

## **Personal Data Protection**

On this page you will learn everything about data processing we carry out, including details about your rights and, if we process your personal data, the way of exercising them. For more details about various kinds of data processing, and your rights and ways of exercising them, go to the links – designations of various kinds of personal data processing.

- I. [Employees](#)
- II. [Job Seekers](#)
- III. [Suppliers and Their Representatives](#)
- IV. [Clients and Their Representatives](#)

- I. **Employees:** Employees' data processing is carried out for the purpose of performing the basic labour-law relationships, complying with the employer's legal obligations, and exercising and protecting the employer's rights and legal interests.

Comprehensive information on data processing, including detailed information on your rights and on conditions for exercising them, as well as on the manner of exercising them, is available [HERE](#).

- II. **Job seekers:** In connection with selecting jobs seekers for advertised positions, the company needs to collect and at least for the duration of the respective selection period process identification and contact details of the respective job seekers, as well as information on their educational attainment, qualifications, and previous experience.

If, for the eventuality of not having been selected or when the company had no open position, a job seeker expressed their interest to be listed as a potential employee for the purpose of being informed of suitable job offers, the job seeker thereby consents to processing of their personal data and receiving job offers to their e-mail address. The company will process the job-seeker's data for the period of six months beginning on the day the consent was given. Identification and contact details of the job seeker, as well as information on their educational attainment, qualifications, and previous experience will be processed.

The consent with data processing under the previous paragraph can be withdrawn at any time. The withdrawal shall cause removal of the job seeker from the list of job seekers. Henceforth, such person will not receive information on vacancies in the company.

Comprehensive information on data processing by the company, including detailed information on your rights and on conditions for exercising them, as well as on the manner of exercising them, is available [HERE](#).

- III. **Suppliers or their representatives:** Maintaining personal data for the purpose of negotiating deals and concluding contracts; data necessary for performance under contracts and performance of legal obligations (accounting, taxes, etc). Processing of data for the purpose of the Controller's legitimate interest. Possibly maintaining contact details of suppliers' representatives (employees, statutory representatives, and the like).

Comprehensive information on data processing, including detailed information on your rights and on conditions for exercising them, as well as on the manner of exercising them, is available [HERE](#).

- IV. **Clients or their representatives:** Maintaining of personal data for the purpose of negotiating deals and concluding contracts; data necessary for performance under contracts and performance of legal obligations (accounting, taxes, etc). Data processing for the purpose of the Controller's legitimate interest. Possibly maintaining contact details of clients' representatives (employees, statutory representatives, and the like).

Comprehensive information on data processing, including detailed information on your rights and on conditions for exercising them, as well as on the manner of exercising them, is available [HERE](#).

## I. EMPLOYEES

### 1. CONTROLLER

The company **Bpd development a.s.**, with its registered office at Evropská 2758/11, Dejvice, 160 00 Prague 6, reg. No. 27342859, registered in the Commercial Register administered by the Municipal Court in Prague, section B, file 17952, is the controller of the personal data (hereinafter as the “**Controller**”).

### 2. YOUR RIGHTS

In relation to the respective personal data processing, you have the right of / to:

- a. **ACCESS** – the right to information, whether or not your personal data are being processed. If the personal data are processed, you further have the right, within the prescribed scope, to information about the processing and the right under certain circumstances to obtain a copy of the processed data;
- b. **RECTIFICATION** – the right to obtain rectification of inaccurate personal data; the right to have incomplete personal data completed;
- c. **ERASURE** (right to be forgotten) – the right to obtain, under certain conditions prescribed by legal regulations (withdrawal of consent, termination of a contract, unlawful processing), erasure of personal data;
- d. **RESTRICTION OF PROCESSING** – the right to request marking and possibly restriction (suspension) of processing of your personal data until such time as the accuracy of the personal data, or lawfulness of the processing have been established, or an objection settled, or for the purpose of protecting your interests (exercise or protection or defence of right and legal interests);
- e. **COMPLAINT** – the right to lodge a complaint against the Controller, or a complaint regarding processing of personal data, or conditions for exercising rights with the Office for Personal Data Protection (for contact and other details see [www.uoou.cz](http://www.uoou.cz)).

You further have the right to:

- **OBJECT** – the right to object to the processing of your personal data based on the Controller's legitimate interest.

For the individual rights, details thereon, conditions for their creation and exercise, and the procedure for exercising them see [HERE](#).

The Controller **has not** designated a **DATA PROTECTION OFFICER**.

### 3. PURPOSE OF THE PERSONAL DATA PROCESSING

The Controller processes the personal data for the purpose of: Performing the basic labour-law relationship between an employer and an employee; fulfilling the employer's legal obligations (prescribed registration under the Labour Code, social and health insurance, tax obligations) and contractual obligations.

