



POLICY REGARDING THE PROTECTION OF PERSONAL DATA

This Policy regarding the protection of personal data (the „**Policy**”) details when and why, we, **TIRIAC FOUNDATION** (hereinafter referred to as the „**Foundation**”), as personal data controller, with offices in 8D Calea Giulești, ground floor, 6th district, Bucharest, registered in the Register of associations and foundations under no. 126/10.10.2014, Sole identification code no. 33763289, we process your personal data, how we use it, the conditions under which we can disclose it to others, how we store it safely, what are your rights as data subjects and how you can exercise those rights. When processing your personal data, we also act responsibly and in compliance with European and national legislation on the protection of personal data, including 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.

This Policy regarding the protection of personal data (the "**Policy**") details when and why we process the personal data of the individuals who access this web site and who contact us through the e-mail address: contact@fundatiaiontiriac.ro.

I. PURPOSE AND BASIS ON WHICH WE PROCESS PERSONAL DATA

This website: www.australianopenheart.com was created for charity. We thus join charitable efforts around the world to support children who have been severely affected by the devastating fires that took place along the east coast of Australia, as well as to help rebuild the communities that experienced mass fire, the connection with small children of families who lost their homes, including the children of firefighters, by supporting them through dedicated programs that will help maintain their mental health.

In any of the situations listed below, we will not process personal data belonging to individuals under the age of 16 through the website. If we receive personal data from individuals under the age of 16, they will be immediately deleted/destroyed.

At the same time, we will delete/destroy any personal data belonging to individuals under the age of 18 when this is requested by a parent or holder of the parental authority..

1. Given your capacity as data subject, including when you represent a legal entity and contact us for a donation or sponsorship:
 - a) The data processed for donations less than lei (RON) 25,000: e-mail address, first and last name, means of address (gender) and your capacity within the legal entity you represent, if applicable, the bank account, being necessary to provide the information you request by e-mail or being visible in the bank account statements.
 - b) Data processed for donations higher than lei 25,000 (RON): e-mail address, first and last name, means of address (gender), telephone number and your capacity within the legal entity you represent, if applicable, plus the identification data from the identity document (national numerical identifier, domicile, date of birth), citizenship, country of residence, bank account, all necessary for the performance of a contract and for the steps prior to the



conclusion of a contract, at your request, for the purpose of the donation that you want to make.

In these cases, the legal basis for processing your personal data is our legitimate interest to collect as many donations for the stated purpose of the Foundation or, as the case may be, the processing is necessary for the purpose of concluding a contract.

We also have the obligation to comply with the obligations imposed on us by the legal norms applicable to a humanitarian activity (for example, the obligation to know the sponsors or donors, the obligation to report to the tax authorities, the obligations in accounting-financial area, the obligations in the area of combating money laundering and terrorism financing).

The legal basis for processing your personal data in this case is the need to fulfill a legal obligation.

2. As a visitor of our website, www.australianopenheart.com, we will process your personal data (i.e., IP address, date and time of access) for the purpose of traffic monitoring and in order to improve the informative content of our website.

In this case, the legal basis for processing your personal data is our legitimate interest in ensuring the functioning and efficiency of our website.

To achieve these objectives, we use cookie-type modules necessary for the functioning of the Website.

We also use other types of cookies that can be configured according to your preferences. For more details you can access our Cookies Policy https://australianopenheart.com/files/cookies_policy.pdf

3. In addition and supplementary to the above, we will process your personal data for the purpose of satisfying some legitimate interests of our own, for the exercise and defense of our rights, including before the public authorities, for legal and fiscal advice. Your data may be made available to the data protection officer and relevant data protection authorities.

