

# Company notification obligation pursuant to the Personal Data Protection Act

## Identification of the controller:

**SBT Agency s. r. o., Business ID: 52075770, Štítová 4142/8, 84110 Bratislava** (hereinafter referred to as the “**Company**”) within the processing of the personal data of its employees, clients, customers or business partners (hereinafter referred to as the “**data subject**”) functions as an information system (hereinafter referred to as the “**IS**”) controller.

## Legal basis for processing the personal data of data subjects:

The Company shall act under Act No. 18/2018 Coll. on Personal Data Protection (“**Personal Data Protection Act**”) when processing personal data. The legal basis for processing personal data is the Personal Data Protection Act, special legislation and consent to such processing of personal data, depending on the purpose of such personal data processing.

If the purpose of personal data processing, the group of data subjects and list of personal data are specified directly in an enforceable act of the European Union, international treaty to which Slovakia is bound, the Personal Data Protection Act or a specific act, the Company is authorised to process such personal data without the consent of the data subject under the terms of the Personal Data Protection Act.

The Company may process personal data without the consent of the data subject if the purpose of personal data processing, the group of data subjects and list of personal data or their scope are specified directly in an enforceable and legally binding act of the European Union, international treaty to which Slovakia is bound or the Personal Data Protection Act. If no list or scope of personal data is specified, the Company may only process that personal data in the scope and manner necessary to achieve the specified purpose of processing while complying with the basic obligations under the Personal Data Protection Act.

The Company may process personal data without the consent of the data subject if the purpose of personal data processing, the group of data subjects and list of personal data are specified in a separate act and then only in the scope and manner specified therein. The processed personal data may only be provided, disclosed or published from an information system when a separate act specifies a purpose of such provisioning, disclosure or publication, the list of personal data that may be provided, disclosed or published as well as third parties who are provided with such personal data or another group of recipients to whom personal data is disclosed, unless the Personal Data Protection Act specifies otherwise.

The Company may process personal data without the consent of the data subject if:

- a) the processing of personal data is necessary to perform an agreement in which the data subject is one of the parties, in pre-contractual matters involving the data subject or in negotiations on a change in such agreement completed upon the request of the data subject,
- b) personal data processing is necessary to protect the life, health or property of the data subject,
- c) processing only involves the title, first name, last name and address of the data subject without any ability to assign any other personal data to them and with usage restricted to the exclusive needs of the controller for mailings involving the data subject and records of such data,
- d) the processed personal data was previously published in accordance with the Personal Data Protection Act and were so-labelled by the controller as published; any party claiming to

process published personal data shall demonstrate to the competent authority, upon request, that such processed personal data was previously published in a lawful manner,

e) personal data processing is necessary to protect the rights and legally protected interests of the controller or a third party, whereby this does not apply if the basic rights and freedoms of the data subject entitled to protection under the Personal Data Protection Act prevail over any other rights with respect to the processing of such personal data.

If it is impossible to specify the individual types of personal data to be processed within personal data processing regarding the purpose of personal data processing stated in the directly enforceable and binding legal act of the European Union, an international treaty to which Slovakia is bound, in the Personal Data Protection Act or in another separate act, a list of personal data may be replaced by a scope of personal data.

Within such personal data processing, the Company shall comply with the Personal Data Protection Act, except with respect to controllers that process personal data for the purposes of court proceedings and in connection thereto.

If the Personal Data Protection Act does not apply to personal data processing, the Company, as a controller, is only authorised to process personal data with the consent of the data subject.

The Company shall receive consent from the data subject without coercion or pressure and without the threat of refusal to enter into a contract, provide services or perform other obligations assigned to the controller under legally binding acts of the European Union, an international treaty to which Slovakia is bound, or this Act.

If the data subject refuses to provide personal data to the Company for the purposes necessary to provide services or comply with statutory obligations, the Company shall notify the data subject of the potential consequences of failing to provide such personal data.

Data subjects hereby grant consent to the Company to entrust the processing of personal data to processors that process personal data on behalf of the Company. Once the purpose of personal data processing has terminated, the Company shall delete the personal data lawfully obtained from data subjects within the term specified under valid legislation and in accordance with the Company's internal regulation.

#### Purpose of processing the personal data of data subjects:

The Company respects your privacy and considers the provided personal data confidential.