### 4. LEGAL GROUNDS FOR PERSONAL DATA PROCSSING

The following forms the legal basis for processing personal data: Fulfilment of the Controller's legal obligations as they arise under labour law regulations, social security regulations, and tax regulations (Art. 6 para. 1 letter c) of the General Data Protection Regulation), and fulfilment of a contract with and employee (Art. 6 para. 1 letter b) of the General Data Protection Regulation).

### 5. THE EXTENT OF THE PROCESSED DATA

For the above-stated purposes, the Controller processes the following personal data: Identification data and contact details of the employee, qualifications, data on the course of the employment (in particular the time worked, salary, statutory levies, liability claims, breaches of labour discipline, occupational accidents and diseases, vacation time, bank account, the number and age of children) data on health insurance incl. the personal identification number, data related to tax registration (incl. data on husband/wife and children, incl. their personal identification numbers, if applying tax discount), data related to other labour-law

obligations of the employer arising from legal regulations, data necessary for fulfilling obligations of the employer under social security regulations and employment regulations.

**6. PROVISION OF THE PERSONAL DATA IS OBLIGATORY**

Processing personal data related to performing the basic labour-law relationships by the employer is required by the law or is necessary in order for a contract with an employee to be fulfilled.

Provision by the employee of their personal data is therefore obligatory; a failure to provide the obligatory personal data may constitute a breach of labour discipline, or give rise to an obligation to compensate damage – the damage may arise, from example, from imposition of a public sanction (fine) on the employer for an offence consisting in failing to make a mandatory report to the relevant state authority (e.g. to the local Czech Social Security Administration) in time (e.g. registering the employee for participation in the insurance).

**7. THE TIME PERIOD, for the duration of which the personal data are collected and processed**

The Controller processes personal data: In relation to individual processing of personal data established by law for the period specified by law, in relation to data necessary to fulfil an employment contract for the duration of the basic labour-law relationship (employment, an agreement to complete a job, an agreement to perform work), or longer, if it is necessary for fulfilment of particular legal relations (e.g. non-compete) or for exercising or defence of the Controller's rights (e.g. liability for damage, a dispute on invalidity of employment termination, proving fulfilment of public-law obligations, payment of claims etc.).

**8. RECIPIENTS and other persons to whom the personal data may be disclosed**

Personal data will be disclosed to the following recipients (categories of recipients): Public authorities and other parties in the course of carrying out legal obligations (e. g. tax administrator, courts, executors, law enforcement authorities).

**9. SOURCES OF THE PERSONAL DATA**

The Controller receives the personal data directly from the data subjects, or from the Controller's activities, or from third parties.

**10. THIRD COUNTRIES**

In the course of their processing, the data ARE NOT transmitted outside of the EU.

**11. PROCESSOR**

A processor, as defined in Art. 4 para. 8 of the General Data Protection Regulation, or a third party authorised by the Controller to process personal data may participate in processing personal data. In such cases the Controller minimises the risk of unauthorised disclosure, unlawful destruction, processing, or loss of personal data.

**12. AUTOMATED DECISION-MAKING AND PROFILING**

Automated decision-making means decision-making by technological means or based on the results of the activity of technological means without human interference / free human decision.

Profiling means the use of personal data for the purpose of assessing certain personal aspects of a person, for instance estimating their work performance, economic situation, health, personal preferences, interests, reliability etc.

NO automated decision-making takes place in connection with personal data processing. NO profiling takes place in connection with personal data processing.

## II. JOB SEEKERS

### 1. CONTROLLER

The company **Bpd development a.s.**, with its registered office at Evropská 2758/11, Dejvice, 160 00 Prague 6, reg. No. 27342859, registered in the Commercial Register administered by the Municipal Court in Prague, section B, file 17952, is the controller of the personal data (hereinafter as the “**Controller**”).

### 2. YOUR RIGHTS

In relation to the respective personal data processing, you (the data subject) have the right of / to:

- a. **ACCESS** – the right to information, whether or not your personal data are being processed. If the personal data are processed, you further have the right, within the prescribed scope, to information about the processing and the right to obtain under certain circumstances a copy of the processed data;
- b. **WITHDRAW CONSENT** – in the manner provided [HERE](#), you can at any time withdraw your consent to being listed as a potential job seeker. Withdrawal of your consent will have no bearing on the legality of the processing of personal data that had been carried out before the withdrawal. As of the consent withdrawal, processing your personal data for the purpose of a job offer will be terminated;
- c. **RECTIFICATION** – the right to obtain rectification of inaccurate personal data; the right to have incomplete personal data completed;
- d. **ERASURE** (right to be forgotten) – the right to obtain, under certain conditions prescribed by legal regulations (withdrawal of consent, termination of a contract, unlawful processing), erasure of personal data;
- e. **RESTRICTION OF PROCESSING** – the right to request marking and possibly restriction (suspension) of processing of your personal data until such time as the accuracy of the personal data, or lawfulness of processing have been established, or an objection settled, or for the purpose of protecting your interests (exercise or protection or defence of right and legal interests);
- f. **COMPLAINT** – the right to lodge a complaint against the Controller, or a complaint regarding processing of personal data, or conditions for exercising rights with the Office for Personal Data Protection (for contact and other details see [www.uoou.cz](http://www.uoou.cz));
- g. **DATA PORTABILITY** – under law-prescribed conditions, the right to receive the personal data for further processing by another person designated by you to whom you will transmit the personal data, or to request direct transmission of the personal data for further processing by a third party.

