

Trusti

PRIVACY POLICY
August 2025

This document is approved by the Managing Director of KPST and is periodically reviewed to ensure compliance with the applicable legislation.

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The Kosovo Pension Savings Trust (KPST) is committed to protecting the personal data of its participants and beneficiaries in accordance with the legislation of Kosovo. Therefore, these policies have been drafted in compliance with Law No. 06/L-082 on Personal Data Protection, which is aligned with Regulation (EU) 2016/679 (GDPR 2016).

1. Definitions

For the purposes of this privacy notice, the definitions set out in Article 3 of Law No. 06/L-082 on Personal Data Protection (hereinafter: the Law) apply, some of which are referenced in this document:

Personal data	Any information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to identifiers such as a name, identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.
Data controller	A natural or legal person, public authority, agency, or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.
Data processor	A natural or legal person, public authority, agency, or other body that processes personal data on behalf of the controller.
Consent of the data subject	A freely given, specific, informed, and unambiguous indication of the data subject’s wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to them.
Processing	Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
Data recipient	Any natural or legal person, public or private sector entity, to whom personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a specific inquiry in accordance with applicable law shall not be regarded as recipients. The processing of such data by public authorities shall comply with the applicable data protection rules relevant to the purposes of the processing.
Health data	Personal data related to the physical or mental health of a natural person, including the provision of healthcare services, which reveals information about their health status.

2. Principles of data protection

KPST processes the personal data of participants in accordance with the provisions of the Law and other applicable legislation in the country. In this way, it ensures that the processing of personal data complies with the required safeguards and legal obligations, while respecting the fundamental principles listed below:

Lawful, fair, and transparent processing <i>(lawfulness, fairness, and transparency)</i>	Processed in a fair, lawful, and transparent manner, without undermining the dignity of data subjects.
Data minimisation <i>(purpose limitation)</i>	Collected only for specified, explicit, and legitimate purposes and not further processed in a manner incompatible with those purposes.
Data minimisation <i>(data minimisation)</i>	Personal data shall be adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.
Accuracy of the data <i>(accuracy)</i>	They are accurate and, where applicable, kept up to date.
Storage limitation <i>(storage limitation)</i>	They are kept only for as long as is necessary for the purposes for which they were collected or further processed.
Integrity and confidentiality <i>(integrity and confidentiality)</i>	They are processed in a manner that ensures appropriate security of personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organizational measures.

KPST applies the principles of “Privacy by Design and by Default” by integrating data protection measures from the earliest stages of the development of systems and processes.

3. Data processed by KPST

In order to provide its services and fulfil its legally defined obligations, KPST processes the personal data of participants. The category of personal data processed by KPST depends on the type of pension being applied for.

The categories of data listed below are those processed by KPST. However, this list may not be exhaustive, as there may be cases that require the processing of additional data.

CATEGORY	DESCRIPTION
IDENTIFICATION DATA	First and last name Gender Nationality Identification document or passport (personal identification number, type of document, issuing authority) Date and place of birth Postal address Contact information (email address, phone numbers) Marital status – when provided by the individual in eTrusti Ethnicity – when provided by the individual in eTrusti Family details Data from public registers (CRA - Civil Registration Agency)
FINANCIAL DATA	Details of salary, contributions, employer, and contribution period Details of contribution transactions Data from public registers (TAK) Other data related to the use of FKPK services
TECHNICAL DATA	User registration and subscription data (e.g., eTrusti login credentials), encrypted. Photographs (taken when opening an eTrusti account), which are anonymized.
SENSITIVE PERSONAL DATA	Health-related information (in cases of disability pension, or guardianship applications for persons without legal capacity). Family information (in cases of beneficiary applications for deceased participants, notarial inheritance decisions).
OTHER TYPES OF PERSONAL DATA	Images from security cameras in and around FKPK premises. Audio recordings of telephone conversations with clients. Complaints and information related to the exercise of data subject rights Investigative data (e.g., sanctions and anti-money laundering checks).

4. Collection of Personal Data by KPST

FKPK collects personal data primarily during the direct use of services by participants/beneficiaries, or during the processing of contribution payments. Accordingly, data is collected when:

- The employer reports the person on the payroll list, and a savings account is opened for them.
- The person applies for any FKPK service (application for withdrawal of contributions, when legal requirements are met).
- The eTrusti or eKosova services are used.
- The person visits KPST premises.
- KPST is contacted via email, telephone, postal mail, etc.
- Information is provided, in writing or verbally, via email, application forms, contracts, or other communication channels.
- KPST may collect personal data within the limits permitted by law, also indirectly from legal entities, authorized individuals, or other sources, including:
 - Public registers (e.g. CRA register, TAK register),
 - Social or economic related parties (e.g. employers, business owners, relatives, or other persons),
 - Public authorities and law enforcement agencies.

