

PRIVACY POLICY

The purpose of this Privacy Policy (hereinafter the "**Policy**") is to provide information about what personal data are processed about natural persons in the provision of services and sale of our goods, for what purposes and for how long our company processes these personal data in accordance with applicable law, to whom and for what reason the personal data may be transmitted, and what rights natural persons have in relation to the processing of their personal data. The Policy is effective from 25 May 2018 and is issued 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 (hereinafter "**GDPR**").

1. Personal data controller, contact details for GDPR

The personal data controller is **TES VSETÍN, s.r.o., ID No.: 24815276, with its registered office at Jiráskova 691, 755 01, Vsetín**, entered in the Commercial Register maintained by the Regional Court in Ostrava, Section C, Insert 52829 (hereinafter the "**Controller**"). If you have any questions regarding personal data processing, please send them to the Controller's registered address, by e-mail to vrysavkova@tes.cz or call +420 725 695 831.

2. Scope of processing and categories of personal data processed

Personal data are processed in the scope in which the data subject has provided them to the Controller in relation to the conclusion of a contractual or similar legal relationship with the Controller or which have been collected by the Controller in accordance with applicable legislation or to fulfil legal obligations of the Controller. The Controller processes the following categories of personal data:

- a) name and surname, degree (if applicable)
- b) business name,
- c) ID No., VAT No.,
- d) permanent address,
- e) registered address or business address,
- f) delivery address,
- g) contact email address,
- h) contact phone number,
- i) job title and/or function in the company,
- j) bank details,
- k) records of behaviour on sites administered by the Controller obtained from cookies if cookies are enabled in the web browser.

3. Purpose of processing of personal data

3.1. Processing for the purpose of performing a contract, fulfilling legal obligations and due to legitimate interests of the Controller Providing personal data necessary for the performance of a contract, fulfilling legal obligations of the Controller and protection of Controller's legitimate interests is obligatory. Without personal data provided for such purposes, it is not possible to provide services. For processing of personal data for these purposes, the Controller is not required to obtain the consent of the personal data subject.

The basic partial purposes of processing of personal data are in particular:

- a) processes related to the identification and possible contacting of a customer (performance of a contract), b) provision of services and delivery of ordered goods (performance of a contract),
- b) billing for services, issuance of tax documents (performance of a contract),

- c) fulfilment of legal tax obligations (fulfilment of legal obligations),
- d) collection of receivables from a customer and other customer disputes (legitimate interest),
- e) registering of debtors (legitimate interest).

In the case of these activities, personal data are processed to the extent necessary to perform these activities and for a period necessary to achieve them or for a period stipulated by law. Personal data are then erased or anonymised. Basic time limits for processing of personal can be found in Art. 5 of the Policy below. Processing of customer's data with their consent for marketing and business purposes

3.2.

The Controller processes personal data for marketing and business purposes with the data subject's consent in order to be able to create appropriate offers of Controller's products and services and to contact the customer exclusively electronically via the contact e-mail address. Granting consent to marketing and business purposes is voluntary and the data subject may withdraw it at any time. Such consent shall remain in effect for 10 years of its granting or for the duration of the use of Controller's services and for the following 10 years or until the data subject withdraws the consent. On the basis of the consent, all categories of data listed in Art. 2 of this Policy may be processed for marketing and business purposes. If the data subject withdraws his/her consent, it shall not affect the processing of his/her personal data by the Controller for other purposes and based on other legal titles, in accordance with this Policy.

3.3. Processing of cookies from sites operated by the Controller

If cookies are enabled in the personal data subject's web browser, the Controller processes records of his/her behaviour obtained from cookies located on the sites operated by the Controller for the purpose of ensuring better operation of the Controller's sites and for the purpose of Controller's Internet advertising. If consent is granted to the processing of personal data for marketing and business purposes, these data are processed together with other personal data for this purpose.

4. Method of processing and data protection

Processing of personal data is conducted by the Controller. The processing is carried out in Controller's premises and registered office by authorised employees of the Controller, or by the processor. The data are processed by the computer technology, or manually in the case of personal data in paper form, in compliance with all security policies for the management and processing of personal data. To this end, the Controller has taken technical and organisational measures to ensure the data protection, in particular, measures to prevent unauthorised and accidental access to personal data, their alteration, destruction or loss, unauthorised transfers, unauthorised processing, as well as other misuse of personal data. All entities to which personal data may be made available shall respect the data subjects' right to privacy and proceed in accordance with applicable legislation related to data protection. When personal data processed by the Controller, no automated decision-making within the meaning of Art. 22 of GDPR occurs.