You further have the right to:

- **OBJECT** – the right to object to your personal data processing on the grounds of the Controller's legitimate interest or for marketing purposes.

For the individual rights, details thereon, conditions for their creation and exercise, and the procedure for exercising them see [HERE](#).

The Controller **has not** designated a **DATA PROTECTION OFFICER**.

### 3. PURPOSE OF THE PERSONAL DATA PROCESSING

- i.) The Controller processes personal data of an applicant for an advertised position for the purpose of: Choosing the best candidate for the job and concluding the employment contract.
- ii.) If a job seeker expressed their interest to receive job offers, either for the eventuality of not having been selected for an advertised position, or while applying for a job position that has not been advertised, they thereby give their consent to processing their personal data for the purpose of: Receiving job offers matching their qualifications, academic attainment, and work experience.

### 4. LEGAL GROUNDS FOR PROCESSING

The following is the legal basis for personal data processing: Fulfilment of the Controller's legal obligations as they arise under labour law regulations, social security regulations, and tax regulations (Art. 6 para. 1

letter c) of the General Data Protection Regulation), and fulfilment of a contract with an employee (Art. 6 para. 1 letter b) of the General Data Protection Regulation).

The following forms the legal basis for personal data processing:

- necessary steps before entering into a contract at the request of the data subject and the possible following conclusion of the contract (Art. 6 para 1. letter b) of the General Data Protection Regulation) in the case of para. 3 letter i.);
- consent of the job seeker in the case of para. 3 letter ii.).

#### **5. THE EXTENT OF THE PROCESSED DATA**

- In the case of the purpose under para 3 letter i.), personal data are processed by the Controller in the following scope: Identification data and contact details, academic attainment, qualifications, and previous work experience;
- In the case of para 3 letter ii.), the job seeker gives their consent to personal data processing un the following scope: Identification data and contact details, data on academic attainment, qualifications, and previous work experience, and the results of a selection procedure for a job position with the Controller, if the job seeker had previously participated in one.

#### **6. PROVISION OF THE PERSONAL DATA IS EITHER NECESSARY, OR VOLUNTARY**

- In the case of personal data processing under para. 3 letter i.) above, provision of the personal data is necessary for participation in the selection procedure. Unless they have provided their personal data, the job seeker cannot participate in the selection procedure;
- In the case of personal data processing under para. 3 letter ii.), provision of the personal data is voluntary. Unless the job seeker has provided their personal data, they cannot be listed as a candidate for a position with the company.

#### **7. THE TIME PERIOD, for which the personal data are collected and processed**

- In the case of personal data processing under para. 3 letter i.), the personal data are retained until the end of the selection procedure.
- In the case of personal data processing under para. 3 letter ii.), the consent is given for the period of 6 months.

#### **8. RECEIPTS and other persons to whom the personal data may be disclosed**

Personal data will be disclosed to the following recipients (categories of recipients): Public authorities and other parties in the course of carrying out legal obligations (e. g. tax administrator, courts, executors, law enforcement authorities).

#### **9. SOURCES OF THE PERSONAL DATA**

The Controller receives the personal data directly from the data subjects, or from the job seekers' previous employer, if the law allows it.

#### **10. THIRD COUNTRIES**

In the course of their processing, the data ARE NOT transmitted outside of the EU.

#### **11. PROCESSOR**

A processor, as defined in Art. 4 para. 8 of the General Data Protection Regulation, or a third party authorised by the Controller to process personal data may participate in processing personal data. In such cases the Controller minimises the risk of unauthorised disclosure, unlawful destruction, processing, or loss of personal data.

#### **12. AUTOMATED DECISION-MAKING AND PROFILING**

Automated decision-making means decision-making by technological means or based on the results of the activity of technological means without human interference / free human decision.

Profiling means the use of personal data for the purpose of assessing certain personal aspects of a person, for instance estimating their work performance, economic situation, health, personal preferences, interests, reliability etc.

NO automated decision-making takes place in connection with personal data processing. NO profiling takes place in connection with personal data processing.

### III. SUPPLIERS AND THEIR REPRESENTATIVES

#### 1. CONTROLLER

The company **Bpd development a.s.**, with its registered office at Evropská 2758/11, Dejvice, 160 00 Prague 6, reg. No. 27342859, registered in the Commercial Register administered by the Municipal Court in Prague, section B, file 17952, is the controller of the personal data (hereinafter as the “**Controller**”).

