grand-Duchy of Luxembourg
Contact form: <https://cnpd.public.lu/en/support/contact.html>
Phone (+352) 26 10 60 -1
Web: <https://cnpd.public.lu/>



Changes to this privacy notice:

We recognise that transparency is a continuous responsibility, so we will keep this privacy notice under regular review.

General privacy rules of our group members' debt servicing activities

1. Name of the controller and data protection officer:

AxFina group is a group of undertakings which provides – among others – customer-centric debt collection and debt resolution services across Central and Eastern Europe. In certain cases (i.e. when servicing its own debt Portfolios) our group members (subsidiaries) shall act as stand-alone data controllers. Each data controller provides details about its data processing activities in its separate privacy notices, which are available on the websites (please see the preamble).

This notice serves as a multi-layer approach and provides general privacy information about the group members' debt collection activities.

Among others, the name of the specific data controller and its data protection officer(s) are published in the separate privacy notices.

Contact details of our group level data protection officer(s): dpo@axfina.com

2. Purpose of the data processing:

The purpose of the data processing is to collect (in amicable and legal procedures) the outstanding debts arising out the financial contracts (loan-, lease-contracts, telco contracts etc., together referred as: Debt portfolios or Portfolios) between the portfolio owner subsidiary and the clients pursuant to all relevant legal provisions, supervisory rules and recommendations. This purpose also includes: the identification of the customers, the establishment, exercise or defence of legal claims, handling of complaints, communication and contacting the clients with regards to the outstanding debt, payment plans, keeping the financial records (i.e. debts, payments), contract management and to maintain the obligatory records. The personal data is not used for automated decision-making or profiling.

3. Legal basis for the processing:

The legal basis for the data processing is the legitimate interest of the data controller [point (f) GDPR art. 6(1)] as follow: debt resolution and enforcement of claims arising out the Portfolio. We believe that the risks posed to clients are proportionate and appropriate as against our own interest.

In some cases during the debt collection our group members are obliged to store and process personal data and keep records set out in the local laws, in which case the legal basis for this data processing is the legal obligation [point (c) GDPR art. 6(1)].

4. Categories of personal data concerned:

The personal data categories concerned by the debt collection activities are, in particular:

- Personal identification data (i.e.: name, birth place and date, identifying document numbers, signatures)
- Address details
- Other contact details
- Information and details about the debt (i.e. composition of the debt (capital, interests, fees), payments, payment plans/agreements, status of the debt and debt collection, amicable and legal procedures, correspondence, client requests, complaints)

These personal data are typically provided in the loan documentation or otherwise generated in the course of the performance (including the debt collection) of the financial contract in respect of the clients (lessee/debtor, guarantor, securities, representatives, in general: the data subjects or You).

5. Categories of recipients of the personal data. Persons entitled to access the data.

Your personal data is processed primarily by our group members' departments and employees responsible for managing the contractual relations and ensuring compliance with the law, such as the case administrators, case managers in charge with your case, the finance department, internal auditors.

When and only to the extent this is necessary for the purposes described in the specific privacy notice or fulfil legal obligations, your personal data might be disclosed to recipients, as follow:

- courts: establishment, exercise or defence of legal claims;
- engaged lawyers, law firms: establishment, exercise or defence of legal claims and other legal services;



- postal service provider: delivery of postal letters;
- other technical service providers: Internet provider, IT environment and infrastructure provider to store and process your personal data;
- group members of AxFina group as parts of a group of undertakings: internal administrative purposes;
- financial supervisory authorities, other authorities;
- anti-money laundering authorities/offices: receiving and analysing suspicious transactions and other information;
- group data protection officer

Our group members store and process your personal data on locations inside the European Union / European Economic Area ("EEA") or Switzerland. European Commission has recognized Switzerland as a country with adequate level of protection of personal data and issued so called adequacy decision in this respect. Link to the adequacy decision: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32000D0518>

6. Source of the personal data:

Our group members obtain the personal data concerned from the seller of the Portfolio (including the original creditors or previous credit servicers) and/or the personal data are generated during the performance of the financial contract and the debt collection activities.

7. The period and criteria used to determine the period for which the personal data will be stored:

Due to the nature of debt resolution activities, in this general privacy notice we cannot state precisely for how long our group members will keep and process your personal data. This period will be dependent on several factors, such as the duration of amicable and legal debt collection procedures, statutory or contractual limitation periods, compliance and regulatory requirements imposed to us by law.

However, in any case our group members retain your personal data only for as long as it is necessary for the purpose for which they obtained them. We list some examples of how our group members decide on how long to keep your personal data below.

