



REPUBLIC OF BULGARIA
Ministry of Finance
National Customs Agency
Central Customs Directorate



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ENDORSED BY:
GEORGI DIMOV
DIRECTOR GENERAL OF THE
NATIONAL CUSTOMS AGENCY

CONFIDENTIALITY POLICY OF THE NATIONAL CUSTOMS AGENCY

The National Customs Agency is a legal entity with the Ministry of Finance with seat and management address: City of Sofia, 47, G.S. Rakovski Str, with EIC 000627697, with telephone: 02/9859 4528, e-mail: delovodstvo@customs.bg, fax: 02/9859 4066 and website: www.customs.bg.

The Director General of the National Customs Agency is a personal data controller in the meaning 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, (Regulation 2016/679), the Personal Data Protection Act and the Customs Act..

The National Customs Agency respects the inviolability of the personal life of individuals and representatives of legal entities using its services and protects their personal data processed in providing administrative services and in the exercise of their legal powers under the Bulgarian and European legislation.

The updated confidentiality policy of the National Customs Agency has been prepared and is based on the standards in the field of personal data protection implemented by Regulation (EU) 2016/679, effective as of 25.05.2018, in accordance with the principle that the rights of the data subject are personal rights that protect the inviolability of personality and human dignity as supreme values

I. CONFIDENTIALITY POLICY OF PERSONAL DATA, WHICH THE NATIONAL CUSTOMS AGENCY STORES AND PROCESSES

The National Customs Agency collects and processes personal data of individuals only when required for specific, legally established purposes, as explained in this Confidentiality Policy and does not reuse them for incompatible purposes, guarantees transparency and conscientiousness of processing.

In accordance with good practices and legislation, the National Customs Agency applies the necessary technical and physical measures to protect the personal data of individuals.

1. Processing of personal data

The National Customs Agency processes personal data through a set of actions that can be performed in respect to personal data with automatic or non -automatic means, such as collecting, recording, organizing, storing, adapting or modifying, recovery, consulting, use, disclosure by transmission, distribution, provision, updating or combining, blocking, deleting or destroying in compliance with the principles of Regulation (EU) 2016/679:

- Legality, conscientiousness and transparency;
- Restriction of objectives;
- Minimizing data;
- Accuracy;
- Storage restriction;
- Completeness;
- Confidentiality;
- Accountability.

The National Customs Agency processes personal data independently, determining the objectives and volume of obligations assigned by the data controller, in the presence of a legal basis. The information can be contained in both paper documents and electronic documents, regardless of whether they are signed with a qualified electronic signature or not.

2. Purpose of personal data processing

2.1. The National Customs Agency processes your data with the objective of identifying the applicant, the applicant/declarer and/or a proxy and officials of the applicant, the applicant/declarant, in connection with the administrative service and in exercising of powers, assigned to it by law:

2.1.1. Upon providing of administrative services;

2.1.2. Customs clearance;

2.1.3. Activities in implementation of the Excise Duties and Tax Warehouses Act;

2.1.4. Servicing and answers to enquiries, alerts, claims, protests, etc., within the framework of the powers and competence provided;

2.1.5. Upon awarding of public procurements under the Public Procurement Act;

2.1.6. When conducting of tender procedures under the State Property Act and its Implementing Provisions;

2.1.7. Conclusion, amendment and execution of contracts to which the National Customs Agency is a party;

2.1.8. To prevent customs, currency and excise violations and crimes and in fulfillment of other legal requirements;

2.1.9. When conducting competitive procedures under the Civil Servants' Act and selection of labour relationship under the Labor Code;

2.1.10. Upon registration of users in connection with electronic signatures/services on the electronic portal of the National Customs Agency.

2.2. The National Customs Agency performs CCTV and processes digitally recorded video images, only if necessary, from the point of view of its legitimate interests, within the meaning of Article 6 (1) (e) of Regulation (EU) No 2016/679, in order to ensure safety and security, protection of life and health of employees and visitors at Agency's sites, control of access, prevention and detection of violations, as well as protection of property and its information. In connection with the use of the CCTV system of the sites, in the National Customs Agency were conducted an assessment of the impact and a balancing test to determine the legitimate interest in order to determine the degree of involvement of the personal inviolability of employees and outside persons, in the buildings, facilities and their adjacent areas throughout the country.

