

Author
Data Protection Officer

Approval Date
01.07.2020

Version
5.0

Security
Public
Approved by:
CEO

POLICY - PRIVACY AND DATA PROTECTION

BACKGROUND AND DESCRIPTION

Background

This policy relates to privacy and data protection and is a binding document for Moldcell.

Description

Moldcell supports and respects international laws and standards on human rights.

In Moldcell we recognise that privacy is important for our employees, customers and other stakeholders and we are committed to respect and safeguard their privacy.

Thus, Moldcell adopted the principles set out in this policy.

SCOPE AND PURPOSE

Scope

This policy applies to Moldcell as binding policy. In addition, Moldcell works towards adopting this policy's principles and objectives in all operations.

This policy is part of the Governance Framework, which includes without limitation:

- a) Code of Responsible Business Conduct, Purpose, Shared Values, Focus Areas, Strategy, Policies and Instructions as approved by the CEO;
- b) Decisions made by the CEO, Instructions and the Delegations of Obligations and Authority as approved by the CEO; and
- c) Guidelines, best practices, process descriptions, templates or work routines developed within the area of responsibility of Heads of Department.

There is a set of Instructions and Guidelines connected to this policy.

Purpose

The purpose of this policy is to set high and consistent Moldcell standards to respect privacy and data protection.

The primary objective of this policy is to ensure that natural persons that Moldcell interact with feel confident that Moldcell respects and safeguards their privacy. The second objective is to reduce legal and regulatory risks as well as reputational and brand exposure in this respect. Moldcell is a telecom operator managing significant networks and data volumes and we therefore aim to ensure network integrity and data security to protect privacy.

More detailed requirements regarding the implementation of this policy are presented in a separate instruction "Instruction – Processing Personal Data". The security measures to

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safeguard privacy and protect personal data are presented in the “Policy Security” and in related Instructions.

It is Moldcell’s objective to live by the letter and spirit of the law. Any obligations and regulations in the laws that may impose stricter rules or additional limits concerning processing of personal data shall remain unaffected by this policy.

The type of personal data Moldcell collects about natural persons, when Moldcell collects it and how Moldcell processes it, may be further regulated in conjunction with particular services and in the contractual terms for the respective services or otherwise by local legislation.

The latest version of this policy is published on www.moldcell.md.

PRINCIPLES

The following principles shall apply for the activities under this policy:

- Use best practice to inform customers that Moldcell is collecting and processing their personal data, explain how this data will be used as well as outline their rights.
- Be transparent and informative about personal data processed about employees in Moldcell, so that employees understand how their data is used and outline their rights related to this data.
- Process personal data only if the processing relies on legitimate processing criteria. Ensure the correct legal ground for processing data for each specific purpose is used in each specific case. Moldcell shall ensure all data subjects are well informed in a proactive manner about all different processing purposes that Moldcell undertakes with collected personal data.
- If consent is used as legal ground for processing of personal data it shall be unambiguous, informed and allowing customers to withdraw their consent. If legitimate interest is used as legal ground, data subjects shall be sufficiently informed about such purpose and be allowed to object in a user friendly matter.
- Collect only personal data that is relevant and not excessive in relation to the purpose for which it is collected and only collect it for explicit and legitimate purposes.
- Process personal data fairly and lawfully in all operations including when processing such data outside the country where it has been collected. Process personal data only to the extent necessary for explicit purpose applicable for that processing, while always paying attention to the protection of individuals’ privacy and to interests of special user groups such as children. Processing of personal data should be limited to what is needed for operational purposes, employment matters, efficient customer care and relevant commercial activities, including the processing of anonymous user patterns.
- Not retain personal data longer than is legally required or necessary for each explicit and legitimate purpose that the data is processed for. When personal data is no longer necessary to fulfil the explicit purpose in question, which legitimised its original collection and processing, we shall permanently delete such data.

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- Keep personal data accurate and reasonably up-to-date. Provide user friendly measures for data subjects to obtain information and copies about the personal data processed about them and to correct inaccuracies.
- Only provide personal data to authorities to the extent required by law or with the data subject permission and in accordance with predefined approved processes.
- On a regular basis assess privacy risks associated with the processing of personal data and develop appropriate mitigation strategies to address these risks.
- Require suppliers, in line with the level of protection in this policy, to exercise special care to prevent loss, theft, unauthorised disclosure or inappropriate use of personal data collected by Moldcell. Expect suppliers to process such data fairly and lawfully in all operations, including when such data is processed outside of the country where it was collected or received.
- Protect, with appropriate technical and organizational measures, personal data as well as messages and related information that are transferred in Moldcell networks and communications services as well as information concerning the location of a subscription or terminal device.
- Identify and address the impacts of this policy in change, development and procurement activities and embed privacy safeguards into design of our products, services, processes and infrastructure from the earliest stage of development covering the entire life cycle ('privacy by design').
- Expect every Moldcell employee to respect duty of confidentiality by law and written agreements regarding non-disclosure.
- Govern and manage privacy within Moldcell so that legal, contractual and business requirements are fulfilled and ensure that relevant and sufficient organizational resources are in place and secured to ensure proper implementation of this policy and take corrective measures when necessary.

These principles apply to the extent that they do not place Moldcell in violation of local laws and regulations.

ROLES AND RESPONSIBILITIES

This policy applies to all directors, officers and employees.

CEO is responsible for ensuring that this policy is duly communicated and implemented, and that the employees within his/her area of responsibility are familiar with and follow this policy.

All Moldcell employees are however individually responsible for reading, understanding and following this policy. Each employee is also obliged to speak up and raise concerns about actual or possible violations of this policy.

Violations against this policy can lead to disciplinary action, up to and including termination.

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BREACHES AGAINST THE POLICY

Any Moldcell employee who suspects violations of the Code of Responsible Business Conduct or this policy must speak up and raise the issue primarily to their line manager, and secondly to the Human Resources department, to the Ethics and Compliance Office, or through the email: whistleblowing@moldcell.md, that is available on Moldcell's internal and external webpages.

Moldcell expressly forbids any form of retaliation for people who speak up. For specific requirements, please see our Instruction - Speak Up and Non-Retaliation.

NOTE! For further information, also read the Instruction – Processing Customer Personal Data.