

# **CONFIDENTIALITY POLICY**

*Effective date - October 1, 2022*

## **1. Preamble**

Whereas, within its statutory activities, the Foundation processes personal data of individuals and is:

- 1) a personal data holder in the meaning of the Law of Ukraine "On Personal Data Protection" (hereinafter referred to as the Law);
- 2) guided by the principle of transparency that provides for personal data processing pursuant to and in the manner prescribed by the applicable laws of Ukraine;
- 3) willing to ensure an appropriate protection level of the personal data being processed,

this Confidentiality Policy has been developed and approved for personal data processing by the Foundation.

## **2. General Conditions**

2.1. The Policy defines general requirements for the processing and protection of the personal data of individuals being processed by the Foundation, fully or partially using automated means, and of the personal data contained in the catalog or intended for entering into the catalog using automated or non-automated means.

2.2. The Policy applies when personal data of individuals are processed by the Foundation.

2.3. The Policy shall not apply when the Foundation exercises labor relations with individuals.

2.4. The Policy shall not apply when the Foundation processes data/information of legal entities and data/information that is no personal data of individuals.

2.5. The Policy is developed on the basis of the Constitution of Ukraine, the Laws of Ukraine "On Personal Data Protection", "On Information", "On Charity and Charitable Organizations", other laws and by-laws, as well as regulations, rules, and other documents regulating the procedure for organizing statutory activities of the Foundation.

2.6. The Policy is an integral part of relevant deeds made by the Foundation with individuals, including benefactors and beneficiaries (charitable aid recipients).

2.7. The Foundation is a holder of the personal data processed in relation to visiting/using options of the Website. The Foundation is entitled to authorize third parties to process personal data fully or partially based on an agreement made pursuant to applicable laws.

2.8. An individual is a personal data subject under this Policy provided that they visit the Website, including the use of any options available on the Website.

2.9. The Foundation guarantees that it keeps an appropriate personal data protection practice and regulations, protects the rights of personal data subjects, and prevents the risk of breaching personal data processing security.

2.10. Publishing this Policy at <http://www.zelenskafoundation.org> constitutes informing personal data subjects of the personal data holder, composition and contents of the personal data collected in relation to visiting/using the Website, of the rights of such subjects, the purpose of collecting their personal data, and any third parties to which such personal data may be transferred.

## **3. Terms and Definitions**

3.1. The terms in this Policy shall be used in the following meaning:

- website is a set of data, electronic (digital) information, other copyright- and/or neighboring rights-protected items, etc. related inter se and structured within the website address accessed via the Internet address <http://www.zelenskafoundation.org>
- personal data subject is an individual whose personal data is processed, including an individual that submits their personal data to the Foundation using options of the Website and/or is a party to a deed made with the Foundation. Should a legal entity be a party to a deed made with the Foundation, the head or a duly authorized representative of such legal entity is recognized as a personal data subject;
- personal data processing is any action or a combination of actions, such as collection, registration, accumulation, storage, adaptation, change, restoration, use, and spread (distribution, realization, transfer), anonymization, destruction of personal data, including with the use of information (automated) systems;
- personal database is a denominated set of ordered personal data in an electronic form and/or as personal data catalogs;
- personal data is data or a set of data about an identified or specifically identifiable individual;
- personal data subject consent is the expression of free will of an individual (subject to being informed) to give consent to their personal data processing in compliance with the formulated processing purpose expressed in a form that allows concluding that the consent has been granted;
- third party is any person, except the personal data subject, holder or controller;
- cookie files are small text files stored in the browser of a device (PC, mobile phone, etc.) after visiting the Website and transferred by the Website to the browser. See more about cookie files at: <https://policies.google.com/technologies/cookies?hl=uk>.

3.2. All other terms in the Policy are used in the meaning established by the applicable laws of Ukraine, including international regulations ratified in Ukraine.

#### ***4. Personal Data Processing Purpose***

4.1. This Policy is developed to inform personal data subjects of the processing procedure for their personal data when they visit/use the Website and to ensure the protection of their personal data during such processing.

4.2. The Foundation processes personal data for the purposes of engaging in the statutory activities of the Foundation, performing deeds with individuals and legal entities, in particular to receive charitable aid from benefactors, grant charitable aid to beneficiaries (recipients of charitable aid from the Foundation), and fulfill the requirements of laws and by-laws, regulations and documents under clause 2.5 of the Policy in the field of the charitable activities of the Foundation.

