

Declaration on GDPR

PERSONAL DATA PROCESSING DECLARATION

Declaration on the processing of personal data pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and the instruction of data subjects (hereinafter referred to as "GDPR")

I. Personal Data Manager

Personal Data Manager:

Diametral Plc,

with its registered office at Václav Špačka 1759, 193 00 Praha 9 - Horní Počernice,

administered by the Municipal Court in Prague, Section B, File 20964,

represented by Mr. Vít Majtás, Managing Director

ID: 044 34 374

VAT: CZ 044 34 374

(hereinafter referred to as the "Administrator")

hereby informs data subjects, in accordance with Article 12 of the GDPR, of the processing of their personal data and of their rights.

II. Scope of processing personal data

Personal data shall be processed to the extent that the relevant data subject has provided it to the controller in connection with the conclusion of a contractual or other legal relationship with the controller, or collected by the controller otherwise and processed in accordance with applicable law or to fulfill the controller's legal obligations .

III. Sources of personal data

- directly from data subjects (eg registration, e-mail, telephone, chat, website, web contact form, social networks, business cards, contracts, approvals, video recordings made through the administrator's technical equipment, etc.)
- for the purposes of this document:

- Public Register pursuant to Act No. 304/2013 Coll., on Public Registers of Legal and Natural Persons, as amended; the Federal Register, the Endowment Register, the Register of Institutions, the Register of Owners' Units, the Commercial Register and the Register of Public Benefit Companies;
- other registers within the meaning of No. 111/2009 Coll., on basic registers, as amended
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IV. Categories of personal data that are subject to processing by the controller

- Identification data contact details
- descriptive data
- transaction data
- product specifications

V. Categories of data subjects

The data subject shall be the natural person to whom the personal data relate, namely:

- manager employee
- job seeker with the administrator
- trustee's contractual partner (natural person - self-employed, non-self-employed)
- subject in a pre-contractual relationship with the administrator (the client before accepting the order, the inquirer, etc.)
- party to the proceedings
- intervener
- interested party
- applicant
- interviewer
- payer
- recipient
- authorized
- compulsory
- damaged

VI. Categories of processors and recipients of personal data

- state administration bodies
- local authorities
- public institutes
- banking institutions
- insurance companies
- external entity providing services to administrators in various areas (OSH, accounting, training, education, carriers)

VII. Purpose and reasons for processing personal data

The processing of personal data takes place at the administrator:

- with the consent of the data subject
- in fulfilling the contract with the data subject
- when implementing pre-contractual measures at the request of the data subject
- to comply with the legal obligation on the controller (including legal archiving)
- for the protection of the vital interests of the data subject or of another natural person
- for the performance of a task carried out in the public interest or in the exercise of official authority for which the administrator is authorized
- due to the legitimate interest of the administrator or a third party (including archiving based on the legitimate interest of the administrator)

Reasons for processing special categories of personal data

- subject's explicit consent,
- fulfillment of obligations in the area of labor law, social security law and social protection,
- the protection of the vital interests of the data subject or of another natural person where the data subject is not physically or legally competent to give its consent,
- DP apparently published by the data subject,
- the designation, enforcement or defense of legal claims or in court proceedings,
- significant public interest,
- archiving in the public interest, for scientific or historical research purposes or for statistical purposes

VIII. Method of processing and protection of personal data

The processing of personal data is carried out by the administrator. The processing is carried out in its premises, the headquarters of the administrator by individual authorized employees of the administrator, eventually processor. The processing takes place through computer technology, or also in manual form for personal data in paper form, in compliance with all security principles for the management and processing of personal data. To this end, the controller has taken technical-organizational measures to ensure the protection of personal data, in particular measures to prevent unauthorized or accidental access to, alteration, destruction or loss of personal data, unauthorized transfers, unauthorized processing and other misuse of personal data. All entities to which personal data may be disclosed respect the right of data subjects to privacy and are required to comply with applicable data protection legislation.

IX. Processing time of personal data

In accordance with the time limits set out in the relevant contracts, in the internal rules of the trustee or in the applicable legislation, this is the time necessary to ensure the rights and obligations arising from both contracts, legitimate interests and relevant legislation.