Personal data used to perform or settle a contract:

In relation to your personal data used to perform any contractual rights and/or obligations with you our group members may retain that personal data until you or our group members completely fulfil these obligations (particularly: fulfil your obligation of repayments), allowing reasonable time after that for updating of our and public or statutory records.

Personal data needed for legal proceedings:

In relation to any personal data where our group members reasonably believe it will be necessary to defend and/or establish a legal claim against you, our group members might retain that personal data for as long as the claim could be pursued under the applicable law or otherwise needed in such legal proceedings, also considered the general limitation period, limitation period of claims determined by final court or other competent state body decision.

Personal data used for compliance requirements:

In relation to any personal data used to comply with anti-money laundering, anti-terrorism financing, tax, audit or similar data retention requirements, we shall not store and use such personal data longer than we are required to do so under the specific retention requirement.

8. Your rights regarding data protection:

We trust that you will never have to, but requests regarding practising your data protection rights or your any complaints might be filled via any contact channel communicated in the privacy notice. Our group members will process and respond to your request without undue delay and in any event within one month of receipt of the request. This period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

In case of reasonable doubts our group members may request additional information necessary to confirm the identity and power of the natural person making the request.

Right of access:



You have the right to obtain from our group members confirmation as to whether or not your personal data are being processed, and access to the personal data and the information set out in GDPR art. 15 (1), such as: the purpose of the processing, the categories of personal data concerned, the duration of the data processing, who received or will receive the personal data and for what purpose, your rights in relation to data processing, the right to lodge a complaint with the supervisory authority.

Right to modification (rectification), right to erasure:

You have the right to obtain from our group members the rectification of your inaccurate data, also to have incomplete data completed. You have the right to obtain from our group members the erasure of your data in case of GDPR art. (17) (1), such as: the time period for the storage expired, the processing is unlawful, data have to be erased for compliance with a legal obligation, as a result of right to object.

Right to restriction of processing:

You have the right to obtain from our group members restriction of processing if the accuracy of your data is contested by you, or the processing is unlawful and you oppose the erasure and request the restriction, or our group members no longer need the personal data for the purposes, but they are required by you for the establishment, exercise or defence of legal claims, or as a result of right to object.

Right to object:

You have the right to object, on grounds relating to your particular situation, to processing of your data which is based on the legitimate interest of our group members.

Withdrawal of consent:

Where our group members process personal data on consent, you have the right to withdraw consent at any time.

Right to complaint and judicial remedies:

If you have any remarks or objections regarding the processing of your personal data, you can contact our group members' data protection officer(s) via the contacts set out in the privacy notices or also at dpo@axfina.com.

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with the supervisory authority, in particular in the EU member state of your habitual residence, place of work or place of the alleged infringement if you consider that the processing infringes GDPR. You also have the right to an effective judicial remedy where you consider that your rights under GDPR have been infringed as a result of the processing of your data in non-compliance with GDPR. You also have the right to an effective judicial remedy against a legally binding decision of a supervisory authority.

Changes to this privacy notice:

We recognise that transparency is a continuous responsibility, so we will keep this privacy notice under regular review.



Privacy notice of AxFina d.o.o. (debt servicing of Vantage portfolio)
Privacy notice of AxFina Croatia d.o.o. (debt servicing of VB portfolio)

Privacy notices referred above will follow on next pages!

AXFINA D.O.O. OBVESTILO O ZASEBNOSTI

Glede obdelave osebnih podatkov pridobljenih v zvezi z leasing portfeljem (»Portfelj«) v skladu z Zakonom o varstvu osebnih podatkov (Uradni list RS, št. 163/22) - od družbe Vantage leasing d.o.o. v likvidaciji (Maribor, davčna številka: 16517636).

AxFina d.o.o. pri obdelavi in zbiranju osebnih podatkov vašo zasebnost spoštuje in se zavzema za ohranjanje zasebnosti vaših podatkov. Obdelava in deljenje osebnih podatkov vključuje tako pravice na vaši strani ter odgovornost na naši strani. S predmetnim obvestilom o zasebnosti osebnih podatkov izpolnjujemo zahteve določene s Splošno uredbo o varstvu podatkov (GDPR), ki velja od 25. maja 2018 in od organizacij zahteva odgovornost in preglednost v zvezi z osebnimi podatki ter vam daje nadzor nad uporabo slednjih. Predmetno obvestilo o zasebnosti pojasnjuje, na kakšen način in za kakšno obdobje obdelujemo in hranimo vaše osebne podatke, zakaj to počnemo in kako obravnavamo te podatke. Prav tako pojasnjuje tudi vaše pravice v zvezi z zbiranjem osebnih podatkov in kako lahko te pravice uveljavite.