#### 2. YOUR RIGHTS

In relation to the respective personal data processing, you have the right of / to:

- a. **ACCESS** – the right to information, whether or not your personal data are being processed. If the personal data are processed, you further have the right, within the prescribed scope, to information about the processing and the right to obtain under certain circumstances a copy of the processed data;
- b. **RECTIFICATION** – the right to obtain rectification of inaccurate personal data; the right to have incomplete personal data completed;
- c. **ERASURE** (right to be forgotten) – the right to obtain, under certain conditions prescribed by legal regulations (withdrawal of consent, termination of a contract, unlawful processing), erasure of personal data;
- d. **RESTRICTION OF PROCESSING** – the right to request marking and possibly restriction (suspension) of the processing of your personal data until such time as the accuracy of the personal data, or lawfulness of the processing have been established, or an objection settled, or for the purpose of protecting your interests (exercise or protection or defence of right and legal interests);
- e. **COMPLAINT** – the right to lodge a complaint against the Controller, or a complaint regarding processing of personal data, or conditions for exercising rights with the Office for Personal Data Protection (for contact and other details see [www.uoou.cz](http://www.uoou.cz)).

You further have the right to:

- **OBJECT** – the right to object to the processing of your personal data on the grounds of the Controller’s legitimate interest or for marketing purposes.

For the individual rights, details thereon, conditions for their creation and exercise, and the procedure for exercising them see [HERE](#).

The Controller **has not** designated a **DATA PROTECTION OFFICER**.

#### 3. PURPOSE OF THE PERSONAL DATA PROCESSING

The Controller processes the personal data for the purpose of performing contracts and for its legitimate interests: Filing identification data and contact details of potential suppliers of goods or services for the purpose of contract negotiations, filing communications regarding contract negotiations (for the purpose of evidencing the contract content, or in relation to pre-contractual liability etc.), conclusion of a contract and performance thereof. In relation to performance of a contract, the Controller processes documents and correspondence regarding performance of contractual rights and obligations for the purpose of evidencing the manner of performing the contract, protection and assertion of rights, and compliance with the Controller’s legal obligations (tax record etc.).

If the supplier themselves is not a party to the contract, data of their employees, statutory representatives, or other persons empowered to negotiate the contract, conclude the contract, or ensure performance of the contract are filed.

#### 4. LEGAL GROUNDS FOR PROCESSING

The following is the legal basis for personal data processing:

- In the case the supplier is a natural person - the Controller's legitimate interest in relation to filing potential suppliers (Art. 6 para. 1 letter f) of the General Data Protection Regulation), necessary steps before entering in a contract and performing a contract with the data subject at contract conclusion and performance (Art. 6 para. 1 letter b) of the General Data Protection Regulation).
- In the case the supplier is a legal entity - the Controller's legitimate interest in relation to filing suppliers, contract negotiations and performance of a contract, when the supplier's representative's personal data are processed, (Art. 6 para 1 letter f) of the General Data Protection Regulation). The same goes for an entrepreneur-natural person when they use their employees or other representatives.

## **5. THE EXTENT OF THE PROCESSED DATA**

For the above-specified purposes, the Controller processes the following personal data:

- In the case the supplier is a natural person: Identification data and contact details, i.e. name, surname, academic title, scope of business, place of business, and data related to the contract, incl. related communications in the matter of contract negotiations and contract performance;
- In the case the supplier is a legal entity: Identification data and contact details of a representative of the legal entity (employment contact details), position, communications related to negotiations of a contract with the employer and performance of a contract with the employer. The same goes for an entrepreneur-natural person, if and when they use their employees or other representatives.

## **6. PROVISION OF PERSONAL DATA IS NECESSARY**

Provision of personal data, if taking place in relation to conclusion and performance of a contract, is necessary. It is not possible to conclude and perform a contract without the personal data.

## **7. THE TIME PERIOD, for which the personal data are collected and processed**

The Controller processes contractual documents necessary for performance of a contract for the duration of the contract and further for the duration of the shredding period determined by public obligations in the tax area (10 years). The Controller keeps other filings and communications for the duration of the usual shredding period, which depends on the length of respective limitation periods. If no business has taken place with a person/entity for a long time or if further business is improbable, the person/entity is removed from the filing system.

## **8. SOURCES OF THE PERSONAL DATA**

The Controller gains personal data directly from the data subjects, or their employers, or persons with whom the data subjects have relations, or from public registers.

## **9. RECIPIENTS and other persons to whom the personal data may be disclosed**

The personal data will be disclosed to following recipients (categories of recipients): Public authorities and other parties in the course of carrying out legal obligations (e. g. tax administrator, courts, executors, law enforcement authorities).

## **10. THIRD COUNTRIES**

In the course of their processing, the data ARE NOT transmitted outside of the EU.

