

# **INFORMATION ON PERSONAL DATA PROCESSING AND ADVICE ON DATA SUBJECT RIGHTS**

**- Natural persons – Data Controller clients**

## **I. PERSONAL DATA CONTROLLER DETAILS**

**Agentura So-Ry s.r.o., Company registration number: 251 46 874, having its registered office at Tylovo náměstí 699/1, Vinohrady, 120 00 Prague 2, registered in the Commercial Register maintained by the Municipal Court in Prague, Section C, Insert 53513 (hereinafter referred to as the „Controller“) shall be the Data Controller, i.e. a person who alone or jointly with others determines the purposes for which and the means by which personal data are processed in accordance with Regulation (EU) No. 2016/679 of the European Parliament and of the Council (General Data Protection Regulation – hereinafter referred to as “GDPR”).**

### **Controller contact details:**

Tel.: (+420) 222 245 446

Email: [agentura@so-ry.cz](mailto:agentura@so-ry.cz)

## **II. DATA SUBJECTS WHOSE PERSONAL DATA ARE PROCESSED BY DATA CONTROLLER**

In case of Data Controller, Data Subjects, i.e. natural persons whom the Personal Data are related to, shall be among others:

- **Natural persons – Data Controller clients**

## **III. DATA PROCESSING PURPOSE, DATA PROCESSING SCOPE, LEGAL BASIS**

The purpose and scope of Personal Data processed, including the legal basis of their processing, **are contained in the Appendix No. 1** which forms an integral part of this document.

## **IV. PERSONAL DATA RECIPIENTS**

**Personal Data may also be disclosed to other persons, however, only if they have a legitimate reason for accessing such Personal Data (e.g. bodies involved in criminal proceedings, other inspecting authorities with a lawful authority to access information), or if necessary for the protection of Data Controller rights (e.g. court, administrative body).**

## **V. PERSONAL DATA PROCESSORS**

**The Processor shall be a natural or legal person who processes personal data on behalf of the Data Controller. The Personal Data Processor for the Data Controller shall be:**

- Ing. Petr Smetánka, Jaroslav Duba- IT - administration.
- ABRA Software a.s – ABRA computer system provider

## **VI. PERSONAL DATA TRANSFER TO THIRD COUNTRY OR INTERNATIONAL ORGANIZATION**

**The Data Controller shall not transfer any Personal Data to a third country or an international organization.**

## **VII. PERIOD FOR WHICH PERSONAL DATA SHALL BE STORED, CRITERIA USED TO DETERMINE THAT PERIOD**

Personal Data shall be stored by the Data Controller for the duration of contractual relationship with a business partner (for the purpose of: Data Controller business activities), for the duration of contractual relationship with a business partner and subsequently till the elapse of limitation period of the Data Controller claim against the business partner on the grounds of mutual contractual relationship, or more precisely till the termination of debt recovery based on a judicial decision or any equal decision, for the duration of insolvency proceedings, execution proceedings, liquidation (for the purpose of: Debt recovery).

## **VIII. DATA SUBJECT RIGHTS**

- **Right to withdraw consent**

The Data Subject has the right to withdraw its consent at any time without affecting the lawfulness of processing based on consent before its withdrawal.

- **Right of access to Personal Data**

Each Data Subject has the right to request the Data Controller/relevant processor to provide information on processing its personal data which shall be handed over to it without undue delay. Information shall always contain the statement of:

- a) Purposes of processing,
- b) The category of Personal Data concerned,
- c) Recipients or a category of recipients to whom the Personal Data have been or will be disclosed
- d) The envisaged period for which the Personal Data shall be stored, or as the case may be criteria used to determine that period,
- e) The existence of right to request from the Data Controller rectification or erasure of Personal Data or restriction of processing Personal Data concerning the Data Subject or to object to such processing,
- f) The Right to lodge a complaint with a supervisory authority which is the Office for Personal Data Protection / Úřad pro ochranu osobních údajů, having its registered office at Pplk. Sochora 27, 170 00 Prague 7, E-mail: [posta@uoou.cz](mailto:posta@uoou.cz)
- g) Where the Personal Data are not collected from the Data Subject, any and all available information as to their source,
- h) The existence of automated decision-making, including profiling.

The Data Controller shall provide the Data Subject with a copy of the Personal Data processed.

- **Right to rectification of Personal Data, right to completion of incomplete Personal Data**

The Data Subject shall have the right to obtain from the Data Controller without undue delay the rectification of inaccurate Personal Data concerning it, or as the case may be to have incomplete Personal Data completed.

