

CONDITIONS FOR PERSONAL DATA HANDLING in Czech Trade Promotion Agency / CzechTrade

Dear Clients and Trading Partners,

The document you are currently reading contains basic information about the manner how we process your personal data. We appreciate that you share your personal data with us and, we are determined to protect them to the greatest extent possible. We also make every effort to be as transparent as possible in relation to you, in particular with regard to the manner how we process your personal data.

Given the European Union's new legislation, these Conditions have been drawn up in compliance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27th 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 repealing Directive 95/46/EC (**GDPR**).

In this document we are trying to provide you with the information as clearly as possible so we present it in the form of questions and the answers we would give to them. You will learn the information in the following order:

1. Who is a personal data controller?
2. Who is a data protection officer?
3. For what purpose do we need personal data?
4. What are our legitimate interests?
5. How were the personal data obtained?
6. What categories of personal data are processed?
7. What is the legal basis for personal data processing?
8. Will we transmit personal data to anyone else?
9. Will we transmit personal data to a third country or international organisation?
10. How long will we store personal data?
11. What are your rights concerning personal data processing, and how can you exercise them?
12. Are personal data automatically evaluated?

Before answering the particular aforementioned questions, we would like to inform you about the basic framework of securing the personal data entrusted to our organisation, and to assure you that their protection is secured at a high technical and organisational level. We would also like to point out that we collect, process and keep your personal data only to the extent necessary to fulfil the purposes stated below in the answer to question No. 3.

Firstly, the access to personal data is purposefully limited only to the employees whose work involves collecting and further processing of personal data. Therefore, your personal data are accessible only to a small group of people who are bound by secrecy from other employees. In addition, written documents containing personal data are kept in two forms of lockable spaces: first, in premises separated from the other premises in the building, and second, in lockable cabinets located in such separated premises. Responsibility for the security of particular documents is personally held by the designated employee of the agency at the risk of sanction for a violation (in certain cases even a gross violation) of work discipline in the event of loss, damage or disclosure of the data. All the employees who come into contact with personal data of our clients or suppliers have been duly internally trained regarding GDPR, and their training in these matters has been continuing in the form of follow-up workshops in direct proportion to the growing

requirements for deepening their expertise in the field of personal data protection by the employer – the agency CzechTrade.

Electronic documents with personal data are administered in the certified automated information system which is only accessible, apart from the employees of CzechTrade, by a limited number of authorised persons who are ICT specialists of the agency CzechTrade or workers of contractually bound IT firms. The security of the access to the electronic repository of personal data is regularly tested, and a system of detection, notification, analysis and resolution of any incidents that could even have only a hypothetical impact on the security of collected data has been in place.

Finally, we would like to emphasise that as soon as the legal reason for the processing ceases to exist, your personal data will be immediately and irreversibly destroyed.

Now, let us turn to the questions stated above:

1. Who is a personal data controller?

The controller is a person who, either himself/herself or together with other persons, determines the purposes and decides on the manner of processing personal data.

The personal data controller is Czech Trade Promotion Agency / CzechTrade, registered office Dittrichova 21, 12801 Prague 2, company registration number 00001171, public-benefit corporation not registered in the Commercial Register.

2. Who is a data protection officer?

A data protection officer is a person who is experienced in the field of personal data protection and does everything to ensure that the processing is done in a proper manner, in particular in compliance with the applicable legislation. He/she is also the person most competent to answer questions and handle requests concerning personal data.

The data protection officer may be contacted at the e-mail address: *poverenec-GDPR@czechtrade.cz*

3. For what purpose do we need personal data?

The controller processes personal data for:

- a) securing the entering into and subsequent performance of a contractual obligation between the controller and you (Article 6(1)(b) of GDPR). Further legal obligations arise from such a relation, so the controller has to process personal data for such a purpose as well (Article 6(1)(c) of GDPR);
- b) marketing purposes so that the controller is able to tailor the range of its products and services and commercial communications about them to your needs in the best possible way; for such a purpose of processing, the controller shall obtain your unambiguous consent (Article 6(1)(a) of GDPR);
- c) the protection of its legitimate interests (Article 6(1)(f) of GDPR).