## **11. PROCESSOR**

A processor, as defined in Art. 4 para. 8 of the General Data Protection Regulation, or a third party authorised by the Controller to process personal data may participate in processing personal data. In such cases the Controller minimises the risk of unauthorised disclosure, unlawful destruction, processing, or loss of personal data.

## **12. AUTOMATED DECISION-MAKING AND PROFILING**

Automated decision-making means decision-making by technological means or based on the results of the activity of technological means without human interference / free human decision.



Profiling means the use of personal data for the purpose of assessing certain personal aspects of a person, for instance estimating their work performance, economic situation, health, personal preferences, interests, reliability etc.

NO automated decision-making takes place in connection with personal data processing.

NO profiling takes place in connection with personal data processing.

## IV. CLIENTS AND THEIR REPRESENTATIVES

### 1. CONTROLLER

The company **Bpd development a.s.**, with its registered office at Evropská 2758/11, Dejvice, 160 00 Prague 6, reg. No. 27342859, registered in the Commercial Register administered by the Municipal Court in Prague, section B, file 17952, is the controller of the personal data (hereinafter as the “**Controller**”).

### 2. YOUR RIGHTS

In relation to the respective personal data processing, you have the right of / to:

- a. **ACCESS** – the right to information, whether or not your personal data are being processed. If the personal data are processed, you further have the right, within the prescribed scope, to information about the processing and the right to obtain under certain circumstances a copy of the processed data;
- b. **RECTIFICATION** – the right to obtain rectification of inaccurate personal data; the right to have incomplete personal data completed;
- c. **ERASURE** (right to be forgotten) – the right to obtain, under certain conditions prescribed by legal regulations (withdrawal of consent, termination of a contract, unlawful processing), erasure of personal data;
- d. **RESTRICTION OF PROCESSING** – the right to request marking and possibly restriction (suspension) of processing your personal data until such time as the accuracy of the personal data, or lawfulness of processing have been established, or an objection settled, or for the purpose of protecting your interests (exercise or protection or defence of right and legal interests);
- e. **COMPLAINT** – the right to lodge a complaint against the Controller, or a complaint regarding processing of personal data, or conditions for exercising rights with the Office for Personal Data Protection (for contact and other details see [www.uoou.cz](http://www.uoou.cz)).

You further have the right to:

- **OBJECT** – the right to object to the processing of your personal data on the grounds of the Controller’s legitimate interest or for marketing purposes.

For the individual rights, details thereon, conditions for their creation and exercise, and the procedure for exercising them see [HERE](#).

The Controller **has not** designated a **DATA PROTECTION OFFICER**.

### 3. PURPOSE OF THE PERSONAL DATA PROCESSING

The Controller processes the personal data for the purpose of performing contracts and for its legitimate interests: Filing identification data and contact details of potential clients for the purpose of contract negotiations, filing communications regarding contract negotiations (for the purpose of evidencing the contract content, or in relation to pre-contractual liability etc.), conclusion of a contract and performance thereof. In relation to performance of a contract, the Controller processes documents and correspondence regarding performance of contractual rights and obligations for the purpose of evidencing the manner of performing the contract, protection and assertion of rights, and compliance with the Controller’s legal obligations (tax record etc.).

If the supplier themselves is not a party to the contract, data of their employees, statutory representatives, or other persons empowered to negotiate the contract, conclude the contract, or ensure performance of the contract are filed.

#### **4. LEGAL GROUNDS FOR PROCESSING**

The following is the legal basis for personal data processing:

- In the case the client is a natural person - the Controller's legitimate interest in relation to filing potential clients (Art. 6 para. 1 letter f) of the General Data Protection Regulation), necessary steps before entering in a contract and performing a contract with the data subject at contract conclusion and performance (Art. 6 para. 1 letter b) of the General Data Protection Regulation).
- In the case the client is a legal entity - the Controller's legitimate interest in relation to filing clients, contract negotiations and performance of a contract, when the client's representative's personal data are processed (Art. 6 para 1 letter f) of the General Data Protection Regulation). The same goes for an entrepreneur-natural person when they use their employees or other representatives.

#### **5. THE EXTENT OF THE PROCESSED DATA**

For the above-specified purposes, the Controller processes the following personal data:

- In the case the client is a natural person: Identification data and contact details, i.e. name, surname, academic title, scope of business, place of business, and data related to the contract, incl. related communications in the matter of contract negotiations and contract performance;
- In the case the client is a legal entity: Identification data and contact details of a representative of the legal entity (employment contact details), position, communications related to negotiations of a contract with the employer and performance of a contract with the employer. The same goes for an entrepreneur-natural person, if and when they use their employees or other representatives.

#### **6. PROVISION OF THE PERSONAL DATA IS NECESSARY**

Provision of personal data, if taking place in relation to conclusion and performance of a contract, is necessary. It is not possible to conclude and perform a contract without the personal data.