1. Naziv in kontaktni podatki upravljavca in pooblaščen osebe za varstvo podatkov:

Upravljalec podatkov:

AxFina d.o.o. (v nadaljevanju: "AxFina" ali "Mi"; Naslov: Dunajska 9, 1000 Ljubljana, matična številka: 8458367000, davčna številka: 44007434; elektronski naslov: izterjava@axfina.com; Web: <https://www.axfina.com>)

Pooblaščen oseba za varstvo podatkov:

Inesa Žigon

Naslov: Dunajska 9, 1000 Ljubljana

E-mail: inesa.zigon@axfina.com

Telefon: +386 40 252 512

2. Namen obdelave podatkov:

Namen obdelave podatkov je zbiranje (v sporazumnih in pravnih postopkih) stanja in višine zapadlih terjatev, ki izhajajo iz leasing pogodb (Portfelj) med AxFinom in dolžnikom v skladu z zakonskimi določbami, nadzornimi pravili in priporočili. Ta namen vključuje tudi: identifikacijo strank, uveljavljanje pravnih zahtevkov, obravnavanje reklamacij, komuniciranje in kontaktiranje strank v zvezi z zapadlimi terjatvi, plačilne načrte, vodenje finančnih evidenc in pogodb.

Osebnih podatki se ne uporabljajo za avtomatizirano odločanje ali profiliranje.

3. Pravna podlaga za obdelavo:

Pravna podlaga za obdelavo podatkov je zakoniti interes AxFine, skladno s točko (f) GDPR čl. 6(1)], ki je upravljanje terjatev in izterjava dolgov, ki izhajajo iz Portfelja

4. Kategorije osebnih podatkov:

Zadevna kategorija osebnih podatkov je fizična dokumentacija o leasingu in osebni podatki, ki so v njen (vključno z podpisi na pogodbah), ali so kako drugače posredovani med izvajanjem pogodbe v zvezi z dolžnikom, porokom, zavarovanji ali zastopniki (na splošno: posamezniki, na katere se nanašajo osebni podatki ali vi), kot sledi:

I. Osebnih identifikacijskih podatki (vključno z: imenom in identifikacijskimi številkami)

II. Naslov

III. Drugi kontaktni podatki (kjer je potrebno, in posredovanje teh podatkov ni bilo zakonsko predpisano.)

IV. Podrobnosti o leasingu (vključno s stanjem dolga, obroki plačila, datumi zapadlosti, pogodbenim predmetom)

5. Kategorije prejemnikov osebnih podatkov. Osebe, ki imajo pravico dostopa do podatkov.

Vaše osebne podatke obdelujejo predvsem zaposleni, ki so odgovorni za urejanje pogodbenih razmerij in zagotavljanje skladnosti z zakonodajo, kot so: administratorji, pravni svetovalci in strokovnjaki za izterjavo.

Kadar in samo kolikor je to potrebno za namene, ki smo jih opisali v tem obvestilu o zasebnosti, ali za izpolnjevanje naših zakonskih obveznosti, se lahko vaši osebni podatki razkrijejo naslednjim prejemnikom:

- sodiščem in javnim organom (zaradi uveljavljanje pravnih zahtevkov);
- odvetnikom in odvetniškim družbam (zaradi uveljavljanje pravnih zahtevkov in opravljanje drugih pravnih storitev [Odvetnik Andrej Šelih, Trg svobode 26, 2310 Slovenska Bistrica]);
- izvajalcem poštnih storitev (zaradi dostave poštnih pošiljk [Pošta Slovenije, Slomškov trg 10 2500 Maribor]);
- ponudnikom tehničnih storitev in interneta [A1 Slovenija d.o.o.], ponudnik informacijskega okolja in infrastrukture za shranjevanje in obdelavo vaših osebnih podatkov [DDM Group AG (Landis & Gyr Strasse 1., 6300 Zug, Švica), Primož Žavbi s.p., (Petrovčeva ulica 16, 1230 Domžale)];

- članom skupine AxFina kot del skupine podjetij [AxFina Holding S.A. (4-6. de la Boucherie, 1247 Luxembourg)] (zaradi notranjega administrativnega namena)
- Uradu za preprečevanje pranja denarja kot finančno obveščevalni enoti Ministrstva za finance [Cankarjeva cesta 5, 1000 Ljubljana]: (zaradi sprejemanje in analiziranje sumljivih transakcij in drugih informacij)

Vaše osebne podatke hranimo in obdelujemo na lokacijah znotraj Evropske unije / Evropskega gospodarskega prostora (»EGP«) ali Švice. Evropska komisija je priznala Švico kot državo z ustrežno stopnjo varstva osebnih podatkov in v zvezi s tem izdala tako imenovano odločbo o ustreznosti. Povezava do odločbe o ustreznosti:: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32000D0518>

6. Izvor osebnih podatkov:

AxFina je zadevne osebne podatke pridobila od prodajalca portfelja: Vantage leasing d.o.o. v likvidaciji (Maribor, davčna številka: 16517636).

