

# **PRIVACY POLICY**

## **I.**

### **General provisions**

**FAVEX, s.r.o.** with registered office in Prague, Slezská 2210/128, Company ID No.: 499 72 367, incorporated in the Commercial Register kept by the Municipal Court in Prague, Section C, Insert 65218 (hereinafter referred to as “**FAVEX**”), in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, hereinafter referred to as “**GDPR**”), after reviewing its own procedures for the handling of personal data in the course of its business activities and as a result of the summarisation of these procedures, hereby declares its basic rules of practice relating to the processing of personal data.

Within the meaning of GDPR, FAVEX is a personal data controller, i.e. it collects, stores and uses personal data of its customers, natural persons acting on behalf of corporate customers, other persons affected by its business activities, or persons interested in business cooperation (hereinafter collectively referred to as “**Data Subject**”), for the performance of its business activities, which consists mainly in the sale of metallurgical materials and the provision of related services.

This Privacy Policy applies to:

- 1) processing of personal data by FAVEX during communication with Data Subjects or contractual partners of FAVEX via the website, e-mail or telephone;
- 2) processing of personal data by FAVEX during the contractual relationship between the Data Subjects or contractual partners of FAVEX and FAVEX and its employees;
- 3) processing of personal data in the performance of FAVEX’s legal obligations;
- 4) processing of personal data necessary for the purposes of protecting the legitimate interests of FAVEX.

The personal data processing principles describe the purposes of personal data processing and the methods of processing, inform about the individual categories of personal data processed, their potential recipients, the retention period of personal data and the rights of persons in relation to the protection of personal data.

FAVEX ensures compliance with these principles in the processing of personal data by the attorney, his/her associates and in the case of suppliers (external processors of personal data) has contractually ensured guarantees of adequate protection under Article 28 of the GDPR.

## **II.**

### **Identity and contact details of the controller – FAVEX**

When exercising the rights, or if the Data Subject wishes to clarify certain information, he or she may contact FAVEX using the following contact details:

Electronic contact:  
slezackova@favex.cz  
Written contact:  
FAVEX s.r.o.  
Hradištská 98  
687 08 Buchlovice  
Czech Republic

### III.

#### **Purposes of personal data processing**

FAVEX processes personal data solely in accordance with the legal grounds set out in Article 6 of GDPR, only to the extent necessary and for the time necessary. The purposes of personal data processing and the time of processing are recorded by FAVEX for individual agendas in the records of processing activities pursuant to Article 30 of GDPR.

Only those persons who need to handle personal data in the performance of their tasks and duties for FAVEX have access to personal data. These persons shall maintain the confidentiality of the personal data with which they are acquainted; this obligation is contractually guaranteed.

Personal data may be processed by FAVEX for the following purposes:

A/ Purposes for which the Data Subject's consent is not required, namely:

- **Contract performance** (contract negotiation or modification, conclusion of a purchase or other agreement, implementation of the contractual relationship, recording and updating of contracts, data storage in FAVEX systems);
- **Compliance with legal obligations** (in particular obligations in the sense of accounting and tax legislation, i.e. transfer of personal data to the financial administration authorities or other public authorities in accordance with the relevant legislation; storing and archiving data in accordance with legal requirements);
- **Protection of the legitimate interest of FAVEX** (protection of the rights and legally protected interests of FAVEX, for example, the enforcement of legal claims and debts, the implementation of marketing activities regarding FAVEX products and services, the internal needs of FAVEX relating in particular to monitoring the satisfaction of the Data Subject, identifying the quality of services, improving the quality of services provided, the development of new services, etc.);
- **Protection of the legitimate interest of third parties** (in particular the Data Subject or FAVEX contractors) in accordance with the rules governing business and competition.

B/ Purposes for which personal data may be processed only **on the basis of the Data Subject's consent**:

The provision of such consent is entirely at the discretion of the Data Subject. Consent is required for FAVEX marketing (to a certain extent, in these cases FAVEX is entitled to offer products and services to customers without obtaining their consent). Irrespective of whether the offering of products and services is carried out on the basis of law or consent, the Data Subject always has the right to express his/her disagreement with it by means of an act addressed to FAVEX in any form. In addition, it is also possible to withdraw consent to the provision of a copy of a personal document.