#### **7. THE TIME PERIOD, for which the personal data are collected and processed**

The Controller processes contractual documents necessary for performance of a contract for the duration of the contract and further for the duration of the shredding period determined by public obligations in the tax area (10 years). The Controller keeps other filings and communications for the duration of the usual shredding period, which depends on the length of respective limitation periods. If no business has taken place with a person/entity for a long time or if further business is improbable, the person/entity is removed from the filing system.

#### **8. SOURCES OF THE PERSONAL DATA**

The Controller gains personal data directly from the data subjects, or their employers, or persons with whom the data subjects have relations, or from public registers.

#### **9. RECIPIENTS and other persons to whom the personal data may be disclosed**

The personal data will be disclosed to following recipients (categories of recipients): Public authorities and other parties in the course of carrying out legal obligations (e. g. tax administrator, courts, executors, law enforcement authorities).

#### **10. THIRD COUNTRIES**

In the course of their processing, the data ARE NOT transmitted outside of the EU.

#### **11. PROCESSOR**

A processor, as defined in Art. 4 para. 8 of the General Data Protection Regulation, or a third party authorised by the Controller to process personal data may participate in processing personal data. In such cases the Controller minimises the risk of unauthorised disclosure, unlawful destruction, processing, or loss of personal data.

#### **12. AUTOMATED DECISION-MAKING AND PROFILING**

Automated decision-making means decision-making by technological means or based on the results of the activity of technological means without human interference / free human decision.

Profiling means the use of personal data for the purpose of assessing certain personal aspects of a person, for instance estimating their work performance, economic situation, health, personal preferences, interests, reliability etc.

NO automated decision-making takes place in connection with personal data processing.

NO profiling takes place in connection with personal data processing.

## **RIGHTS AND EXERCISING THEM EXERCISING RIGHTS IN GENERAL**

### **ARTICLE I. EXERCISING RIGHTS IN GENERAL**

#### **1. MEANS OF EXERCISING RIGHTS**

Subject to the provisions below, the rights can be exercised via the following means:

- a. via the Controller's data box: d2feysi;
- b. via e-mail: compliance@bpdpartners.cz;
- c. in writing to the address: Evropská 2758/11, Dejvice, 16000 Prague 6.

#### **2. IDENTIFICATION AND SAFE COMMUNICATION**

**Exercising one's rights must not cause harm to rights and freedoms of third parties.** Because of that, the Controller is entitled and obligated to **identify in necessary cases the person wishing to exercise their rights**. Therefore, the Controller must opt for safe and reliable communication means. **The following communication means shall always be considered reliable, which means that the identity of the addressee need not be further verified:** E-mail with qualified electronic signature, communication via data box, communication by post, whereas the letter shall be signed and the signature officially verified, and an answer thereto shall be sent by a personal delivery letter.

#### **3. EXERCISING RIGHTS ORALLY**

Exceptionally, when requested by the data subject, it is possible to provide information or enable exercising rights **orally**. A written record shall be made on oral provision of information and on oral exercise of rights. Unless the data subject is personally known to the Controller, exercising rights orally is conditioned upon verification of the request-maker's identity from a personal identification card, passport, driving license, or other document from which it can be established that the rights are being exercised by the holder of such rights.

#### **4. ELECTRONIC REQUEST**

If the request was made or the rights exercised in an electronic form, an answer thereto shall also be made in electronic form, unless the request-maker has requested the answer to be made by a different means of communication.

#### **5. COSTS**

Provision of information to data subjects, provision of copies to data subjects, all communication and all acts related to data subjects exercising their rights shall be provided **free of charge**.

#### **6. DISMISSAL AND FEE**

Where requests from (exercises of rights by) data subject are manifestly unfounded or excessive, in particular because of their repetitive character (in total, or in a significant part) or their excessive length due to which it is impossible to respond to the request within the statutory period,

- a) responding to the request shall be conditional upon depositing an advance **to cover the administrative costs** related to provision of the requested information or to execution of the requested steps – the advance may be requested up to the amount of expected costs, whereas information shall be provided, communications made, etc. only once the data subject has paid the costs in full, or

- b) **the request shall be refused or exercising the right shall be dismissed in writing, whereas the dismissal shall be substantiated.**

## **7. RESPONSE PERIOD**

Requests of the data subjects shall be dealt with and responses to the data subjects exercising their rights shall be provided without delay. A response containing the requested information or describing adopted measures following data subject's request etc. must be delivered to the data subject within 30 days following receipt of the request. If, for material reasons, it is not possible to deal with the request within the given deadline, prior to the lapse of the deadline the data subject shall be informed in writing or by an e-mail that the deadline will not be met and of the reasons therefor, and a new deadline for dealing with the matter shall be provided, whereas the original deadline may not be prolonged by more than 60 days.