7. Obdobje in merila, ki se uporabljajo za določitev obdobja, za katerega bodo shranjeni osebni podatki:

Zaradi narave dejavnosti izterjave dolgov ne moremo natančno navesti, koliko časa bomo hranili vaše osebne podatke. To obdobje je odvisno od več dejavnikov, kot so: trajanje postopkov pravne izterjave dolgov, zakonskih ali pogodbenih zastaralnih rokov ter skladnosti in regulativnih zahtev, ki nam jih nalaga zakon. Neglede na navedeno pa vaše osebne podatke hranimo le toliko časa, kolikor je to potrebno za namen, za katerega smo jih pridobili. Spodaj navajamo nekaj primerov, glede hrambe vaših osebne podatke.

Osebni podatki, ki se uporabljajo za izpolnitev obveznosti iz pogodbe:

V zvezi z vašimi osebnimi podatki, ki se uporabljajo za izpolnjevanje kakršnih koli pogodbenih pravic in/ali obveznosti z vami, lahko te osebne podatke hranimo, dokler vi ali mi v celoti ne izpolnimo teh obveznosti (zlasti: poplačila obveznosti). Po izpolnitvi obveznosti pa v razumnem času posodobimo naše in javne evidence.

Osebni podatki, potrebni za sodni postopek:

Osebne podatke za katere ocenimo, da bodo potrebni za uveljavitev pravnega zahtevka, lahko hranimo tako dolgo, dokler je zahtevek mogoče uveljavljati v skladu z veljavno zakonodajo, pri tem se upošteva tudi splošni zastaralni rok (5/3 leta), in zastaralni rok za terjatev, o kateri je bilo odločeno s pravnomočno odločbo sodišča ali drugega pristojnega državnega organa (10 let).

Osebni podatki, ki se uporabljajo za zahteve skladnosti:

V zvezi s kakršnimi koli osebnimi podatki, ki se hranijo iz razloga izpolnjevanja obveznosti zaradi preprečevanja pranju denarja, financiranje terorizma, davkov, revizije ali podobnim, teh osebnih podatkov ne bomo hranili in uporabljali dlje, kot se od nas zahteva v skladu s posebno hrambo in sicer:

- dokumentacijo, pridobljeno pri preverjanju identitete kupca, je treba hraniti najmanj 10 let po zaključku posla oziroma po koncu poslovnega razmerja.
- listine, na podlagi katerih so bili vneseni podatki v dnevnik in glavno knjigo, se hranijo 11 let.
- poslovne knjige, kot so dnevnik, glavna knjiga in podknjiga, je treba hraniti 11 let po koncu poslovnega leta, na katerega se poslovne knjige nanašajo.
- davčne evidence in listine o dnevnem denarnem toku, poslovne knjige in knjigovodske listine je treba hraniti 10 let od začetka veljavnega zastaralnega roka, v primeru drug poseben zakon ne določa daljšega roka hrambe.

8. Vaše pravice glede varstva podatkov:

Verjamemo, da vam tega nikoli ne bo treba, vendar vas obveščamo, da lahko zahteve glede uveljavljanja vaših pravic do varstva podatkov ali vaše morebitne pritožbe oddate prek katerega koli kontaktnega podatka navedenega zgoraj. Vašo zahtevo bomo obdelali in nanjo odgovorili brez nepotrebnega odlašanja, v vsakem primeru pa v enem mesecu od prejemu zahteve. To obdobje se lahko podaljša za nadaljnja dva meseca, če je slednje potrebno, zaradi upoštevanju kompleksnosti in števila zahtevkov. V primeru utemeljenih dvomov lahko AxFina zahteva dodatne informacije, ki so potrebne za potrditev identitete fizične osebe, ki vlaga zahtevo.

Pravica do dostopa:

S strani AxFina imate pravico pridobiti potrditev, ali se vaši osebni podatki obdelujejo ali ne, ter dostop do osebnih podatkov in informacij, določenih v čl. GDPR. 15 (1), kot so: namen obdelave, kategorije zadevnih osebnih podatkov, trajanje obdelave podatkov, kdo je prejel ali bo prejel vaše osebne podatke in za kakšen namen, vaše pravice v zvezi z obdelavo podatkov in pravico do vložitve pritožbe pri nadzornem organu

Pravica do popravka, pravica do izbrisa:

S strani AxFina imate pravico zahtevati popravek vaših netočnih podatkov ali dopolnitev nepopolnih podatkov. Prav tako imate pravico doseči izbris vaših podatkov v primerih iz prvega odstavka 17. čl. GDPR, kot so: rok za shranjevanje je potekel, obdelava je nezakonita, podatke je treba izbrisati zaradi izpolnjevanja zakonske obveznosti ali zaradi uveljavljanja pravice do ugovora.

