

Privacy Policy of the National Customs Agency

The National Customs Agency is a legal entity with the Ministry of Finance and has its Headquarters and management address at 47, Georgi Stoykov Rakovski Street in Sofia, SIC 000627697, phone: 02/9859 4528, e-mail: delovodstvo@customs.bg, fax: 02/9859 4066 and webpage: www.customs.bg.

The Director General of the NCA is a personal data administrator as provided for in 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, the Law for Protection of Personal Data and the Customs Act.

The NCA respects the private life privacy of natural persons and legal person representatives and protects their personal data, processed both in the process of the provision of administrative services and the exercising of its legal powers in line with Bulgarian and European law.

The NCA privacy policy has been developed as based on Bulgarian and European law in the field personal data protection and all its modifications and amendments shall be published on the NCA webpage.

I) Policy for ensuring the privacy of personal data, stored and processed by the NCA

1. Policy objectives and scope

Through its privacy policy, the NCA strives to inform natural persons of the objectives of the processing and storage of their personal data, the recipients and recipient categories these may be disclosed to, the mandatory or voluntary nature of data provision, as well the consequences of the refusal thereof, but also notify of the right to access and correcting the data collected, as well the consequences of the refusal thereof, and the right to access and correct the data collected as set out in Regulation (EU) 2016/679.

Respecting good practices and the legislation, the NCA undertakes the necessary physical and technical measures for the protection of the personal data of natural persons.

2. Processing of personal data

The NCA processes personal data through a set of actions that may be undertaken with respect to personal data in an automated or non-automated manner, e.g. collection, recording, organizing, storage, adapting or modifying, recovering, consulting, use, disclosure through transmittal, dissemination, supplying, updating or combining, blocking, deleting and destruction, as adhering to the following principles:

- Legality, good faith and transparency;
- Restricting objectives;
- Reducing data to a minimum;
- Accuracy;
- Restricting storage;
- Completeness;
- Confidentiality;
- Accountability.

The NCA processes personal data independently, defining the objectives and scope of obligations, assigned by the personal data administrator, in the existence of legal grounds.

3. Personal data processing objectives

The NCA processes your data with the purpose of identifying applicants/declarants and/or authorized representatives thereof and applicant/declarant staff in relation with the provision of administrative services and the exercising of legally prescribed powers:

1. Providing administrative services;
2. Customs clearance;
3. EDTWA implementation;
4. Provision of services and replies to queries, tips, complaints, protests, etc.;
5. Awarding public procurement as per the PPA;
6. Holding tenders as per the SPA and its implementing regulations;
7. Conclusion, modification and execution of contracts the NCA is party to;
8. Preventing customs, currency and excise violations and crime and in line with other legal requirements;
9. Holding competitive selection procedures as per the SSA and employment selection procedures;
10. Registering users in relation to electronic signatures / NCA electronic portal services.

4. Consequences of the refusal to provide personal data

The express consent of natural persons, whose personal data is processed, is not always required, should the personal data administrator have other legal grounds to do so.

Should natural persons refuse to voluntarily provide required personal data, the NCA will not be in a position to provide its administrative services.

5. Personal data transfer and disclosure

The NCA, as a personal data administrator, may disclose the personal data processed only to the following exhaustive list of categories:

- Natural persons the data refers to, in compliance with legal restrictions;
- Persons with legally prescribed right of access;
- Persons with access rights, resulting from a contract.

The personal data processed as of natural persons or representatives of legal persons using NCA services, as well as parties, associated thereto, may be provided to other personal data administrators with respect to specific assignments by and on behalf of the NCA.

The NCA communicates personal data to EU and MS bodies and institutions and third countries in line with conventions, regulations, directives and international agreements that Bulgaria is a party to, etc.