The provision of personal data to the controller is a generally statutory and contractual requirement. As for the provision of personal data for marketing purposes, which does not constitute performance of a contractual or legal obligation of the controller, your consent is requested. If you do not give the controller your consent to personal data processing for marketing purposes, it does not mean that, as a result, the controller will refuse to provide you with the controller's service under the contract.

4. What are our legitimate interests?

Personal data are also processed by the controller for the protection of its legitimate interests. Legitimate interests of the controller are, in particular, proper performance of all contractual obligations of the controller, proper performance of all statutory duties of the controller, direct marketing, protection of the controller's property, etc.

For the sake of securing maximum possible protection of your privacy, you have a right to raise an objection and demand that your personal data be processed solely for the strictly necessary statutory

reasons or be blocked. Further information about your rights related to personal data processing is available in Article 11.

5. How were the personal data obtained?

The controller received personal data directly from you, in particular from any completed forms, mutual communication or from concluded contracts. Apart from that, personal data may also come from publicly available resources, registers and records, e.g. from the commercial register, register of debtors, professional registers or e.g. from the land register. The controller could also receive personal data from third persons who are authorised to access and process your personal data and with whom the controller cooperates, and from information you posted yourself in social media and the internet.

6. What categories of personal data are processed?

In order to secure your satisfaction from the proper performance of an obligation, to secure performance of statutory duties, to secure a personalised offer of services of the controller and for the other purposes stated above, the controller processes the following categories of personal data:

- a) basic identification data – name, surname, date of birth, address of residence, birth registration number and identification number, photographs;
- b) contact data – telephone number and e-mail address;
- c) information about the use of the controller's services – information about the services you received from the controller in the past and about the services you have currently been using, etc.;
- d) information from mutual communication – information from e-mails or contact forms;
- e) invoicing and transaction data – this means, in particular, information appearing on invoices, information about agreed invoicing conditions and about received payments.

7. What is the legal basis for personal data processing?

The lawfulness of processing is given by Article 6(1) of GDPR, according to which the processing is lawful if it is necessary for the performance of a contract, for the compliance with a legal obligation of the controller, for the protection of legitimate interests of the controller or if the processing takes place with consent you gave us.

The lawfulness of processing is also based e.g. on Accounting Act No. 563/1991 of the Collection of Laws of the Czech Republic (Coll.), under which invoicing data are processed and kept, on Act No. 89/2012 Coll., the Civil Code, under which the controller defends its legitimate interests, or on Value Added Tax No. 235/2004 Coll.

8. Will we transmit personal data to anyone else?

We have to provide personal data within the statutory limits to public authorities, e.g. tax administrator, courts, law enforcement authorities or capital market supervisory authorities.

Personal data may be transmitted for further processing to an external party under a processing contract or may be made accessible to the external parties and organisations with which the Agency cooperates in the performance of its tasks, under a special contract or instruction from its establisher.

9. Will we transmit personal data to a third country or international organisation?

Personal data may be transmitted for processing to a country that is not an EU member.

10. How long will we store personal data?

Personal data will be processed and stored at least for the term of the contract. Certain personal data that are necessary e.g. for tax or invoicing obligations will be stored for a longer term, generally 5 years starting from the year following the occurrence of the recorded fact.

The personal data that are important for the exercise of legitimate interests of the controller will be stored for no more than 5 years from the end of the contractual relation with the controller.

The personal data processed for marketing purposes will be stored for the duration of the contractual relation and for 10 subsequent years after the end of the contractual relation.

Personal data will never be stored for a period exceeding the statutory maximum. After the term of archiving expires, the personal data will be destroyed in a secure and irreversible manner so as to prevent their misuse.

11. What are your rights concerning personal data processing, and how can you exercise them?

The controller does everything to ensure that your data are processed in a proper and secure manner, in particular. The rights which are described in this article and which can be exercised at the controller are guaranteed to you.

12. How can you exercise your rights?

You may exercise your rights by sending an e-mail inquiry or request to the address *poverenec-GDPR@czechtrade.cz*.

All communications and statements concerning the rights exercised by you are provided by the controller free of charge. However, if a request is apparently groundless or unreasonable, in particular because it is repeated, the controller may charge a reasonable fee to cover the administrative costs associated with handling the request. Where a request for copies of processed personal data is filed repeatedly, the controller reserves the right to charge a reasonable fee for this reason to cover the administrative costs.