Prosimo upoštevajte, da vaših osebnih podatkov v nekaterih primerih morda ne bomo izbrisali, čeprav ste to od nas zahtevali. To velja predvsem v primerih, ko je njihova obdelava potrebna, da delujemo skladno s predpisi (na primer kadar nas predpisi zavezujejo k nadaljnjemu hranjenju podatkov) in za uveljavljanje, izvajanje ali obrambo pravnih zahtevkov.

Pravica do omejitve obdelave:

S strani AxFine imate pravico doseči omejitev obdelave, če oporekate točnosti vaših podatkov, je obdelava nezakonita in nasprotujete izbrisu ter zahtevate omejitev, ali če AxFine ne potrebuje več osebnih podatkov za namene, ampak jih potrebujete vi za uveljavljanje pravnih zahtevkov ali zaradi pravice do ugovora.

Pravica do ugovora:

Kadar je pravna podlaga za našo obdelavo vaših osebnih podatkov zakoniti interes, vi pa zaradi vaše osebne situacije ne želite, da bi vaše osebne podatke obdelovali še naprej, lahko kadarkoli ugovarjate nadaljnji obdelavi vaših osebnih podatkov. V takem primeru bomo z obdelavo vaših osebnih podatkov prenehali. Seznanjamo vas, da smemo še vedno obdelovati vaše osebne podatke, čeprav ste vložili ugovor, če naši legitimni razlogi v konkretnem primeru pretehtajo nad vašimi interesi, pravicami in svoboščinami (to pomeni, da na vaše pravice ni nesorazmernega vpliva, za nas pa je pomembno, da lahko nadaljujemo z obdelavo), kot tudi za uveljavljanje, izvajanje ali obrambo pravnih zahtevkov.

Pravica do preklica soglasja:

Kadar osebne podatke obdelujemo na podlagi soglasja, imate pravico, da soglasje kadar koli prekličete.

Pravica do vložitve pritožbe pri nadzornem organu:

Če imate kakršne koli pripombe ali ugovore glede obdelave vaših osebnih podatkov, se lahko obrnete na pooblaščen osebo za varstvo podatkov AxFine preko zgoraj navedenih kontaktov.

Brez poseganja v katero koli drugo upravno ali sodno pravno sredstvo imate prav tako pravico vložiti pritožbo pri nadzornem organu, zlasti v državi članici EU, kjer imate običajno prebivališče, kraj dela ali kraj domnevne kršitve, če menite, da obdelava krši GDPR. Poleg tega imate tudi pravico do učinkovitega pravnega sredstva, če menite, da so bile vaše pravice iz GDPR kršene zaradi obdelave vaših podatkov v nasprotju z GDPR. Zoper pravnomočno odločitev nadzornega organa imate pravico do učinkovitega pravnega sredstva.

Kontaktne podatke nadzornega organa::

Informacijska pooblaščenka
Mojca Prelesnik
Dunajska cesta 22
1000 Ljubljana
e-mail: [gp.ip\(at\)jp-rs.si](mailto:gp.ip(at)jp-rs.si)
Tel. 00386 (0) 1 230 97 30
Web: <https://www.ip-rs.si/>

Spremembe tega obvestila o zasebnosti

Zavedamo se, da je preglednost in ažurnost na področju zasebnosti nujno potrebna, zato bomo to obvestilo o zasebnosti redno spremljali in po potrebi posodobili.

To obvestilo o zasebnosti je bilo nazadnje posodobljeno dne 15.4.2023

AXFINA CROATIA D.O.O.
OBAVIJEST O ZAŠTITI PRIVATNOSTI

S obzirom na obradu osobnih podataka u vezi s leasing portfeljem („Portfelj”) koji je pribavljen - u skladu s *člankom 82. Zakona o obveznim odnosima (Narodne novine 35/05, 41/08, 125/11, 78/15, 29/18, 126/21, 114/22, 156/22)* - od društva Offcut d.o.o. u likvidaciji (Zagreb, OIB: 55525619967, izvorni naziv društva: VB Leasing d.o.o.).