4.3. Personal data may be processed for legitimate purposes different from the initial purpose (derivative goal) exceptionally if the initial purpose and the derivative goal are closely related and only if the use of data for derivative goals is not prohibited by the applicable laws of Ukraine.

#### ***5. Personal Data Composition and Processing***

5.1., The visitor of the Website shall accept the terms and conditions of this Policy to use the Website and its possibilities. The visitor shall not use the Website and the possibilities of charitable

aid engagement provided by the Website in case of dissent with the terms and conditions of this Policy.

5.2. To engage in the statutory activities of the Foundation, communication between the Website and the user, ensure the possibility of support and processing of requests from benefactors and beneficiaries, exercising and implementing deeds with individuals and legal entities, the Foundation or third parties may process your following personal data: - last name, first name, patronymic; - phone number; - email; - taxpayer number; - post address; - a scanned copy of an identity card; - a scanned copy of a taxpayer number card; - payment information; - scanned copies of pensioner ID cards, disability ID cards, etc.

5.3. The Foundation may collect and process the following information about you:

- information you provide to the Foundation: the information about you that you provide by using the Website and options of the Website, subscribing to receive email updates, granting charitable aid (donation) using options of the Website, communicating with the Foundation via options available on the Website, etc.

- information about you that is collected by the Website and other systems:

1) when you visit the Website, some information about you and your visit may be collected. Thus, we need technical data for the operation, support and improvement of our Website. This includes the following data: IP address, UTM parameters, geolocation, device type and browser type, cookie files, and the data of your interaction with the Website (session ID). The session ID includes your interaction with the Website; the name of the website from which you came to our Website; the functions of the Website that you used; the pages that you used on our Website; the manner of use of our Website; the actions you take on the Website, if any;

2) the Website uses cookies – text files storing information about visited websites in the memory of a computer or a mobile device;

3) when you contact the staff of the Foundation using the Website or other electronic communication tools;

- information about you collected on the Website by third parties by taking certain actions: this is information about you that you provide to any third parties (e.g., Facebook, Google, Twitter) by using social media exchange options available on the Website when you go from one page to another or by viewing materials containing links to (opening) other platforms (websites).

5.4. The way the Foundation processes your personal data depends on how you use the Website and interact with it. Some information may be provided directly by you when you use the Website or otherwise. Other information may be collected and independently processed by the Foundation with automated technologies used on the Website.

5.5. The Foundation processes personal data only in the scope sufficient to reach the announced purposes (goals) and to fulfill obligations under the applicable laws.

5.6. The visitor bears exclusive responsibility for the accuracy of their personal data when they use the Website.

5.7. Legal basis of data processing: the Foundation processes your personal data during the Website visit provided that:

1) the Foundation has received your consent to such processing;

2) your personal data is necessary to the Foundation to make and implement a deed with you or to take measures that precede making a deed;

3) in cases when the Foundation has a legitimate interest to process your personal data, and this legitimate interest fails to prevail your data protection interest or your fundamental rights and freedoms;

4) in other cases defined by the applicable laws. In some cases the Foundation may have a legal obligation to process your personal data or will process your personal data to form, exercise or defend legal claims.

5.8. Methods of personal data collection by the Foundation:

1) using automated personal data processing means;

2) using non-automated personal data processing means;

3) using personal data at the time of using the Website and options of the Website or the software on the Website;

5.9. The Foundation accumulates personal data using automated means (server equipment, cloud storages, etc.) and/or non-automated means (catalogs, archives, etc.).

5.10. The Foundation may use your personal data only for the purposes and goals defined by the Policy and the applicable laws, including (but not limited to):

1) to process your request (inquiry) to the Foundation made through the Website;

2) to ensure that you grant charitable aid (donation) using options available on the Website;

3) to attain other statutory goals of the Foundation in the manner provided by the applicable laws.

5.11. The Foundation may accumulate personal data processed at the time of your visit/use of the Website, including by entering these data into the personal database. Your personal data is stored in compliance with the requirements of the applicable laws in the personal data field.

5.12. Your personal data shall be distributed only subject to your consent or in cases established by the Policy and applicable laws.