5. Period of processing of personal data

Personal data are processed for as long as necessary to fulfil the purpose for which they are processed, in accordance with periods stipulated in relevant contracts, in Controller's filing and shredding rules or in relevant legal regulations. The personal data retention period is determined in the following manner:

a) For service customers that have all their liabilities towards the Controller settled, the Controller is entitled to process their basic personal, identification and contact data from the customer database, service data and data from their communication with the Controller for 4 years after the termination date of the last contract with the Controller.

b) In the case of purchase of goods from the Controller, the Controller is entitled to process basic personal, identification and contact data of the customer, data on goods and data from the communication between the customer and the Controller for 4 years after the expiration of the warranty period related to the goods.

c) In the case of negotiations between the Controller and a potential customer on the conclusion of a contract that where the contract has not been concluded, the Controller is entitled to process provided personal data for 6 six months after the end of such pre-contractual negotiations.

d) In accordance with Section 35 of Act No. 235/2004 Sb., on value-added tax, tax documents issued by the Controller shall be archived for 10 years after the end of the tax period in which the taxable supply occurred. As it is required to substantiate the legal grounds for issuing invoices, customer contracts are also archived for 10 years after the termination date of the contract.

6. Categories of recipients of personal data

In fulfilling its commitments and contractual obligations, the Controller uses expert and specialised services of other entities. Where such suppliers process personal data transmitted by the Controller, they are in the position of data processors, shall process personal data only as directed by the Controller, and may not use them otherwise. These include, in particular, payment gateway providers, experts, lawyers, auditors, IT systems administrators, internet advertisers or sales representatives. The Controller carefully selects each such entity and a personal data processing agreement is concluded with each such entity under which the data processor has strict obligations to protect and safeguard personal data.

7. Rights of data subjects

In accordance with GDPR, personal data subjects have the rights listed below. If these are rights with regards to the Controller, the data subject is entitled to exercise them at contact addresses listed in Art. 1 of this policy.

7.1. Right of access to personal data

Pursuant to Art. 15 of GDPR, the data subject shall have the right to access personal data, which includes the right to obtain from the Controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the information on:

- a) the purposes of processing,
- b) categories of the personal data concerned,
- c) recipients that have been or will be provided with access to personal data,
- d) the planned period of processing,
- e) the existence of the right to request from the Controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing,
- f) the right to lodge a complaint with a supervisory authority,
- g) where the personal data are not collected from the data subject, any available information as to their source,
- h) the existence of automated decision-making, including profiling,
- i) appropriate safeguards when transferring data outside the EU.

Unless the rights and freedoms of other persons are adversely affected, the data subject is entitled to request a copy of processed personal data. In the event of a repeated request, the Controller is entitled to charge a reasonable fee for the copy of the personal data.

7.2. Right to rectification of inaccurate data

Under Art. 16 of GDPR, the data subject has the right to rectification of inaccurate personal data or completion of incomplete personal data related to the data subject processed by the Controller. The data subject is obliged to report changes in his/her personal data and prove that such changes have occurred. The data subject is also obliged to provide the Controller with assistance if it is established that the data subject's personal data processed by the Controller are inaccurate.

7.3. Right to erasure

Under Art. 17 of GDPR, the data subject has the right to erasure of his/her personal data unless the Controller demonstrates legitimate reasons for the processing of such personal data.

7.4. Right to restriction of processing

Under Art. 18 of GDPR and until the matter is settled, the data subject has the right to restrict the processing if he/she contests the accuracy of the personal data, reasons for their processing or if the data subject objects to their processing. Where processing has been restricted, the personal data concerned 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 or legal person or for reasons of important public interest of the EU or of its Member State.

7.5. Controller's notification obligation regarding rectification or erasure of personal data or restriction of processing

In the event of rectification, erasure or restriction of processing of personal data, the Controller shall, in accordance with Art. 19 of GDPR, inform individual recipients of personal data about this fact, except where this proves impossible or requires unreasonable effort. The Controller shall provide the data subject with information on these recipients at the data subject's request.

7.6. Right to data portability

Under Art. 20 of GDPR, the data subject shall have the right to portability of data concerning him/her, which he/she has provided to the Controller, in a structured, commonly used and machine-readable format and have the right to request the Controller to transmit those data to another controller if the personal data have been processed based on the conclusion and performance of a contract or based on the data subject's consent and the processing it automated. In the event that the exercise of this right could adversely affect the rights and freedoms of third parties, this request cannot be complied with.

7.7. Right to object to processing of personal data

Under Art. 21 of GDPR, the data subject has the right to object to the processing of his/her personal data based on the Controller's legitimate interest. If the Controller fails to prove that there are compelling legitimate reasons for the processing which override the interests or rights and freedoms of the data subject, the Controller shall immediately terminate the processing according to the objection.

7.8. Right to withdraw the consent to processing of personal data

Consent to processing of personal data for marketing and business purposes may be withdrawn at any time. Such withdrawal shall be made by an explicit, comprehensible and certain manifestation of will. Processing of data from cookies can be disabled in the browser settings.

7.9. Right to be informed about personal data breach

Under Art. 34 of GDPR, the data subject is entitled to be informed without undue delay about any breach of personal data received by the Controller, if such personal data security breach is likely to result in a high risk to the rights and freedoms of individuals.

7.10. Right to contact the Office for Personal Data Protection

The data subject has the right to contact the Office for Personal Data Protection (www.uoou.cz) if he/she finds or believes that the Controller or processor processes his/her personal data contrary to the protection of data subjects' privacy or contrary to applicable legal regulations.