The Company needs certain personal data from data subjects to assure the quality of the services it provides and must provide this data to other recipients to comply with statutory obligations and to provide services at the highest level of quality.

The Company processes the provided personal data for numerous purposes.

Personal data is sourced from job applicants and current employees for the purposes of HR and payroll agendas, and related statutory obligations under applicable legislation.

The Company also processes the personal data of its clients, customers and business partners to perform its business activities and with respect to the interests of its clients, customers and business partners.

The Company does not process personal data for any other purpose, meaning that the

Company only collects, stores and processes personal data from data subjects necessary to deliver the services it provides. All provided personal data is strictly protected against misuse by unauthorised third parties using the means documented in the security project and security guideline adopted pursuant to the Personal Data Protection Act.

When processing the personal data of data subjects, the Company complies with the basic obligations assigned to a controller under the Personal Data Protection Act, which include the following obligations.

The Company only uses the provided personal data for the pre-defined purpose of processing, which is clearly defined in an unambiguous and specific manner, and in accordance with the Slovak Constitution, constitutional acts, laws and international treaties to which Slovakia is bound.

The Company always defines the conditions for personal data processing to ensure such processing does not infringe the legally protected rights of data subjects.

The Company only obtains such personal data from data subjects the scope and contents of which correspond to the purpose of processing and that is necessary to accomplish such purpose.

The Company warrants that the personal data of data subjects is only processed in a manner that corresponds to the purpose for which the data was collected.

As a controller, the Company is only permitted to process accurate, complete, and, as needed, updated personal data in relation to the purpose of processing. The controller must immediately block any incorrect and incomplete personal data and correct or amend such data without any undue delay; if correction or amendment is infeasible, the Company shall clearly label such data and delete it without any undue delay.

The Company ensures that the personal data of data subjects is processed in a format that permits the identification of individual data subjects for no longer than necessary to accomplish the purpose of processing.

The Company shall delete such personal data no longer needed for the purpose of processing using the stipulated method. Once the defined purpose is accomplished, the Company is authorised to process personal data only in the required scope, i.e. for research or statistical purposes in anonymised form. The controller may not use such processed personal data to support measures or decisions taken against a data subject that restrict their basic rights and freedoms.

#### Processors:

The Company does not provide your personal data to any third parties in contravention of the Personal Data Protection Act and for the purposes of their collection in violation of your interests or instructions, and third parties are only provided with such data within the above-specified purpose.

The Company collaborates in its business activities with multiple processors with the objective of providing quality services; such entities process the personal data of data subjects within their contracted activities for the Company.

The Company hereby declares that when selecting individual processors it minded their

professional, technical, organisational and personnel capacities and their ability to guarantee the safe processing of personal data through the security measures adopted under the Personal Data Protection Act.

The Company proceeded in the process of selecting a suitable processor with respect to preserving the rights and legally protected interests of the data subjects.

As a controller, the Company has concluded written contracts with processors under the Personal Data Protection Act to ensure the security of the personal data processed by the processors who were authorised to process the personal data of data subjects in the scope, under the conditions and for the purpose agreed in such contract and in the manner specified under the Personal Data Protection Act.

#### Scope and list of processed personal data:

The Company processes the personal data of data subjects in the scope necessary to accomplish the defined purpose within its information systems. The scope of such personal data is specified in specific legislation or in the consent provided by the data subject with respect to the processing of their personal data.

The Company only processes personal data provided voluntarily and in the necessary extent by the data subject itself. The provisioning of personal data to the Company above the framework of the applicable law is voluntary.

#### Conditions and manner of processing the personal data of data subjects:

The Company processes the personal data of data subjects using automated and non-automated means of processing within its information systems.

The Company does not disclose processed personal data, except when required under specific legislation or when ordered by a court or another state authority.

The Company shall not process your personal data without your explicit consent or other lawful legal basis for any other purpose or in a scope that exceeds the specifications herein and the record sheets of the controller's individual information systems.