Društvo AxFina Croatia d.o.o. tijekom svojih aktivnosti naplate ozbiljno pristupa vašoj privatnosti i u potpunosti je predano održavanju privatnosti vaših podataka. Obrada i dijeljenje osobnih podataka uključuje vaša značajna prava i naše značajne odgovornosti. Ova Obavijest o zaštiti privatnosti podataka pruža se da bismo ispunili svoje obveze prema Općoj uredbi o zaštiti podataka (GDPR), koja je stupila na snagu 25. svibnja 2018., a od organizacija zahtijeva veću odgovornost i transparentnost u pogledu vaših osobnih podataka te vam daje veću kontrolu nad našim načinom njihova korištenja. Naša Obavijest o zaštiti privatnosti objašnjava način i vrijeme prikupljanja osobnih podataka od vas i o vama, razloge prikupljanja i način postupanja s tim podacima. Također objašnjava vaša prava u odnosu na prikupljanje osobnih podataka i način na koji možete ostvariti ta prava.

1. Ime i kontaktni podaci voditelja obrade i službenika za zaštitu podataka:

Voditelj obrade:

AxFina Croatia d.o.o. (u daljnjem tekstu: „AxFina” ili „Mi”; Adresa: Zagreb (Grad Zagreb), Ulica Damira Tomljanovića Gavrana 13, MBS: 81136498, OIB: 36629391168; E-pošta: info.cro@axfina.com; Web: <https://www.axfina.com>

Službenik za zaštitu podataka:

Adresa: Zagreb (Grad Zagreb), Ulica Damira Tomljanovića Gavrana 13;
E-pošta: dpo.cro@axfina.com
Telefon: +38512092433

2. Svrha obrade podataka:

Svrha obrade podataka je naplata (u sporazumnim i pravnim postupcima) nepodmirenih dugovanja proizašlih iz ugovora o leasingu (Portfelj) između društva AxFina i dužnika / primatelja leasinga u skladu sa svim relevantnim zakonskim odredbama, pravilima nadzora i preporukama. Ta svrha također uključuje: identifikaciju kupaca, postavljanje, ostvarivanje ili obranu pravnih zahtjeva, rješavanje pritužbi, komunikaciju i kontaktiranje s kupcima u vezi s nepodmirenim dugom, otplatne planove, vođenje financijskih evidencija (dugova, uplata), upravljanje ugovorima, potvrditi vlasništvo nad imovinom (tj. kolateralima, drugom založenom imovinom) i provjeriti pravne postupke protiv vlasnika imovine, provjeriti vlasničku strukturu tvrtki, provjeriti povezana društva, financije, potražiti dodatnu imovinu kako bi se pokrenuli pravni postupci i povećala potencijalna naplata. Povremeno bismo mogli pohraniti vaše određene zdravstvene podatke zabilježene u sudskim spisima, u predmetima u kojima smo mi (ili naš pravni prednik) stranka, no osim za pohranjivanje i arhiviranje tih odluka, te podatke ne koristimo ni u koje druge svrhe.

Osobni podaci ne koriste se za automatizirano donošenje odluka ili profiliranje.

3. Pravna osnova obrade:

Pravna osnova obrade podataka je legitimni interes društva AxFina [točka (f) GDPR-a čl. 6(1)] kako slijedi: naplata duga i ovrha potraživanja koja proizlaze iz Portfelja. Vjerujemo da su rizici kojima ste izloženi razmjerni i primjereni u odnosu na naše interese.

4. Kategorije predmetnih osobnih podataka:

Kategorije predmetnih osobnih podataka su fizička dokumentacija o leasingu i osobni podaci (uključujući: potpisi) koji su navedeni u toj dokumentaciji ili drugdje tijekom izvršenja ugovora, a odnose se na primatelja leasinga / dužnika, jamca, vrijednosne papire, zastupnike (općenito: ispitanici ili Vi) kako slijedi:

- (1) Osobni identifikacijski podaci (uključujući: ime i identifikacijski brojevi)
- (2) Podaci o adresi
- (3) Ostali podaci za kontakt
- (4). Pojediniosti o leasingu (uključujući: dug, rate, datume dospeljeća, imovinu pod leasingom)
- (5) Podaci iz zemljišnih knjiga (uključujući: ime, adresa, identifikacijski broj)
- (6) Podaci dobiveni iz sudskog registra (uključujući: ime, adresa, identifikacijski broj)
- (7) Podaci dobiveni iz katastra (potencijalni predmeti ovrhe)

(8) Zdravstveni podaci u sudskim spisima, odlukama

AxFina ne obrađuje osobne podatke djece (maloljetnika) osim u ograničenim slučajevima kada su djeca sljednici/nasljednici duga i isto je navedeno u rješenju o nasljeđivanju.

5. Kategorije primatelja osobnih podataka. Osobe ovlaštene za pristup podacima.

Vaše osobne podatke prvenstveno obrađuju naši odjeli i zaposlenici odgovorni za upravljanje ugovornim odnosima i osiguravanje sukladnosti sa zakonom, kao što su administratori, voditelji predmeta zaduženi za vaš predmet leasinga, odjel financija i interni revizori.