5. Purposes of Data Processing

KPST processes personal data primarily in order to provide and deliver its services in accordance with the Law on Pension Funds, as well as for reporting purposes to the Central Bank of the Republic of Kosovo (CBK) as the supervisory institution of KPST, relying on a set of legal bases for the processing of personal data. Personal data are used to:

- Process data subject requests for services provided by KPST.
- Process payments and contribution transactions made for or on behalf of data subjects.
- Process data related to the fulfilment of contractual obligations by banks (cases of phased withdrawal of contributions).
- Provide quality services and improve customer service and customer relationship management.
- Fulfil legal and regulatory obligations (such as reporting and responding to requests from the CBK).
- Verify the identity of data subjects.
- Prevent money laundering, terrorist financing, and fraud.
- Monitor and report obligations in accordance with legal requirements.
- Ensure proper risk management.
- Protect KSPT's legitimate interests (e.g. video surveillance, handling participant complaints, etc.).
- Generate necessary statistics.

6. Legal Basis for the Processing of Personal Data

KPST processes personal data where at least one of the following conditions is met:

- The data subject has given consent to the processing of their personal data for one or more specific purposes. The withdrawal of consent does not affect the lawfulness of processing based on consent prior to its withdrawal.
- Processing is necessary for the performance of a contract to which the data subject is a party. In this case, the processing of personal data is necessary to fulfil contractual obligations for the provision of the service requested.
- Processing is necessary for compliance with a legal obligation to which FKPK is subject. In this case, the processing of personal data is justified under the Law on Pension Funds, the Law on Anti-Money Laundering, tax laws, and other legal and regulatory obligations to which FKPK is subject. Such obligations authorize FKPK to process personal data to verify a person's identity, prevent money laundering and fraud, fulfil reporting obligations under tax laws, and conduct risk assessment, among others.
- Processing is necessary to protect the vital interests of the data subject or another natural person.
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in FKPK.
- Processing is necessary for the purposes of legitimate interests pursued by FKPK or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject requiring the protection of personal data, in particular where the data subject is a child.

7. How Personal Data is Processed

KPST processes data in a lawful, fair, and transparent manner, in compliance with applicable legal requirements, ensuring protection against unauthorized or unlawful processing, as well as against accidental loss or disclosure of personal data, by applying appropriate technical and organizational measures.

8. Human Resources

For human resources management purposes, FKPK processes the personal data of job applicants, current employees, and former employees. During human resources activities, the collected data are processed based on specific laws governing employment relationships and public officials, for the purposes of taxation, accounting, safe and healthy working conditions, and insurance purposes.

9. Data Protection Officer

KPST, in accordance with its legal obligations, has established entities responsible for information security and data protection, such as the Data Protection Officer (DPO) and the Information Security Officer. KPST implements appropriate technical and organizational measures to ensure the highest possible level of security, proportionate to the level of risk, in order to protect personal data - for example, through device and data protection, access control and access rights management, user identity verification, etc.

The DPO reports directly to FKPK senior management and is independent in the performance of their duties, without receiving instructions regarding the execution of those duties. KPST ensures that the DPO does not have any conflicts of interest and is provided with the necessary resources to effectively carry out their responsibilities. The duties and responsibilities of the DPO are:

- **Information and Advice:** Informs and advises KPST during the design of internal processes involving personal data, as well as its employees, regarding their obligations in accordance with data protection law.
- **Monitoring Compliance:** Monitors compliance with KPST policies and procedures related to personal data protection, including the allocation of responsibilities, staff awareness and training of personnel involved in processing operations, as well as relevant audits.
- **Cooperation with the Data Protection Agency:** Acts as a contact point for the Data Protection Agency, consulting on matters related to personal data processing and, where necessary, consulting the Agency on any relevant issues.
- **Training and Awareness:** Organises periodic training for KPST staff to increase awareness and knowledge regarding personal data protection.
- **Data Breach Management:** Monitors and manages the process of notifying personal data breaches to the Agency and communicating breaches to data subjects, in accordance with legal requirements.
- **Confidentiality:** Applies to the principle of confidentiality in the performance of their duties, ensuring that information obtained in the course of their work is treated with full discretion.

Articles 38 and 39 of the Law contain more information on the duties and responsibilities of the DPO. The name and contact details of the DPO, as well as the Decision on their appointment, are also publicly available on KPST's official website.

