

**Appendix № 2 to
Order №3AM-948/32188677/29.06.2018g.
of the Director General of the
National Customs Agency**

Privacy Notice

In this document, the National Customs Agency (NCA) sets out the details regarding your personal data that may be processed in the course of the implementation of its legally prescribed powers.

I. What part of your personal data do we process?

Depending on the specific objectives and reasons, the NCA processes the personal data categories, listed below, individually or in a combination:

A) Identification data, supplied by you:

1. Three names;
2. PIN;
3. ID document number and issuing authority;
4. Place of birth;
5. Permanent and current address;
6. Email address;
7. IP address when accessing the NCA webpage and our electronic portal;
8. Electronic signature data;
9. Judicial record data (when legally required);
10. Originals and copies of specimen signatures of representatives of banks and bank branches (when legally required);
11. Payment/debit/credit card details in cases of electronic payments (bank account IBAN, holder);
12. Professional background and references (when legally required);
13. Health and mental status details and data, pertinent to testing the professional and psychological fitness, when applying for recruitment in competitive selection procedures;
14. Data from your profile for accessing our electronic portal www.ecustoms.bg, viz. username, password, activity history;
15. Details of your representatives (when applicable), etc.

B) Data, collected by the NCA during the provision of administrative services:

1. EORI number (as an equivalent to a client number);
2. Traffic data as information, necessary for the provision of electronic administrative services;
3. Information for the payment method, selected by you, payments made and due, including your bank account details;
4. Recordings of hotline voice messages (phone calls to 02/98594980) regarding customs, currency and excise violations, misconduct of customs officials and Service Desk operations with the purpose of improving the services provided. Messages are stored to the full capacity of the disk space (around 4-6 months). If necessary, callers are requested to identify themselves (name, contact phone number, organization).

5. CCTV recordings of visits to the Central Customs Directorate, NTC, customs offices intended for security purposes and the uninterrupted provision of services to officials and visitors;
6. Details on requests for resolving issues to Service Desk (<https://servicedesk.customs.bg/>), applications, complaints, tips and other forms of feedback you supply to us;
7. Legally required declaration and application details.

C) Personal data is processed:

1. As provided for processing by the NCA by natural persons as an informed voluntary-consent decision when participating in competitive selection procedures, public procurement procedures or tenders. Consent withdrawal may result in refusal to provide administrative services or termination of a procedure;
2. In compliance with the requirements of art. 6 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 where an expression of consent is not required.**

II. How is your personal data stored?

The NCA has the necessary organizational and technical capacity to protect personal data against accidental or illegal deletion or accidental loss, unauthorized access, modification or dissemination, as well as other illegal methods of processing.

The NCA stores documents on paper, electronically and in information systems in an environment with uninterrupted attendance of security personnel and CCTV surveillance.

III. What purpose for and on what legal basis do we process your personal data?

The NCA processes your personal data with the purpose of identifying users/applicants/declarants and/or authorized representatives and user/applicant/declarant staff members in relation with the provision of administrative services or the exercising of legally assigned control powers. Detailed information on the purpose and legal basis may be accessed in the NCA Privacy Policy on our webpage (www.customs.bg), our electronic portal (www.ecustoms.bg) and NCA territorial units.

IV. Who can we share your personal data with?

A) The NCA may communicate your personal data to:

1. State bodies (central or territorial) and municipal or executive authorities in consideration of their competencies as well as in the perspective of complex administrative services;
2. Judicial bodies during the exercising of their legally prescribed powers and functions;
3. Various supervisory and regulatory bodies within their legally prescribed remit;
4. The Ombudsman;
5. Bodies with powers in the field of national security and public order;
6. EU institutions and bodies;
7. MS and third-country customs authorities as per Regulations, international Conventions and bilateral agreements.

B) The NCA may, in compliance with legal requirements, disclose your personal data to the following parties:

1. Service providers (consultants, experts, valuers, postal and courier services, registered mail);

2. Security companies, licensed for private security services, as keeping visitor registers for enabling access to certain NCA facilities;
3. Parties, assigned by the NCA to run maintenance on equipment and software, used for processing your personal data;
4. Banks, servicing payments, made by you;
5. Insurers, in implementation of Insurance Code provisions.

V. What period is your personal data stored for?

The duration of the storage of your personal data is conditional on the processing purpose they have been collected for:

1. Personal data, processed in relation with administrative services – not less than 5 years;
2. Personal data in documents, including those in NCA automated information systems that are processed in relation with tax-insurance control (excise operations and customs clearance) – 10 years after the expiry of the related public debt limitation period;
3. Electronic identification data – 10 years (article 27 of the EIA);
4. Personal data, processed for the conclusion, amendment or implementation of contracts that the NCA is a party to – 5 years after the date on which the contract implementation ended;
5. Not less than 5 years after the end date of the implementation of public procurement contracts or the procedure termination date. As per PPA art. 121, par. 2, these periods may be extended should this be necessitated by the work of funding, audit or certifying authorities regarding the availability of funds under EU projects and programmes.
6. Personal data, processed for the issuance of accounting/financial documents for the purpose of tax-insurance control where not only invoices, debit and credit notices, handing over protocols are stored for 5 years after the public debt extinguishing period expiry unless the applicable legislation provides for a longer period.
7. Not less than 5 years from the receipt of applications for access to NCA held information under the APIA, SA;
8. Hotline voice recordings – 3 years after the conversation;
9. Images (video footage) – data is automatically deleted at 30- to 120-day intervals depending on camera recorded object movement frequency;
10. Payroll registers – 50 years;
11. Personal staff files – 5 years after the termination of employment relations and 10 years after the termination of official service relations;
12. Documents for competitive selection and employment procedures – 3 years.

The NCA may store certain personal data for longer periods either up to the expiry of respective prescription periods to protect its legal interest or in instances of running legal disputes until their final resolution by means of effective court/arbitrary decisions.

VI. What are your rights in terms of personal data processing, carried out by the NCA?

1. Respecting legal restrictions, right of information regarding the data, identifying the administrator, the purpose of personal data processing, the recipients or recipient categories that the data may be disclosed to, the obligations or the voluntary nature of data provision and the consequences of a refused provision of data;

2. Right of access to the data, pertinent to oneself; 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;

3. Right of correcting or supplementing inaccurate or incomplete personal data;
4. Right of being notified of breaches of personal data security;
5. 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);
6. Right to compensation for damages suffered;
7. Right to withdrawing consent at any time in instances, where personal data processing is conditional on prospective consent that may not have a retroactive effect;
8. Right to object to own personal data processing at any given point in time on grounds, pertinent to the specific situation.

Detailed information about the requirements and procedures for exercising your rights may be accessed in the Privacy Policy section on the NCA webpage (www.customs.bg), our electronic portal (www.ecustoms.bg), as well as any NCA territorial unit.

VII. Can the provision of personal data to the NCA be refused and what are the resulting consequences?

The refusal to voluntarily supply the data, required for your identification, may hinder the provision of administrative services or result in a refusal to provide such services.

VIII. Contacting us

We are reachable at the following address: 47, G. S. Rakovski Street, Sofia 1202, e-mail: gdpr@customs.bg

The NCA official, tasked with personal data protection, is Maria Valerieva Georgieva.