## **ARTICLE II.**

### **RIGHT OF ACCESS AND RIGHT TO OBTAIN A COPY**

1. Upon the data subject's request, they shall be provided with a confirmation as to whether or not personal data concerning them are being processed.
2. If personal data of the data subject are processed, the data subject shall receive information on:
  - a) the purposes of and the legal grounds for the personal data processing, including a reference to relevant legal provisions and the extent and consequences of the processing of personal data;
  - b) possible recipients or the category of recipients of the personal data;
  - c) transmission of the personal data to third countries, if it is to be carried out, including information on suitable safeguards for the safety of the personal data transmitted to third countries;
  - d) time period for which the personal data will be stored, or criteria for determining the storage period;
  - e) the right to request access to the data subject's personal data, the right to request their rectification or erasure, the right to request restriction of data processing, the right to raise an objection to personal data processing, and the conditions for creating the individual rights and the manner of exercising them – the data subject shall always be given information on such rights only, which can be exercised in relation to the data processing in question;
  - f) the right to data portability, the conditions for creation thereof and conditions of exercising the right, if exercising the said right comes in consideration in relation to the character of the personal data processing;
  - g) whether or not automated decision-making is taking place, and the data subject's rights related to automated decision-making;
  - h) the source of personal data, and, if applicable, information that the personal data come from public sources;
  - i) the right to lodge a complaint with a supervisory authority (the Office for Personal Data Protection);
  - j) whether or not automated decision-making in the form of profiling is taking place, and, if applicable, the significance and envisaged consequences of such data processing for the data subject.
3. The data subject has the right to request a copy of the processed personal data. First-time provision of such a copy shall be free of charge. The data subject shall be charged for additional copies. Art. I. para 6. is applicable hereto.
4. If provision of a copy could harm third parties' rights and freedoms (e.g. the copy contains third parties' personal data to the disclosure of which the data subject requesting the copy is in no way entitled), the copy shall be anonymised accordingly. If anonymization is impossible, or if through the anonymization the requested information would lose its information value, the copy shall not be provided.

## **ARTICLE III.**

### **RIGHT TO RECTIFICATION**

1. If from the point of view of the purpose of the data processing the processed personal data are inaccurate or incomplete, the data subject has the right to rectification of the processed data. The data subject may request rectification (including completion) of the processed personal data or their completion.
2. If the data subject exercises their right to rectification of processed personal data, the Controller shall immediately examine the personal data processing that is subject to the rectification request.
3. If the Controller reaches the conclusion that the request is even partially substantiated, they will immediately rectify or complete the processed personal data.
4. The data subject shall be informed in writing or by an e-mail of the examination and measures adopted.

**ARTICLE IV.  
RIGHT TO ERASURE**

1. The data subject has the right to obtain erasure from the Controller of personal data concerning them only if:
  - a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
  - b) the data subject withdraws their consent with the processing of personal data and there is no other legal grounds (basis) for the data processing;
  - c) the data subject has raised a relevant objection to the personal data processing;
  - d) the personal data have been unlawfully processed, in particular there has been no legal grounds (basis) for the data processing;
  - e) the personal data have to be erased for compliance with a legal obligation ensuing from a law or a judgment/decision issued under a law;
  - f) the personal data have been collected in relation to the offer of information society services referred to in Art. 8 para. 1 of the General Data Protection Regulation.
2. Erasure of personal data means physical destruction of the personal data carrier (e.g. destruction of documents), or their erasure (from multimedia carrier) or other permanent elimination from further personal data processing.
3. If the data subject exercises their right to erasure, the Controller shall examine the data subject's request. If the request is, even partially, justified, erasure shall be carried out to the necessary extent. Art. I. para. 7 hereof is applicable.
4. Until the request of the data subject has been processed, the personal data in relation to which the request for erasure had been filed shall be marked as such.
5. Personal data may not be erased, if their processing is necessary:
  - a) for exercising the right of freedom of expression and information;
  - b) for compliance with legal obligations arising from legal regulations;
  - c) for reasons of public interest in the area of public health (Art. 9 para. 2 letters h) and i) and Art. 9 para. 3 of the General Regulation);
  - d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as the erasure is likely to render impossible or seriously impair the achievement of the objectives of that data processing;
  - e) for the establishment, exercise, and assertion of the Controller's rights.

**ARTICLE V.  
RIGHT TO RESTRICTION OF PROCESSING**

1. If the data subject exercises their right to restriction of processing in respect of processing of particular personal data, the Controller shall immediately assess the relevance of the data subject's request primarily in respect to whether or not conditions for a request for restriction of processing have been met, whereas in the process of the assessment the Controller shall consider both the contents of the request and other circumstances and facts related to the personal data processing in question.
2. The data subject shall have the right obtain restriction of personal data processing where one of the following applies:
  - a) the accuracy of the personal data is contested by the data subject;

- b) the data processing is unlawful, and the data subject opposes the erasure of the personal data and request the restriction of their use instead;
  - c) the Controller no longer needs the personal data for the purposes of their processing, but they are required by the data subject for the establishment, exercise or defence of legal claims;
  - d) the data subject has objected the data processing.
3. The personal data affected by the restriction shall be marked as such.
  4. Where data processing has been restricted, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural person or legal entity or for reasons of important public interest.
  5. Before the restriction of data processing is lifted, the data subject shall be informed thereof by the Controller in writing or by an e-mail. The announcement shall contain the moment as of which the restriction of data processing will be lifted and the reason therefor.