#### IV. Personal data processed

FAVEX is entitled to process the following personal data according to the purpose of processing:

| Data Subjects' data  | Purposes of processing   |
|--|--|
| <b>Name and surname</b>  | Performance of contract, Performance of legal obligations, Protection of legitimate interest of FAVEX, Consent |
| <b>Contact address, registered office, place of business</b>       | Performance of contract, Performance of legal obligations, Protection of legitimate interest of FAVEX, Consent |
| <b>E-mail</b>  | Performance of contract, Performance of legal obligations, Protection of legitimate interest of FAVEX, Consent |
| <b>Telephone</b>   | Performance of contract, Performance of legal obligations, Protection of legitimate interest of FAVEX, Consent |
| <b>Account number and other transaction details</b>                | Performance of contract, Performance of legal obligations, Protection of legitimate interest of FAVEX, Consent |
| <b>Company Identification No., Tax Identification No.</b>          | Performance of contract, Performance of legal obligations, Protection of legitimate interest of FAVEX, Consent |
| <b>Birth certificate No.</b>                                       | Fulfilling legal obligations   |
| <b>Date of birth</b>   | Performance of contract, Performance of legal obligations  |
| <b>Any other information regarding the client or third parties</b> | Performance of contract, Performance of legal obligations, Protection of legitimate interest of third parties  |

FAVEX processes personal data manually or in an automated manner and stores it securely in both paper and electronic form. The processing of personal data occurs mainly for the purpose of fulfilling the contractual relationship. In relation to the purpose of processing, the personal data of the Data Subjects are kept in the records of FAVEX customers, in the records of FAVEX suppliers and in the accounting system.

FAVEX declares that the personal data it processes are under constant control and that FAVEX has modern control, technical and security mechanisms in place to ensure the protection of the processed data against unauthorized access or transmission, against loss or destruction, as well as against other possible misuse. All persons who come into touch with the personal data of Data Subjects in the course of their work or contractual duties are bound by a legal or contractual obligation of confidentiality. In the event that personal data is transferred to other entities, FAVEX has concluded an appropriate contract with the data processors, by which these entities guarantee compliance with the obligations relating to the processing of personal data under Czech law.

## V.

### Recipients of personal data

FAVEX discloses personal data only to authorised employees or individual processors of personal data contracted by FAVEX or other controllers, but only to the extent necessary for the fulfilment of the individual purposes of processing and on the basis of the corresponding legal title for the processing of personal data. FAVEX is entitled or obliged to transfer certain personal data to law enforcement authorities or other public authorities in cases provided for by law.

## VI.

### Personal data of third parties

Personal data of third parties, which means personal data of employees and customers of FAVEX contractual partners and other natural persons involved in cooperation with FAVEX, or other data that FAVEX receives from a contractual partner in connection with the conclusion or performance of a contract, shall be processed in accordance with the applicable legal regulations in the field of personal data protection. This personal data shall be used by FAVEX for the purpose of fulfilling contracts with contractual partners. FAVEX shall process the personal data of third parties for the duration of the contractual relationship and for the period provided for by special legal regulations, if any. The data shall then be kept for a longer period of time if there is a justified need to keep the data in relation to a specific case.

## VII.

### Retention period of personal data

FAVEX processes and stores the personal data for the period necessary to ensure all rights and obligations arising from the respective contractual relationship and for the period for which FAVEX, as the data controller, is obliged to store the personal data under generally binding legal regulations or for which FAVEX has given its consent to the processing. In other cases, the processing period is based on the purpose of the processing, which must be proportionate, or is determined by data protection legislation.

FAVEX takes care of the proper fulfilment of its obligations under the regulations governing archiving, complies with the legal deadlines for document storage and archiving, and carries out timely and proper shredding procedures.

We process personal data according to the purpose of processing for the period of time specified here:

| Purpose of processing   | Retention period  |
|---|---|
| Contract performance  | for the duration of the contractual relationship and for a period of 10 years from the termination of the contractual relationship  |
| Fulfilling legal obligations                                    | for the period of time specified by the relevant legislation  |
| Protection of the legitimate interest of FAVEX or third parties | for a maximum period of 3 years from the start of processing, unless otherwise provided for in specific legislation or unless there is a justified need to keep the data for a longer period in connection with a specific case |
| Provision of consent  | for a period of 3 years from the date of disclosure, unless the Data Subject requests an extension  |

## VIII.

## Rights of Data Subjects

FAVEX fulfils all the rights of Data Subjects. Upon request, the Data Subject shall receive from FAVEX all the information required by law concerning the processing of his or her data in a concise, comprehensible and easily accessible manner using clear and plain language.

FAVEX shall:

- a) keep records of processing activities in accordance with Article 30 of GDPR;
- b) ensure that Data Subjects are informed in accordance with Articles 12 to 14 of GDPR;
- c) fulfil other rights of Data Subjects under Articles 15 to 22 of GDPR;
- d) perform reporting and notification of personal data breaches in accordance with Articles 33 and 34 of GDPR.

Draft records, information, handling of requests/complaints and notifications are stored at FAVEX.