Kada i samo u onoj mjeri u kojoj je to potrebno za svrhe koje smo opisali u ovoj Obavijesti o zaštiti privatnosti ili ispunjavanje naših zakonskih obveza, vaši osobni podaci mogu biti otkriveni sljedećim primateljima:

- sudovima: postavljanje, ostvarivanje ili obrana pravnih zahtjeva;
- angažirani odvjetnici, odvjetnička društva: postavljanje, ostvarivanje ili obrana pravnih zahtjeva i druge pravne usluge [Odvjetničko društvo Jujnović Lučić Marković (Strojarska cesta 20/XXII Zagreb H-10 000)]
- pružatelju poštanskih usluga: dostava poštanskih pismena [HP-Hrvatska pošta d.d. (Zagreb, Jurišićeva 13)];
- ostalim pružateljima tehničkih usluga: pružatelju internetskih usluga [A1 Hrvatska d.o.o.], IT okruženja i infrastrukture u svrhu pohrane i obrade vaših osobnih podataka;
- Financijskoj agenciji [Ulica grada Vukovara 70, HR-10 000 Zagreb, Hrvatska]: administracija ugovora u kojima je klijent ugovorna strana, provođenje ovrhe na nekretninama i pokretninama, vođenje upisnika založnih prava;
- Uredu za sprječavanje pranja novca kao domaćoj financijsko-obavještajnoj jedinici u Ministarstvu financija [Ulica grada Vukovara 72, 10000 Zagreb]: zaprimanje i analiza sumnjivih transakcija i drugih informacija.

Vaše osobne podatke pohranjujemo i obrađujemo na lokacijama unutar Europske unije / Europskog gospodarskog prostora („EGP”) ili Švicarske. Europska komisija priznala je Švicarsku kao zemlju s odgovarajućom razinom zaštite osobnih podataka, te je u tom smislu izdala tzv. odluku o primjerenosti. Poveznica na odluku o primjerenosti: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32000D0518>

6. Izvor osobnih podataka:

AxFina je pribavila predmetne osobne podatke od prodavatelja Portfelja: Offcut d.o.o. u likvidaciji (Zagreb, OIB: 55525619967, izvorni naziv društva: VB Leasing d.o.o.), .), te iz zemljišnih knjiga Republike Hrvatske, Sudska registra, katastra Republike Hrvatske, sudova.

7. Rok i kriteriji koji se koriste za određivanje roka pohrane osobnih podataka:

Zbog prirode poslova naplate dugova ne možemo precizno navesti koliko dugo ćemo čuvati vaše osobne podatke. Taj rok će ovisiti o nekoliko čimbenika, kao što je trajanje postupaka sporazumne i pravne naplate duga, zakonski ili ugovorni rokovi zastare, sukladnost i regulatorni zahtjevi koje nam propisuje zakon.

Međutim, u svakom slučaju zadržavamo vaše osobne podatke samo onoliko dugo koliko je to potrebno za svrhu zbog koje smo ih pribavili. U nastavku navodimo neke primjere načina na koji donosimo odluku u roku čuvanja vaših osobnih podataka.

Osobni podaci koji se koriste za izvršenje ili namiru ugovora:

U odnosu na vaše osobne podatke koji se koriste za izvršavanje bilo kojih ugovornih prava i/ili obveza s vama, možemo zadržati te osobne podatke sve dok vi ili mi u potpunosti ne ispunimo te obveze (osobito: ispunite svoju obvezu otplate), dopuštajući razborito vrijeme nakon toga za ažuriranje naše i javne ili zakonske evidencije.

Osobni podaci potrebni za sudski postupak:

U odnosu na bilo koje osobne podatke za koje razborito vjerujemo da će biti potrebni za obranu i/ili postavljanje pravnog zahtjeva protiv vas, možemo zadržati te osobne podatke sve dok se zahtjev može podnijeti prema mjerodavnom zakonu ili dok su inače potrebni u takvom sudskim postupcima, također uključujući i opći rok zastare (5 / 3 godine), rok zastare zahtjeva utvrđen pravomoćnom odlukom suda ili drugog nadležnog državnog tijela (10 godina).