X. Data subjects' rights

1. In accordance with Article 12 of the GDPR, the controller shall inform the data subject of the right of access to personal data and the following information:
 - the purpose of processing,
 - the category of personal data affected,
 - recipients or categories of recipients to whom personal data have been or will be disclosed,
 - the planned period for which personal data will be stored,
 - all available information about your personal information source,
 - if not obtained from the data subject, whether automated decision-making, including profiling, takes place.
2. Any data subject who discovers or considers that the controller or processor is processing his or her personal data that is contrary to the protection of the private and personal life of the data subject or to the law, in particular if personal data are inaccurate for the purpose of their Processing, can:
 - Ask the administrator for an explanation.
 - Require the administrator to remedy this. In particular, it may be blocking, correcting, supplementing or deleting personal data.
 - If the request of the data subject is found justified, the controller shall immediately remove the defective condition.
 - If the controller fails to comply with the data subject's request, the data subject shall have the right to contact the Supervisory Authority, which is the Office for Personal Data Protection.
 - The data subject shall have the right to contact the supervisory authority with his or her initiative directly without taking any previous steps.
3. The controller shall provide information and communications to data subjects in a concise, transparent, understandable and easily accessible manner, using clear and simple language means. Information and communications may be provided by the ADMIN to data subjects in writing, where appropriate, electronically or orally, if they verify the identity of the data subject concerned.
4. The controller shall be obliged to respond to the data subjects' requests for information without undue delay, but no later than 1 month after receiving such a request. In justified cases, the administrator may extend this period, but no longer than 2 months. The controller shall inform the data subject of the extension of the deadline, also within 1 month of receipt of the data subject's request and shall inform the data subject of the reasons for such extension. Where the data subject submits an electronic request for information and communication, the ADMIN shall provide it electronically, unless the data subject requests other means of providing information and communication, eg in writing.
5. If the data subject requests the controller to take certain measures (correction of his / her personal data, their deletion, etc.) and the controller fails to take such a measure, he / she shall inform the data subject without delay and no later than 1 month after the request for appropriate action. measures, as well as information on the possibility of the data subject to file a complaint with the Office for Personal Data Protection, resp. to go to court.
6. Information and communications shall be provided free of charge by the data subject's controller. Where the data subject makes repeated requests, or if such requests are unfounded or disproportionate, the controller may refuse the data subject's request or

impose a reasonable fee covering the administrative costs of providing information and communications or taking the required measures. The controller must be able to substantiate the justification or inadequacy of the data subject's request.

7. Where the controller obtains personal data directly from the data subject, it shall disclose the following information to the data subject when obtaining it:
 - (a) the identification and contact details of the administrator and, where applicable, of the administrator's representative;
 - (b) the purposes of the processing for which the personal data are intended and the legal basis for the processing;
 - (c) the legitimate interests of the controller or of a third party where processing is necessary for the legitimate interests of the controller or of a third party;
 - (d) any recipients or categories of recipients of personal data;
 - (e) any intention of the controller to transfer personal data to a third country or international organization and the existence or absence of a decision by the European Commission that the third country or international organization provides adequate protection of personal data, a reference to appropriate safeguards and means to obtain a copy where these data were made available.
8. Where necessary to ensure fair and transparent processing, the controller shall also provide the data subject with further information, in particular the duration of the processing of personal data and / or criteria for its determination, as well as information on the right of the data subject to rectify personal data, delete them, etc.
9. Where the controller does not obtain personal data directly from the data subject, it shall communicate the information referred to in paragraph 7 (a) to the data subject when receiving it. a), b), d) and e), respectively. and other information pursuant to paragraph 8.
10. The controller shall inform the data subject of the change in the purpose of the processing of personal data whenever it occurs.
11. The controller shall inform the data subject of the change in the purpose of the processing of personal data whenever it occurs. Upon request, the controller shall provide the data subject with a confirmation that the personal data concerning him are being processed by the controller and, if so, ensure the data subject has access to that data and to the following information:
 - (a) processing purposes;
 - (b) the categories of personal data concerned;
 - (c) recipients or categories of recipients to whom personal data have been or will be disclosed, in particular recipients in third countries or international organizations;
 - (d) the planned period during which personal data will be stored or, if this cannot be determined, the criteria used to determine that period;

(e) the existence of the right to request or to object to the controller to rectify or delete personal data concerning the data subject or to limit its processing;

f) the right to file a complaint with the Office for Personal Data Protection;

(g) any available information on the source of personal data, unless it is obtained from the data subject.

12. In accordance with the obligations set out in paragraph 11, the controller shall provide the data subject with a copy of the personal data processed. The administrator may charge a reasonable administrative fee for providing the copies referred to in the previous sentence.

13. The controller shall be obliged to correct inaccurate personal data concerning the data subject without undue delay, to supplement incomplete personal data, including by providing an additional declaration.

14. The controller is obliged to delete personal data concerning the data subject without undue delay, if one of the following reasons is fulfilled:

(a) personal data are no longer needed for the purposes for which they were collected or otherwise processed;

(b) the data subject withdraws his consent if the personal data have been processed on the basis of such consent and there is no other legal reason for the processing;

(c) the data subject objects to the processing and there are no overriding legitimate reasons for processing;

(d) personal data have been processed unlawfully;

(e) personal data must be deleted in order to fulfill a legal obligation laid down by European Union law or by the legislation of the Czech Republic.

15. Where the controller of the personal data of the data subject has been published and is obliged to delete them, the controller shall, taking into account available technology and costs, take reasonable steps to inform other personal data controllers who process the personal data that they are a data subject. asks to delete all references to such personal data, copies and replications.