- **Right to erasure of Personal Data (“right to be forgotten”)**

The Data Subject shall have the right to obtain from the Data Controller the erasure of Personal Data concerning the given Data Subject without undue delay and the Data Controller shall be obliged to erase the Personal Data without undue delay where one of the following grounds applies:

- a) The Personal Data are no longer necessary for the purposes for which they were collected or otherwise processed,
- b) The Data Subject withdraws consent on which the processing is based and where there is no other legal ground for the processing,

- c) The Data Subject objects to the processing and there are no overriding legitimate grounds for the processing,
- d) The Personal Data have been unlawfully processed,
- e) The Personal Data have to be erased for compliance with a legal obligation as is provided by European Union or Czech Republic law,
- f) The Personal Data have been collected in relation to the offer of information society services.

The right to erasure shall not apply to the extent that processing is necessary for compliance with a legal obligation to which the Data Controller subject, for the performance of a task or defence of legal claims and for other reasons contained in the GDPR Regulation.

- **Right to restriction of processing**

The Data Subject shall have the right to obtain from the Data Controller restriction of processing in any of the following cases.

- a) The accuracy of the Personal Data is contested by the Data Subject, for a period enabling the Data Controller to verify the accuracy of the Personal Data;
- b) The processing is unlawful and the Data Subject opposes the erasure of the Personal Data and requests the restriction of their use instead,
- c) The Data Controller no longer needs the Personal Data for the purposes of processing but they are required by the Data Subject for the establishment, exercise, or defence of legal claims;
- d) The Data Subject has objected to processing pending the verification whether the legitimate grounds of the Data Controller override those of the Data Subject.

- **Right to Data portability**

The Data Subject shall have the right to receive the Personal Data concerning it which it has provided to the Data Controller in a structured, commonly used and machine-readable format, and have the right to transmit those data to another data controller without hindrance from the Data Controller to whom the Personal Data have been provided, where

- a) Processing is based on consent or on a contract
- b) Processing is carried out by automated means.

In exercising its right to data portability, the Data Subject shall have the right to have the Personal Data transmitted directly from one Data Controller to another, where technically feasible.

- **Right to object to processing**

The Data Subject shall have the right to object, on grounds relating to its particular situation, at any time to processing of Personal Data concerning it which the Data Controller processes by reason of necessity for the performance of a task carried out in the public interest or for the purposes of Data Controller legitimate interests. In such a case, Personal Data shall no longer be processed by the Data Controller unless the Data Controller demonstrates substantial grounds for the processing which override the interests or rights and freedoms of the Data Subject or for the establishment, exercise, or defence of legal claims.

- **Right to lodge a complaint with a supervisory authority** which is the Office for Personal Data Protection / Úřad pro ochranu osobních údajů, having its registered office at Pplk. Sochora 27, 170 00 Prague 7, E-mail: [posta@uoou.cz](mailto:posta@uoou.cz)

- **Notification obligation regarding rectification or erasure of Personal Data**

The Data Controller shall communicate any rectification or erasure of Personal Data or restriction of processing to each recipient to whom the Personal Data have been disclosed, unless this proves impossible or involves disproportionate effort. The Data

Controller shall inform the Data Subject about those recipients if so requested by the Data Subject.

While processing, the Data Controller **shall neither make automated individual decisions** (i.e. decision-making based solely on automated processing) **nor profiling** (i.e. any form of automated processing of Personal Data consisting of the use of Personal Data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location, or movements).

**Effect:** The above information shall become effective as of May 25, 2018.

**Appendix No. 1 to Information on Personal Data Processing, Advice on Data Subject Rights**

**Purpose of Personal Data Processing, Scope of Personal Data Processed, Legal Basis of Personal Data Processing**

• **Data Controller clients – natural persons**

| Scope of Personal Data processed:  | Purposes of Personal Data processing:   | Legal basis of Personal Data processing:  |
|--|---|---|
| <ul style="list-style-type: none"> <li>– Identification data (name, last name (including the last name at birth), degree, personal number, if any assigned, otherwise date of birth, place of birth, citizenship, ID card number and validity, marital status, sex, citizenship, nationality, passport data, permanent/temporary residence address, information on residence in CR, including information on a lessor)</li> <li>– Information on a current employer (name, address, ID number, position, pay, validity)</li> <li>– Information on a future employer (name, address, ID number, position, pay, validity)</li> <li>– Information on dependants (name and last name, last name at birth, date, place, and country of birth, marital status, residence address, occupation)</li> <li>– Education, highest education achieved, knowledge of foreign languages, professional knowledge and skills, information on professional certificates awarded</li> <li>– Data concerning health</li> <li>– Contact details (in particular mailing address, telephone number, E-mail address)</li> <li>– Photo</li> <li>– Data concerning the state of health (data concerning physical and mental health)</li> </ul> | <p>Business activities of Data Controller as the service provider in the area of immigration and legalization of stay of foreign nationals in the territory of the Czech Republic</p> | <p>Article 6(1)(b) of GDPR – processing is necessary for the performance of a contract to which the Data Subject is a party or in order to take steps at the request of the Data Subject prior to entering into a contract</p> <p>Article 6(1)(a) of GDPR – the Data Subject has given consent to the processing of its personal data for one or more specific purposes – processing of data concerning health and processing of genetic data</p> |