6. Rights of natural persons

Natural persons, whose personal data is processed, have the following rights:

– Respecting legal restrictions, right to information regarding the data, identifying the administrator, the purposes of data processing, the recipients and recipient categories the data may be disclosed to, the mandatory or voluntary nature of data provision, as well the consequences of the refusal thereof;

– Right of applicant access to the data, pertinent to themselves; whenever a natural person's right of access may result in disclosing third-party personal data, the administrator is obliged to ensure partial access without revealing third-party details;

- Right to correcting or supplementing inaccurate or incomplete personal data;
- Right to deletion (right "to be forgotten") of illegally processed personal data;
- Right to notification of personal data security breaches;

- Right to judicial or administrative defence (right of appeal before the Commission for Personal Data Protection; right to effective judicial protection against an administrator or a personal data processing party);
- Right to compensation for damages suffered;
- Right to withdrawing consent at any time in instances, without prejudice to the processing legality on the basis of already given consent, for the period it refers to;
- Right to object to own personal data processing at any given point in time on grounds, pertinent to the specific situation.

7. Procedure for exercising rights

The procedure for exercising the right to access, the right to deletion, correcting or processing restricting requires the submittal of a written application the NCA. The administrator provides the applicant with information regarding the action, taken in response to the request, without undue delays and always within one month from its submittal. If necessary, this period may be extended by two months in consideration of the complexity and number of requests. The administrator notifies the applicant of each extension within one month of receipt of the application specifying the reasons for the delay. When an applicant submits a request electronically, the response is also electronic, if that is possible, and if no other requests have been made by the applicant. If the administrator does not take the action, requested by the applicant, the administrator is to issue a notification to the applicant without delay and within no more than 14 days of receiving the application specifying the reasons for not taking action and setting out the applicant right to appeal before a supervisory body and seeking judicial protection.

II) NCA privacy policy on the NCA internet page

1. When visiting the website, you can save or extract information to your browser in most cases as “cookies” or other technologies for collecting and storing user information. “Cookies” are textual computer data, stored in your browser, and are intended for use by web pages. Information in them may relate to you, your preferences or internet access device (computer, tablet or mobile device). This information is, most frequently used, so that the website may function as you expect it to. Usually, the information may not be personally related to you, but may be used for a more tailored global network experience.

As we respect your right to protection of personal data, you may opt to refuse using all or certain “cookie” types. If you do this, however, there may be an impact on the using of the site and the services we can offer.

Third-party services, used by the current website, may apply different “cookies” when visiting it. These sites and services may have a differing “cookie” policy. All resources outside the site domain are to be regarded as third-party services.

2. Mandatory “cookies”

Mandatory cookies are required to enable site functioning and cannot be switched off in our systems. These usually are a response to certain of your actions that qualify as service requests, e.g. personal data protection preference settings, site login or form filling in.

You can set your browser to block or notify you of such cookies, but this will result in the malfunctioning of some of the site sections. These cookies do not store data that may be personally associated with you.

This also refers to session identification “cookies”.

3. Hit-rate “cookies”

These “cookies” allow us to count visits and traffic sources and enables us to measure and improve the hit rate of our site. They help us understand which pages are most popular and which – least so, as well as let us see how users move around the site.

To offer this service, we use Google Analytics that offers first-party cookies. The data collected is processed by Google and is not made available to third parties.

The information we obtain using these “cookies” is anonymous and we do not attempt to identify you or influence the way you use the site when you visit it. If you do not enable these “cookies”, we will not be in a position to include your visit in our statistics.

If you use “Do Not Track“ in your browser settings, we see this as not willing to enable these “cookies” and they will be blocked.

III) Closing provisions

Natural persons exercise their rights by means of submitting to the NCA written or electronic applications, containing, as a minimum:

- Name, address and other natural person identification details;
- Request/appeal description;
- Form of information submittal, viz. paper and/or electronic;
- Signature, submittal address and mailing address.

Application submittal is free of charge.

The NCA guarantees that the personal data of natural persons is stored in good faith and in a transparent manner as per the underlying principles of 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 the Law for Protection of Personal Data.