Data Subjects may submit their requests/complaints for the exercise of their rights to FAVEX, in particular by sending them to the FAVEX e-mail address or in writing to the address of the FAVEX premises, see above.

In connection with the processing of personal data, the Data Subject has rights arising from legal regulations, which he or she may exercise at any time. It is a right to:

- 1) access to personal data;
- 2) correct inaccurate or incomplete personal data;
- 3) delete personal data if the personal data is no longer necessary for the purposes for which it was collected or otherwise processed or if it is established that the data is processed unlawfully;
- 4) limit the processing of personal data;
- 5) data portability;
- 6) object, after which the processing of personal data shall be terminated unless it is demonstrated that there are compelling legitimate grounds for the processing which override the interests or rights and freedoms of the Data Subject, in particular where the ground is the possible exercise of legal claims; and
- 7) contact the Office for Personal Data Protection.

- **Right to access the personal data:** The Data Subject has the right to be informed whether his or her personal data is being processed and, if so, to have access to his or her personal data. In the event of unreasonable, inappropriate or repeated requests, FAVEX shall be entitled to charge a reasonable fee for a copy of the personal data provided or to refuse the request (the foregoing applies mutatis mutandis to the exercise of the rights set out below).
- **Right to rectification of inaccurate and completion of incomplete personal data:** If the Data Subject becomes convinced that FAVEX processes inaccurate or incomplete personal data about him or her, he or she has the right to request their correction and completion. FAVEX shall correct or complete the data without undue delay, but always taking into account the technical possibilities.
- **Right to erasure:** If the Data Subject requests the erasure of his or her personal data, FAVEX shall erase his or her personal data if (i) the data is no longer necessary for the purposes for which it was collected or otherwise processed, (ii) the processing is unlawful, (iii) the Data Subject objects to the processing and there are no overriding legitimate grounds for processing his or her personal data, or (iv) the legal obligation to process provided for by European Union or national law has ceased.

- **Right to limit the processing of personal data:** In the event that the Data Subject requests a restriction of processing, FAVEX shall make the personal data inaccessible, temporarily delete or store it or carry out other processing operations necessary for the proper exercise of the asserted right.
- **Right to data portability:** If the Data Subject requests that FAVEX transfer the personal data that it processes about the Data Subject in electronic form on the basis of a contract or consent to a third party, the Data Subject may exercise his or her right to data portability. In the event that the exercise of this right would adversely affect the rights and freedoms of others, FAVEX shall not comply with the request.
- **Right to object:** The Data Subject shall have the right to object to processing of personal data which is processed for the performance of a task carried out in the public interest or in the exercise of official authority or for the protection of the legitimate interests of FAVEX. If FAVEX does not prove that there is a serious legitimate reason for processing prevailing over the interests or rights and freedoms of the client, it shall terminate the processing based on such an objection without undue delay.

In the event of repeated or manifestly unjustified requests for the exercise of the above rights, FAVEX shall be entitled to charge a reasonable fee for the exercise of the right in question or to refuse to exercise the right. The Data Subject shall always be duly informed of this procedure.

## IX.

### Third country personal data transfer

FAVEX processes personal data only in the Czech Republic or in EU member states. We do not transfer personal data to third countries outside the EU.

## X.

### Final provisions

FAVEX has carried out a risk analysis of the processing of personal data and has taken reasonable technical and organisational measures to secure the processing as described above. The risk analysis concluded as follows: *processing of personal data does not pose high risks to the rights and freedoms of the Data Subjects concerned and therefore no Data Protection Impact Assessment (“DPIA”) is required.*

FAVEX has carried out an assessment of the processing of personal data from the perspective of Art. 37 of GDPR. FAVEX does not meet the conditions for the appointment of a Data Protection Officer (“DPO”) in accordance with Art. 91 of GDPR and is not obliged to appoint a DPO. A DPO was therefore not appointed at FAVEX.

In addition to records of processing activities pursuant to Art. 30 of GDPR, FAVEX keeps records of any consent to the processing of personal data, unless there is no other legal title for the processing of personal data, and records of personal data breaches.

FAVEX regularly, at least once a year, evaluates the compliance with the rules of personal data protection, including technical and organizational measures, and takes corrective measures and updates internal documentation related to personal data protection as necessary.

The Office for Personal Data Protection oversees the protection of privacy and personal data.

Address: Pplk. Sochora 27 170 00 Prague 7

Phone: 234 665 111

Website: [www.uoou.cz](http://www.uoou.cz)

This Privacy Policy is effective from 26 October 2020 and shall be updated regularly. The valid version shall always be available at the FAVEX Secretariat.