II. DISCLOSURE OF YOUR PERSONAL DATA TO THIRD PARTIES

In duly justified situations, **Tiriac Foundation** may disclose your personal data to third parties, respectively to:

- courts of law or arbitration and/or other public authorities;
- lawyers, legal specialists, consultants and/or experts hired by us;
- third parties expressly indicated by you;
- actual or potential contractual partners;
- our service providers (for example, providers of accounting, banking, insurance, cloud, IT and IT systems maintenance, site management and administration);
- data protection officer and the relevant authorities in the field of data protection.

As a rule, we will not transfer your personal data outside the European Economic Area. In exceptional situations and only if necessary, the transfer of your personal data outside the European Economic Area will be done only by applying adequate protection measures according to the



specific legal provisions regarding the protection of personal data and by informing you correspondingly.

This rule is not valid if you live or you are located outside the European Economic Area, and your data is requested by the authorities of your country of domicile or residence or from other countries of transit.

III. YOUR RIGHTS REGARDING PERSONAL DATA

Unless otherwise provided by law, you have the following rights:

- **right of access**, respectively the right to obtain a confirmation from us that we process your personal data, as well as access to the data and providing information on the processing means;
- **right to rectification** which refers to the correction of inaccurate personal data without undue delay and/or the completion of incomplete data;
- **right to deletion/right to be forgotten**, that is the right to delete your personal data collected without undue delay, if this data is no longer necessary to fulfill the purposes for which it was collected and there is no other legal basis for the processing, the data was collected illegally or the data should be deleted for compliance with a legal obligation;
- **right to restrict the processing**, which applies if (i) you dispute the accuracy of your personal data, (ii) the processing is illegal and you oppose the deletion of your personal data, requesting instead the restriction of the processing, (iii) we no longer need your personal data, but you request it in order to ascertain, exercise or defense a right in court, (iv) you have opposed processing, for the period of time necessary to verify whether our legitimate interests regarding the processing of personal data prevail over your rights;
- **right to oppose the processing**, unless we prove that we have legitimate reasons to process your data, reasons that prevail over your interests, rights and freedoms or in order to ascertain, exercise or defend a right in court;
- **right of portability**, respectively your right to receive personal data that you have provided to us for the purposes mentioned in this document, in a structured, commonly used and automatically readable format, as well as the right to send this data to another controller;
- **right not to be the subject of a decision based solely on automated processing**, including profiling, which produces legal effects on you or affects you in a similar manner, unless such processing is necessary for the performance of the contract or is permitted by the law;
- **right to file a complaint** in front of the National Supervisory Authority For Personal Data Processing (www.dataprotection.ro);
- **right to an appeal in court.**

Except for the right to file a complaint with the supervisory authority or the court, these rights may be exercised by submitting a written request:

- by post, to the address from **24-26 Nordului Road, 1st District, Bucharest, Romania**;
- by e-mail, to the address: dataprotection@tiriacgroup.ro.



IV. DURATION OF THE PROCESSING OF YOUR PERSONAL DATA

We will keep your personal data for as long as it is necessary to fulfill the purpose of processing such data and in compliance with the legal obligations imposed on us (for example, personal data contained in the financial accounting documents are kept for a period of 5 or 10 years depending on the nature of the document).

We will also process your personal data until the expiry of the statutes of limitation period, plus 2 years, if the legal basis for processing is the execution of a contract, unless there are legitimate reasons or obligations that justify the further processing by us (respectively a legal obligation in this regard) and which prevail over your interests, rights and freedoms or if the data is necessary for us to establish, exercise or defend a right in court (in the latter case the duration of processing of personal data includes the statutes of limitation period and the period necessary for the settlement of disputes, and subsequently the period of storage of court documents according to the law).

V. SECURITY OF YOUR PERSONAL DATA

Tiriac Foundation will make every reasonable effort to protect your personal data in its possession or under its control, by establishing reasonable security measures to prevent data access, collection, use, disclosure, copying, modification or unauthorized deletion, as well as other similar risks.

This Policy is in effect starting January 23, 2020 and may be updated or modified at any time, depending on the requirements and changes existing in Tiriac Foundation.