Osobni podaci koji se koriste za zahtjeve sukladnosti:

U odnosu na bilo koje osobne podatke koji se koriste za sukladnost sa zahtjevima za sprječavanje pranja novca, financiranja terorizma, porezima, revizijom ili sličnim zahtjevima za zadržavanje podataka, ne pohranjujemo niti koristimo takve osobne podatke dulje nego što se od nas zahtijeva prema određenom zahtjevu za zadržavanje:

- dokumentacija pribavljena tijekom provjera poznavanja kupca mora se čuvati najmanje 10 godina nakon završetka transakcije ili nakon završetka poslovnog odnosa.
- dokumenti koji su temelj za unos podataka u dnevnik i glavnu knjigu čuvaju se 11 godina.
- poslovne knjige kao što su dnevnik, glavna knjiga i evidencije trebaju se čuvati 11 godina nakon završetka poslovne godine na koju se odnose te poslovne knjige.

porezne evidencije i dokumenti o dnevnom novčanom tijeku, poslovne knjige i knjigovodstvene isprave treba čuvati 10 godina od početka mjerodavnog roka zastare, osim ako drugim posebnim zakonom nije propisan dulji rok pohrane.

8. Vaša prava koja se odnose na zaštitu podataka:

Vjerujemo da vam nikada neće trebati, ali zahtjevi koji se odnose na ostvarivanje vaših prava na zaštitu podataka ili vaše pritužbe mogu se ispuniti putem bilo kojeg gore navedenog kanala za kontakt. Vaš ćemo zahtjev obraditi i odgovoriti na njega bez nepotrebne odgode, a u svakom slučaju u roku od mjesec dana od zaprimanja zahtjeva. Taj rok može se produljiti za još dva mjeseca ako je potrebno, uzimajući u obzir složenost i broj zahtjeva. U slučaju razborite dvojbe, AxFina može zatražiti dodatne podatke potrebne za potvrdu identiteta i ovlasti fizičke osobe koja podnosi zahtjev.

Pravo pristupa:

Imate pravo od društva AxFina ishoditi potvrdu o tome obrađuju li se vaši osobni podaci ili ne, kao i pristup osobnim podacima i informacijama koji su navedeni u čl. 15. st. 1. GDPR-a, kao što su: svrha obrade, kategorije predmetnih osobnih podataka, trajanje obrade podataka, tko je primio ili će primiti osobne podatke i za koju svrhu, vaša prava u odnosu na obradu podataka, pravo podnošenja pritužbe nadzornom tijelu.

Pravo na izmjenu (ispravak), pravo na brisanje:

Imate pravo od društva AxFina ishoditi ispravak vaših netočnih podataka, kao i dopunu nepotpunih podataka. Imate pravo od društva AxFina ishoditi brisanje vaših podataka u slučaju iz čl. 17. st. 1. GDPR-a, kao što je: istek roka za pohranu, nezakonitost obrade, podaci se moraju izbrisati radi sukladnosti sa zakonskom obvezom, kao rezultat prava na prigovor.

Pravo na ograničenje obrade:

Imate pravo od društva AxFina ishoditi ograničenje obrade ako osporavate točnost vaših podataka, ili je obrada nezakonita te se protivite brisanju i zahtijevate ograničenje, ili AxFina više ne treba osobne podatke za te svrhe, ali su vama potrebni za postavljanje, ostvarivanje ili obranu pravnih zahtjeva, ili kao rezultat prava na prigovor.

Pravo na prigovor:

Na temelju svoje posebne situacije imate pravo uložiti prigovor na obradu vaših podataka koja se temelji na legitimnom interesu društva AxFina.

Povlačenje privole:

Ako osobne podatke obrađujemo uz privolu, imate pravo povući privolu u bilo kojem trenutku.

Pravo na prigovor i pravni lijekovi:

Ako imate bilo kakve opaske ili prigovore koji se odnose na obradu vaših osobnih podataka, možete se obratiti službeniku za zaštitu podataka društva AxFina putem gore navedenih kontakata.

Ne dovodeći u pitanje bilo koji drugi upravni ili sudski pravni lijek, imate pravo podnijeti pritužbu nadzornom tijelu, konkretno u državi članici EU-a vašeg uobičajenog boravišta, mjesta rada ili mjesta navodne povrede ako smatrate da obrada krši GDPR. Također imate pravo na učinkovit pravni lijek ako smatrate da su vaša prava prema GDPR-u povrijeđena kao rezultat obrade vaših podataka koja nije u skladu s GDPR-om. Također imate pravo na učinkovit pravni lijek protiv pravno obvezujuće odluke nadzornog tijela.

Kontaktne podaci nadzornog tijela:

Hrvatska Agencija za zaštitu osobnih podataka (AZOP)
Selska cesta 136
HR – 10 000 Zagreb
e-pošta: azop@azop.hr
Tel. 00385 (0)1 4609-000
Faks. 00385 (0)1 4609-099
Web: www.azop.hr



Izmjene ove Obavijesti o zaštiti privatnosti:

Svjesni smo da je transparentnost kontinuirana odgovornost, stoga ćemo ovu obavijest o zaštiti privatnosti redovito preispitivati.