CCTV cameras at the Agency's sites are positioned and configured to record a video that can be used as needed and provide relevant information. The cameras are located so as to exclude areas that have increased confidentiality expectations. The purpose of the installation of cameras is not to monitor the work of employees, observance of working hours or tasks, or to collect aimlessly personal data. As far as possible, the camera field excludes areas of common employee activity, such as jobs. The aim is to monitor areas in which incidents are likely to occur that endanger the security of people, property and information.

The cameras at the Agency are not directly observed in real time by a specialized unit. Data subjects are notified of CCTV through the relevant information boards placed in the areas where CCTV devices are installed.

The handling over of video surveillance records to third parties for the purpose other than the one for which the data is collected, such as law enforcement authorities, is authorized only with the prior approval of the data protection officer. By order of the Director General of the Agency, "internal rules for processing, storage and protection of personal data in CCTV by the National Customs Agency" were endorsed.

2.3. The National Customs Agency does not use your personal data for automated decision - making by computer algorithms that replace human judgment, including by performing profiling

3. Consequences of refusing to provide personal data

The explicit consent of individuals whose personal data is processed is not always necessary if the personal data controller has another legal basis for their processing.

In the event of a refusal of the individual by the voluntary provision of the required personal data, the National Customs Agency will not be able to provide its administrative services.

4. Transfer and disclosure of personal data

The National Customs Agency, as a personal data controller, has the right to disclose the processed personal data of the following exhaustively listed categories:

- 4.1. Natural persons to whom the data relates, in compliance with the legal restrictions;
- 4.2. Persons for whom the right of access is provided for in a normative act;
- 4.3. Persons for whom the right of access arises under a contract.

The processing of personal data of individuals or representatives of legal entities using the services of the National Customs Agency, as well as to related persons, may be provided to other personal data controllers in connection with the implementation of specific tasks upon instruction and on behalf of the national Customs Agency.

The National Customs Agency transfers personal data to EU bodies and institutions and Member States, as well as to international organizations and to third countries by virtue of conventions, regulations, directives and international agreements, to which the republic of Bulgaria is a party.

5. Rights of individuals

Individuals whose personal data are processed have the following rights:

5.1. Right of awareness of the data identifying the controller, the purposes of processing personal data, recipients or categories of recipients to whom the data can be disclosed, obligations or voluntary nature of providing the data and the consequences of refusing to provide them, subject to the legal restrictions;

5.2. The right of access of the applicants to the data concerning them; In cases where, when granting the right to access the individual, personal data may be disclosed about a third party, the controller is obliged to provide partial access to them without disclosing data on the third party;

5.3. The right to correct or supplement inaccurate or incomplete personal data;

5.4. The right to delete (the right to be forgotten) of personal data that are processed unlawfully;

5.5. The right to restrict the processing of personal data only to storage when: the accuracy of personal data is disputed, the processing is illegal, but the data subject objects to the deletion of personal data or for the establishment, exercise or protection of legal claims;

5.6. The right to objection against processing at any time and on grounds related to the specific situation of the person, in cases where there are no legal grounds for processing that have an advantage over the interests, rights and freedoms of the data subject, or for the establishment, exercise or protection of legal claims;

5.7. The right to withdraw the consent at any time, without prejudice to the legality of the processing on the basis of the consent already granted, for the period during which the above consent was given;

5.8. Right of defence by judicial and administrative order (right to file a complaint to the Commission for Personal Data Protection; the right to effective judicial protection against a supervisory authority; the right to effective judicial protection against an controller or data processor data);

5.9. Right for compensation for damages suffered.

6. Order for exercising rights

The subjects of personal data may exercise their rights by submitting a written application to the National Customs Agency. The controller provides the applicant with information on the actions taken in connection with the request, without unnecessary delay and in any case within one month of receiving the request.

If necessary, this period may be extended by two months, taking into account the complexity and number of requests. The controller informs the applicant of any such extension within one month from receiving the request, and also indicates the reasons for the delay.