#### Rights of the data subject related to the processing of their personal data:

The data subject has the right to request the following in writing from the Company:

- a) confirmation of whether their personal data is processed or not,
- b) information in a generally understandable format concerning the processing of personal data in an information system in the scope specified in the Personal Data Protection Act; when a decision is issued under the Personal Data Protection Act, the data subject is authorised to review the procedure for processing and evaluation of operations,
- c) exact specification of the source from which personal data was provided for processing purposes in a generally understandable format,
- d) a list of their processed personal data in a generally understandable format,
- e) correction or deletion of any incorrect, incomplete or out-of-date personal data that is the subject of processing,
- f) deletion of any personal data for which the purposes of processing have terminated; if official documents containing personal data are the subject of processing, the data subject may request that they be returned,
- g) deletion of their personal data that is the subject of processing if a law has been broken,

- h) blocking of their personal data as a result of the revocation of consent before its expiration, if the company processes personal data based on the data subject's consent.

The data subject's rights specified under Letters e) and f) above may be restricted under applicable legislation or if the application thereof would interfere with the protection of the data subject or the rights and freedoms of anyone else.

Under the Personal Data Protection Act, a data subject has the right to object via a written request addressed to the Company against:

- a) the processing of their personal data, about which it is expected such data is or will be used for direct marketing purposes without their consent, and to request their deletion,
- b) the use of personal data specified in the Personal Data Protection Act for direct marketing purposes via mail, or
- c) the provisioning of personal data specified in the Personal Data Protection Act for direct marketing purposes.

Under the Personal Data Protection Act and based on a written request addressed to the Company or submitted in person if the matter is urgent, a data subject has the right at any time to object to the processing of their personal data in instances under the Personal Data Protection Act by specifying the legitimate reasons or submitting evidence of unauthorised interference with their rights and legally protected interests that are or may be damaged in the specific instance by such processing of personal data; if not prevented by lawful reasons and the data subject's objections are proven to be legitimate, the Company must block the personal data involved in the data subject's objection to processing and delete it immediately as circumstances permit.

Under the Personal Data Protection Act and based on a written request addressed to the Company or submitted in person if the matter is urgent, a data subject has the right to object and to disobey the Company decision that would otherwise have legal effects or a significant impact on them if such decision is made exclusively based on the automated processing of their personal data. The data subject has the right to request that the Company review a decision made using any method other than an automated form of processing; the Company is obliged to comply with the data subject's request and whereby the authorised entity will have a decisive role in reviewing such decision; the controller shall inform the data subject within the term specified under the Personal Data Protection Act of the method of review and its findings. The data subject does not have this right only if specific legislation specifies measures to secure the legitimate interests of the data subject or if the controller has issued a decision within a pre-contractual relationship or during a contract to comply with the data subject's request or if the controller has adopted suitable measures to protect the data subject's legitimate interests based on such contract.

If the data subject applies its right:

- a) in writing and the contents of such request indicates that they are applying their right, the request is considered submitted under the Personal Data Protection Act; the data subject shall then submit such request in writing if filed via email or by fax within three days from the date on which it was sent via electronic means,
- b) verbally in the form of minutes from which it must be clear who is applying such right, what they are seeking, who completed the minutes and when, their signature and the signature of the data subject; the Company must provide a copy of the minutes to the data subject,
- c) for a processor under Letter a) or Letter b), the processor must provide a copy of such request or minutes to the Company without any undue delay.

If a data subject suspects that their personal data is processed in an unauthorised manner, they may submit a petition to commence personal data protection proceedings with the Office for Personal Data Protection of the Slovak Republic, with registered office at Hraničná 12, 820 07 Bratislava 27, Slovakia or contact the Office via its website at <http://www.dataprotection.gov.sk>.

If a data subject lacks full legal competency, their rights may be exercised by their legal guardian or representative.

If a data subject is deceased, a close person may exercise their rights under the Personal Data Protection Act.

The Company shall resolve any request made by a data subject under the Personal Data Protection Act at no cost.

The Company shall resolve any request made by a data subject under the Personal Data Protection Act at no cost, except for payment in an amount that may not exceed the specific costs associated with making copies, providing technical media and sending information to the data subject, unless a specific act stipulates otherwise.

The Company must resolve in writing any request from a data subject submitted under the Personal Data Protection Act within 30 days of its receipt at the latest.

The Company shall report any restrictions on the rights of a data subject under the Personal Data Protection Act to the data subject and the Office for Personal Data Protection of the Slovak Republic in writing without any undue delay.

The Company has hereby informed you, as a data subject, of the protection of your personal data and instructed you as to your rights in relation to personal data protection in the scope of this written notification obligation.

In Bratislava, dated 01.01.2019