5.13. We use your data to engage in the statutory activities of the Foundation and fulfill our obligations under the deeds made with you, and may transfer them to third parties in the following cases:

1) performing legislative regulations. We will disclose your personal data to third parties in the scope required to comply with a lawful request of state authorities, execute a judgment or in compliance with other legislative requirements;

2) to prevent an unlawful use of the Website or a breach of the terms of use of the Website, our rules and policies;

3) to protect the Foundation from claims of third parties;

4) to assist in preventing or investigating fraud;

5) also, we transfer your personal data to third parties on a public offer basis for processing on our behalf, in compliance with technical and organizational measures to protect your personal data, e.g. to process credit cards and payments.

5.14. Your personal data is subject to removal or destruction in case of:

- expiration of the 3-year term of their storage or another term established by the applicable laws;
- termination of legal relations between the personal data subject and the Foundation, unless otherwise provided by law;
- in other cases established by the applicable laws in the field of personal data;
- you can also exercise your right to remove your data. In this case your data will be removed from our servers within 30 days of your request.

5.15. The Foundation processes no personal data on the racial or ethnic background, political, religious or worldview beliefs, membership in political parties or professional associations, criminal conviction or data related to health, sexual life, biometric or genetic data, except cases established by law.

5.16. During the processing term of personal data and other information the Foundation may anonymize it in the way that it loses connection personally with you. Such anonymized information may be used by the Foundation in its statutory activities without any limitations.

5.17. The Foundation may check the accuracy of personal data, including by requesting additional information from you.

5.18. You independently change your personal data by giving an oral or written notification of such changes to the Foundation or by making relevant amendments to the deeds made with the Foundation in the manner provided in such deeds.

## **6. *Rights of Personal Data Subjects***

6.1. In the manner provided in the applicable laws of Ukraine, you may:

6.1.1. be aware of the sources of collection, the location of your personal data, the purposes of their processing, the location or residence (seat) of the personal data holder or controller;

6.1.2. receive information about the terms of giving access to your personal data, including information about third parties to which the personal data are transferred;

6.1.3. have access to your personal data;

6.1.4. receive a reply whether your personal data is being processed and on the contents of such personal data no later than 30 (thirty) calendar days of the date of the request, except cases provided by law;

6.1.5. lodge a substantiated claim to the personal data holder with an objection to the processing of your personal data. A claim is lodged in the manner prescribed to give access to personal data;

6.1.6. lodge a substantiated claim for a change in or destruction of your personal data by any personal data holder and controller should these data be processed illegally and be inaccurate. A change in or destruction of personal data on your demand shall be exercised in the manner prescribed for proving access to personal data;

6.1.7. be entitled to the protection of your personal data against unlawful processing and accidental loss, destruction, damage due to their willful concealment, non-provision or untimely provision, and to the protection against the provision of data that are inaccurate or harmful to your honor, dignity or business reputation;

- 6.1.8. file claims against your personal data processing with the Authorized Person or court;
  - 6.1.9. apply legal remedies in case of a breach of personal data protection laws;
  - 6.1.10. make reservations regarding your personal data processing limitations when you give consent. Making reservations may preclude the fulfillment of its objectives by the Foundation;
  - 6.1.11. withdraw your personal data processing consent. Withdrawing personal data processing consent or exercising the right to personal data destruction may lead to the limitation or impossibility of granting charitable aid to you by the Foundation. In this case the Foundation will destroy the personal data being processed, except the personal data that must be stored by the Foundation in accordance with the requirements of the applicable laws of Ukraine. The withdrawal of the personal data processing consent shall be made in the manner prescribed for giving access to personal data.
- 6.2. If you have any questions regarding this Policy or if you have received any unwanted email sent by the Foundation or allegedly sent on behalf of the Foundation, please contact the Foundation at its direct email [media@zelenskafoundation.org](mailto:media@zelenskafoundation.org).

## **7. Final Provisions**

- 7.1. The Policy takes effect as of its publishing on the Website.
- 7.2. The Policy has a retrospective nature and applies to both legal relations between the Foundation and the user of the Website that occurred as of the effective date of the Policy and the relations that occurred after such an effective date.
- 7.3. The Foundation may amend the Policy where needed. Amendments to the Policy that provide for no change in the purpose (goals) of the personal data processing require no prior consent from you.
- 7.4. The Policy with amendments that require no prior consent from you takes effect as of the date of publishing of the updated Policy on the Website.
- 7.5. Non-provision or incomplete provision of your consent to the processing of your personal data or other information may preclude granting charitable aid to you.