10. Rights of the Data Subject

Data subjects enjoy the following rights:

- **The right to be informed** about the collection and use of personal data.
- **The right of access** to and receipt of a copy of the data subject's personal data.
- **The right to rectify** inaccurate personal data or completion of incomplete data.
- **The right to erasure** (the right to be forgotten), which may be exercised only under certain conditions (in accordance with Article 16 of the Law).
- **The right to restriction of processing**, which may be exercised under certain conditions (in accordance with Article 17 of the Law).
- **The right to data portability**, allowing data held by KPST to be reused for the data subject's own purposes, such as storing it for personal use or transferring it to another data controller (e.g. contribution statements).
- **The right to object** to the processing of personal data by KPST under certain conditions (e.g. opting out of receiving emails from KPST).
- **Rights related to automated decision-making and profiling**, including the right not to be subject to decisions based solely on automated processing, including profiling (e.g. transfer of contributions from the Standard portfolio to the Balanced or Conservative portfolio upon reaching the age of 58 or 63, respectively).

KPST will respond within 30 days after the submission of the request, if the individual chooses to exercise any of the above-mentioned rights..

Note: *The data subject may exercise the right to lodge a complaint at any time with the Information and Privacy Agency, through its complaint form at: <https://aip.rks-qov.net/en/complaints/>*

11. Transfer of Personal Data by KPST

KPST will transfer personal data to third parties only when required by law or when the data subject has given consent for such transfer. KPST may transfer personal data to:

- **Authorities:** Judicial bodies, supervisory and other regulatory authorities such as local government, the Central Bank of the Republic of Kosovo (CBK), the Financial Intelligence Unit, the Tax Administration of Kosovo, other law enforcement and fraud prevention agencies, and the anti-corruption authority.
- **Authorised representatives:** Individuals or organisations acting on behalf of the data subject, such as lawyers, intermediaries, financial experts, etc.
- **Third parties:** Entities with which FKPK must interact to enable the provision of its services (banks, CRA, TAK, CBK).
- **Others:** cloud storage companies; postal service providers; IT and telecommunications service providers; software development contractors; and printing companies.

When data is transferred, the transfer is carried out in accordance with the provisions of the Law.

12. Retention Period of Personal Data

The retention period of personal data depends on the category of data and the purposes for which it is processed. In any case, personal data are processed only for as long as necessary for KPST to fulfil its legal obligations and for the purpose for which the data were collected, or as required by applicable legal and regulatory frameworks.

KPST will process personal data for the period required in accordance with legal requirements.

The retention period is determined based on the purposes of personal data processing and is in compliance with data retention obligations, as well as obligations arising from the Law on Archives. If personal data are no longer required, they will be destroyed in accordance with the requirements of the Law on Archives and KPST internal procedures.

13. Notification of Personal Data Breaches:

In accordance with **Law No. 06/L-082 on Personal Data Protection of the Republic of Kosovo**, KPST has adopted procedures for notifying personal data breaches, ensuring the fair and proportionate handling of any incident that compromises individuals' personal data.

- **Notification to the Personal Data Protection Agency:** In the event of a personal data breach that may result in a risk to the rights and freedoms of individuals, KPST will notify the Agency without undue delay and, where possible, within 72 hours of becoming aware of the breach. If the notification is not made within 72 hours, it will be accompanied by reasons for the delay.
- **Notification to Data Subjects:** When a personal data breach is likely to result in a high risk to the rights and freedoms of individuals, KPST will communicate the breach to the affected data subjects without undue delay, and will inform them of the measures taken. An exception to this notification applies in cases where the conditions set out in Article 34, paragraph 3 of the Law are met.

14. Summary

To ensure ongoing compliance with the Law, FKPK undertakes the following actions:

- **Determining the legal basis for processing:** Ensuring that every personal data processing activity has a clear and unambiguous legal basis.
- **Appointment of the Data Protection Officer (DPO):** A DPO is designated with specific responsibilities for data protection within the organization.
- **Staff training:** All employees handling personal data are trained and aware of good practices in data protection.
- **Compliance with consent rules:** Rules regarding the collection and management of consent from data subjects are strictly followed.
- **Facilitating the exercise of data subject rights:** Clear channels are provided for individuals wishing to exercise their personal data rights, and their requests are handled effectively.
- **Regular review of procedures:** Procedures involving the processing of personal data are regularly reviewed to ensure compliance with the law and best practices.
- **Implementation of "Privacy by Design":** For all new or modified systems and processes, the "Privacy by Design" approach is adopted to ensure data protection from the earliest stages.
- **Documentation of processing activities:** Detailed records are maintained, including the name of the organization, purposes of processing, categories of individuals and data processed, data recipients, international transfers, retention periods, and implemented technical and organizational measure.

These measures are reviewed periodically as part of the information security management system process to ensure ongoing compliance with the law and the protection of individuals' personal data.

Kosovo Pension Savings Trust