Statements and, where applicable, information about adopted measures will be provided to you by the controller as soon as possible but no later than within one month. This term may be extended by two months by the controller if necessary with regard to the complexity and number of requests. The controller will inform you about the extension and the reasons for the extension.

Right to information about processing your personal data

You have the right to require information from the controller whether or not your personal data are processed. If the personal data are processed, you have the right to require information from the controller, in particular information about the identity and contact data of the controller, controller's representative and, where applicable, data protection officer, about the purposes of the processing, about the categories of concerned personal data, about the recipients or categories of recipients of the personal data, about the authorised controllers, about your rights, about the possibility of contacting the Office for Personal Data Protection, about the resource of the processed personal data and about automated decision-making and profiling.

If the controller intends to process your personal data for a reason other than the one for which the data were obtained, the controller will provide you with information about such other reason and other relevant information prior to the aforesaid further processing.

The information to be provided to you when you exercise this right has already been contained in this memorandum, but it does not prevent you from requesting such information again.

Right to access to personal data

You have the right to require information from the controller whether or not your personal data are processed, and if they are, you have access to information about the purposes of the processing, the categories of concerned personal data, the recipients or categories of recipients, the duration of storage of the personal data, information about your rights (the right to require rectification or erasure by the controller, right to restriction of processing, right to object to such processing), about the right to lodge a complaint with the Office for Personal Data Protection, information about the personal data resource, information whether automated decision-making and profiling takes place, information concerning the applied procedure, as well as the relevance and expected consequences of such processing for you. You have the right to be provided copies of the processed personal data. However, the rights and freedoms of other persons must not be adversely affected by the right to obtain such a copy.

Right to rectification

If there was a change of your residence, telephone number or other facts that may be regarded as personal data, you have the right to require the controller to rectify the processed personal data. Moreover, you have the right to have incomplete personal data completed, even by providing an additional declaration.

Right to erasure (right to be forgotten)

In certain set cases you have the right to require the controller to erase your personal data. Such cases include e.g. the case where the processed data are no longer necessary for the above stated purposes.

The controller erases personal data automatically after expiry of the necessary period, but you can contact the controller with your request at any time. Your request is subject to individual assessment (despite your right to erasure, the controller may have an obligation or legitimate interest to keep your personal data), and you will be informed in detail how the request was settled.

Right to restriction of processing

The controller processes your personal data only to the necessary extent. However, if you feel that the controller, e.g. exceeds the above stated purposes for which the controller processes personal data, you may request that your personal data are processed solely for the essential legal reasons or may request that your personal data are blocked. Your request is subject to individual assessment, and you will be informed in detail how the request was settled.

Right to data portability

If you wish the controller to provide your personal data to another controller or to another company, the controller will transmit your personal data in an appropriate format to the subject you specify, unless legal or other significant obstacles prevent the controller from doing so.

Right to object, and automated individual decision-making

If you find out or only think that the controller processes personal data contrary to the protection of your private and personal life or contrary to legal regulations (provided that personal data are processed by the controller in a public or legitimate interest or are processed for the purposes of direct marketing, including profiling, or for statistical purposes or for the purposes of scientific or historical relevance), you may contact the controller and request explanation or rectification of the detrimental situation that arose. You may also object directly to automated decision-making and profiling.

Right to lodge a complaint with the Office for Personal Data Protection

At any time, you may file an action or complaint in the matter of personal data processing with the supervisory authority, namely the Office for Personal Data Protection with the registered office at Pplk. Sochora 27, 170 00 Prague 7, website <https://www.uouu.cz/>

Right to withdraw consent

You have the right to withdraw your consent to personal data processing at any time by filling out the form, or ticking off the box in the internet application, or sending the withdrawal notice to the address of the registered office of the controller, or by means of the link in the e-mail communication.

CONTACT FOR THE PUBLIC

If you have any questions about the processing of your personal data, do not hesitate to contact us at the e-mail address poverenec-GDPR@czechtrade.cz or telephone number +420 224 907 589. In all cases you can contact us at our address for correspondence Dittrichova 21, 12801 Prague 2.