When the applicant submits a request with electronic means, the information shall be provided with electronic means if possible, unless the applicant has requested otherwise.

If the controller does not take action at the request of the applicant, the controller shall notify the applicant without delay and at the latest within fourteen days of receiving the request for the reasons for not taking action and the possibility of filing a complaint to a supervisory authority and seeking a court defense.

Each data subject has the right to refer to the Commission for personal data protection, as well as to appeal the actions or acts of the controller in court before the respective administrative court. The court cannot be referred if there is pending proceedings before the supervisory authority for the same violation or its decision on the same violation has been appealed and no court decision has entered into force.

II. 'COOKIES' POLICY OF THE NATIONAL CUSTOMS AGENCY AT THE WEBPAGE OF THE AGENCY

7. What are 'cookies'?

When visiting the website, you can store or retrieve information from your browser most often in the form of cookies or through other technologies for collecting and storing user information. 'Cookies' are text computer data stored in your browser and are intended for use by web pages. The information in them may concern you, your preferences or your Internet access device (computer, tablet or mobile device). This information is most commonly used so as the website to work as you expect. Usually, information cannot be related to you personally, but it can be used for more personalized use of the world network.

As we respect your right to protect your personal information, you can choose not to allow the use of all or some types of 'cookies'. However, if you do this, this can affect the use of the site and the services we can offer you.

Third -party services used by this website may set different cookies when visiting the website. These websites and services can have a different 'cookies' policy. All resources outside the domain of the website should be considered as services of third parties.

8. Mandatory 'cookies'

The mandatory 'cookies' are necessary for the functioning of the website and cannot be excluded in our systems. They are usually set in response to actions you do, which is a service request, such as settings for your preference for protecting your personal information, logging in to the website or filling in forms.

You can set your browser to block or notify you of these cookies, but in that case some parts of the site will not work correctly. These cookies do not store information that can be related to you personally.

9. 'Cookies' for performance

These cookies allow us to count the visits and sources of traffic so that we are able to measure and improve the performance of our website. They help us understand which pages are the most popular and which are the most unpopular, as well as to see how visitors "move" on the site.

To provide this service, we use the services to perform visits' statistics on Google Analytics, which uses 'cookies' of the first party. The data collected are processed by Google and are not provided to third parties.

The information we receive thanks to the use of these 'cookies' is anonymous and we do not try to identify or influence you on how you use the website when you visit it. If you do not allow these cookies, we will not be able to include your visit to our statistics.
If you are using the 'Do Not Track' browser setting, we accept this as a signal that you do not want to allow these 'cookies' and they will be blocked.
This also applies to 'cookies' to identify the session.
The National Customs Agency uses cookies for statistical purposes without collecting personal data for any other purpose.

III. SECURITY OF PERSONAL DATA

All personal data that is processed are subject to strict measures and procedures to ensure that they cannot be available or disclosed to anyone who has no right to access them.
In this regard, security rules and internal rules of action are developed and applied at violation of the of personal data security. They define the Agency's commitments and responsibility to your personal life, and cover a number of areas of information and technological security.
At the National Customs Agency, all employees undergo a training for the protection of personal data, for all activities and processing processes, and disciplinary liability is provided if the proper care of the personal information of individuals is abused or not taken.
Confidentiality is evaluated in cases of updating and/or changes in the processes or systems containing personal data. The technical security of the information systems that the agency uses is evaluated.
This policy has been prepared for the purpose of awareness of data subjects, and the latter can be updated, amended and supplemented at any time in the future when the circumstances impose it.

For the correct application of Regulation (EU) № 2016/679 and for implementation of the obligations of the personal data controller, internal rules on check and control of the compliance of the activity of the controller with Regulation (EU) No. 2016/679 are endorsed. .

The National Customs Agency ensures that it stores the personal data of individuals conscientiously and transparently, in accordance with the set principles of Regulation (EU) 2016/679 and the Law on Personal Data Protection Act

The following annexes are an integral part of this Confidentiality Policy:

- Confidentiality Notice, together with a declaration of consent for the storage and processing of personal data - Annex No 1;
- Notification of the confidentiality of the personal data of the employees of the national Customs Agency, together with a declaration of acquaintance with the notification - Annex No. 2.