## **ARTICLE VI.**

### **RIGHT TO DATA PORTABILITY**

1. If data obtained from the data subject (either data provided directly by the data subject or data gained about the data subject's activities etc.) regarding the data subject are processed, the data subject shall have the right to data portability, if the processing is based on the consent of the data subject or on a contract concluded with the data subject and the processing is carried out by automated means. The right to portability shall not apply to data and information created by the Controller using data obtained from the data subject (e.g. profiling of presumed consumer behaviour of the data subject based on data obtained from the data subject etc.)
2. Within the right to data portability, the data subject shall have the right to:
  - a) receive themselves the personal data, which are subject to data portability, in a structured, commonly used and machine-readable format; in particular, a format that requires special paid licence or a format that precludes editing or other dispositions (processing) with personal data (e.g. \*.pdf) may not be used;
  - b) transmit the personal data, which are subject to data portability, in a structured, commonly used and machine-readable format to another controller designated by the data subject in their request for personal data transmission; in particular, a format that requires special paid licence, or a format that precludes editing or other dispositions (processing) with personal data (e.g. \*.pdf) may not be used.
3. The data subject's request shall be denied, among other reasons (Art. 1. para. 6), if compliance therewith would adversely affect the rights and freedoms of others (data subjects).
4. A request regarding data portability under Art. 2 letter b) shall also be denied, if transmission is not feasible due to technical reasons, whereas in this sense even such transmission that cannot be properly secured (with regard to technological options adequately to the nature of the transmitted personal data and related risks) shall be considered unfeasible.
5. Information on the purpose of the data processing shall be attached to the transmitted personal data. Should the data subject wish it, information on data processing within the scope of Art. 13 of the General Data Protection Regulation shall also be attached.

## **ARTICLE VII.**

### **AUTOMATED INDIVIDUAL DECISION-MAKING, INCLUDING PROFILING**

1. A judgment/decision against the data subject, legal act towards the data subject, or other measure or practice from which adverse legal consequences will arise on the part of the data subject or by which the data subject will be similarly affected (i.e. automated denial of an on-line loan request, electronic search for job applicants without human participation and review of negative decisions of the electronic system) may not be based on automated individual decision-making, including profiling, unless such decision is:
  - a) necessary for entering into, or performance of, a contract between the data subject and the Controller;

- b) authorised by law which lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests;
    - c) based on the data subject's explicit consent.
- 2. In the cases referred to in para. 1 letters a) and c), the Controller shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests from negative consequences of automated individual decision-making. Such measures shall include at least the data subject's right to express their point of view prior to an act with adverse consequences taking place, the right to have the decision examined by a Controller-appointed person, and human intervention, which shall mean for example regular examination of the automated decision-making system functioning and setting the conditions for its functioning in such a way as to avoid unreasonable adverse interference with the data subject's rights and freedoms and legitimate interests.
- 3. When sensitive data are processed, or when individual decisions under para. 1 are to be based on sensitive data, the procedure under para. 2 is applicable solely if sufficient safeguards in the sense of para. 2 hereof are in place and the personal data processing is based on the data subject's express consent under Art. 9 para. 2 letter a) of the General Regulation or the data processing is necessary for an important law-based public interest, whereas the data processing shall be appropriate for the intended purpose, shall comply with the essence of the right to data protection and shall provide suitable and concrete safeguards for the protection of the data subject's basic rights and legitimate interests.

#### **ARTICLE VIII. RIGHT TO OBJECT**

- 1. If the personal data processing is carried out on the grounds of Art. 6 para. 1 letter e) of the General Regulation (the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller) or Art. 6 para. 1 letter f) of the General Regulation (processing is necessary for the protection of the controller's rights and legitimate interests), the data subject shall have the right to object to such personal data processing.
- 2. Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning them for such marketing, which includes profiling to the extent that it is related to such direct marketing. When the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.
- 3. When the data subject exercises their right to object, the Controller shall immediately examine the objection.
- 4. Until the objection has been processed, the relevant personal data and their processing shall be marked as such.
- 5. Personal data to which it has been legitimately objected cannot be further processed, unless:
  - a) there are important legitimate reasons for further processing that outweigh interests or rights and freedoms of the data subject, or
  - b) further processing is essential for the establishment, exercise, or defence of the Controller's rights.