16. The controller shall not be obliged to fulfill the obligations under paragraphs 14 and 15 if the processing of personal data is necessary for him, eg to fulfill a legal obligation requiring the processing of personal data by the European Union law or by the Czech law applicable to the controller, or determination, enforcement or defense of its legal claims, etc.

17. The controller shall limit the processing of personal data of the data subject if:

(a) the data subject denies the accuracy of the personal data for the time necessary to enable the controller to verify the accuracy of the personal data;

(b) the processing is unlawful and the data subject refuses to delete personal data and requests the restriction of their use instead;

(c) the controller no longer needs personal data for the purposes of processing, but the data subject requires them to identify, exercise or defend legal claims;

(d) the data subject has objected to the processing referred to in paragraph 19 of this Article of the Directive until it is verified that the legitimate reasons for the controller outweigh the legitimate reasons for the data subject.

18. In the event that the controller has restricted the processing of personal data under the preceding paragraph, such personal data may be processed only with the consent of the data subject or for the determination, exercise or defense of legal claims, for the protection of the rights of another natural or legal person or the interests of the European Union or a Member State of the European Union.
19. The controller shall inform the data subject in advance of the abolition of restrictions on the processing of personal data pursuant to paragraph 17.
20. The controller shall notify individual recipients of any rectification or erasure of personal data, any restriction on the processing of personal data, except where this proves impossible or requires undue effort. The controller shall also inform the data subject of such beneficiaries if the data subject so requests.
21. In the event that the data subject objects to the processing of personal data by the Community of owners which is processed by the controller for the legitimate interests of the controller or a third party, the controller shall not further process the personal data. or the rights and freedoms of the data subject, or to determine, exercise or defend legal claims. The controller shall inform the data subject of this right at the latest when he first communicates with the data subject.

XI. Verification of the identity of the data subject

1. In the event that the controller receives the submission of a natural person - data subject whom in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data; repeal of Directive 95/46 / EC (hereinafter referred to as "GDPR")
 - (a) exercise the right of access to his personal data; and / or
 - (b) request the processing of a request for confirmation that the controller is processing personal data concerning the applicant within the meaning of GDPR; and / or
 - (c) request the provision of copies of personal data processed free of charge; and / or
 - (d) request the communication of which categories of personal data are processed; and / or
 - (e) request the communication for the purpose for which the personal data are processed; and / or
 - (f) request information on the planned period for which personal data will be stored or, if it is not possible to determine, the criteria used to determine that period; and / or

(g) asks whether (and under what conditions) the controller may request the rectification or deletion of personal data, the restriction of their processing, and whether and how the data subject may object to the processing of my personal data; and / or

(h) asks whether (and how) the data subject can lodge a complaint with the supervisory authority and who is the supervisory authority; and / or

(i) request the communication of all available information on the source of the personal data concerning the data subject, unless it has been obtained directly from him; and / or

(j) asks whether automated decision-making, including the profiling referred to in Article 22 (1) and (4) of the GDPR, is also taking place with regard to the processing of personal data by the data subject, and at least in such cases and the significance and anticipated consequences of such processing for himself, and / or

(k) request information on who is the recipient of the personal data of that data subject or, where appropriate, their categories to which his or her personal data have been or will be disclosed; and / or

(l) request communications from recipients from third countries and international organizations that have or will have personal data of the data subject; and / or

(m) request the provision of information regarding guarantees under Article 46 of the GDPR when personal data are transferred to a third country or an international organization; the administrator is always obliged to sufficiently verify the identity of the applicant before processing the above applications. If the trustee has doubts about the identity of the applicant, he has the right to request from the applicant additional information necessary to confirm his identity (Article 12 (6) of the GDPR).

2. In case of doubt about the identity of the applicant, the administrator is entitled to request from the following person:
 - a) sending the application with a verified signature of the applicant in case the applicant has made the application in paper form,
 - (b) the sending of an application with an electronic signature, that is to say, with data in electronic form which is attached to or logically linked to a data message and which serves as a method for unambiguously verifying the identity of the signatory in relation to the data message
 - c) sending the application by data box if the applicant has it set up
3. The administrator shall not be entitled to request further information to verify the identity of the applicant, in particular when:
 - a) the administrator processes the email contact as the personal data of the applicant from which the relevant application was sent at the relevant time (ie the time of submission of the relevant application)

b) the administrator processes the applicant's telephone number at the relevant time, then makes a phone call to that telephone number to verify the applicant's identity and, upon agreement with the applicant, sends the requested information or communicates other facts concerning the processing of personal data electronically to the applicant the address given by the applicant,

c) the administrator has the possibility to verify the identity of the applicant differently (eg through public registers, previous communication)

(d) the applicant has made the application in person in front of the relevant administrator or other person authorized by him.

XII. Final Provisions

The declaration is publicly available on the administrator's website: www.diametral.eu

The last update to this Statement was made on 11.11.2019.