

Information on data processing to contractors, job applicants and visitors (the “Memorandum”)

Introduction

Dear contractors ¹, applicants and visitors,

This Memorandum is to inform you as **data subjects** on the principles and procedures applicable to the processing of your personal data and on your rights related to the processing of this data, 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/ES (General Data Protection Regulation; hereinafter the “**GDPR**”) and in accordance with Act No. 110/2019 Coll., on Processing of Personal Data, as amended (hereinafter the “**PDPA**”).

Our company respects transparent and fair processing of your personal data and its appropriate protection according to the applicable legislation to ensure correct and fair processing. We protect your personal data with the highest security to prevent any unauthorized or accidental access to, destruction, loss, unauthorized transmissions, or unauthorized processing of your personal data. For this purpose, we comply with the relevant technical and organisational measures to ensure an appropriate level of security with respect to all possible risks. Persons who handle personal data are obliged to maintain confidentiality of the information obtained in connection with the processing of this data.

As personal data protection terms and abbreviations are used in this Memorandum, we have included an explanation of these terms and abbreviations in section ‘**List of selected terms and abbreviations**’ in order to make the content of this Memorandum as clear and comprehensible as possible.

Please note that where this Memorandum refers to “our company”, “we”, “us” and similar words, it is the company EP Global Commerce a.s., company reg. No. 05006350, having its registered office at Pařížská 130/26, Praha 1 – Josefov, postcode 110 00, entered in the Commercial Register under file No. B 21517/MSPH, data box ID d7it4jm.

Controller

The Controller of your personal data is the company EP Global Commerce a.s., company reg. No. 05006350, having its registered office at Pařížská 130/26, Praha 1 – Josefov, postcode 110 00, , entered in the Commercial Register under file No. B 21517/MSPH, data box ID d7it4jm, with which you are negotiating a contract, have concluded a contract, are involved in the recruitment of new employees (the “**Controller**”) who is responsible for discharging the obligations under the applicable data protection laws.

List of selected terms and abbreviations

| TERM/ABBREVIATION | DEFINITION |
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| GDPR | 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/ES (General Data Protection Regulation) |
| PDPA | Act No. 110/2019 Coll., on Processing of Personal Data, as amended |

¹ Natural persons, representatives of legal entities

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| Personal data | Any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly , in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. |
| Special categories of personal data | Personal data revealing racial or ethnic origin, political opinions, religion or philosophical beliefs or trade union membership, and processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, and data concerning health or data concerning a natural person's sex life or sexual orientation. |
| Data subject | The natural person to which the personal data relates. A data subject is deemed to be identified or identifiable if, based on one or several personal data, the data subject's identity can be directly or indirectly determined. |
| Controller | The natural or legal person, public authority, agency or another body, which, alone or jointly with others, determines the purposes and means of processing of personal data. |
| Processing | Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. |
| Purpose of processing | The objection and purpose of the Controller's activity |
| Means of processing | The tools and processes selected for specific processing of personal data. |
| Legal ground | The condition without which the processing of personal data is not in any case possible . |
| Processor | A natural or legal person, public authority, agency or another body which processes personal data on behalf of the Controller. |
| Recipient | A natural or legal person, public authority, agency or another body to which the personal data is disclosed, whether a third party or not. The Recipient has the legal, contractual or other authority to process personal data. These are other controllers or processors, such as tax, administrative or regulatory authorities. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with the Member State law shall not be regarded as recipients; the processing of that personal data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing. |
| Third party | A natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data. |
| OPDP | The Office for Personal Data Protection is the supervisory authority under the PDPA. The competences of the central administrative authority related to personal data protection to the extent provided for in the PDPA and other competences laid down in a special law are assigned to the OPDP. |
| COOKIES | Small text files that help the website remember important information, making your use of the site more convenient. The Controller informs you that it uses cookies. For more information, please visit our website. |

Controller's contact details

Should you have any questions regarding the processing of your personal data, please feel free to contact us. You can use the address, email and telephone, see sections '**Controller**' and '**Exercise of the rights of data subjects**'.

Processed personal data

The Controller and the processor that processes personal data on behalf of the Controller, process, with regard to the relevant legal ground and purpose of processing, in particular the following categories of personal data:

- **identification, authentication and address data:** name, surname, academic degree(s), date of birth, ID card data, permanent address or temporary address, address for service or other contact address, place and state of birth, place of business, company reg. No., in rare cases the birth number, handwritten signature and digital signature
- **contact details:** telephone number, email address, data box ID
- **electronic details:** IP address, authentication certificates, digital signature certificates
- other personal data **related to the contractual relationship:** bank account number, transaction value, customer account number; further educational attainment information, details of studies, work experience, specification of the item purchased, easement, tender specifications, etc.
- **other** personal data such as personal data relating to access to the Controller's premises (entry card number including designation, handover/takeover date), to the subject of performance (such as the specification of the item purchased and services provided), to a request of the data subject (such as the specification of rights exercised under GDPR)
- where applicable, **specific personal data** (such as data relating to the epidemiological situation in society)

Source of the personal data being processed

The Controller obtains your personal data **primarily from you** in connection with your participation in the recruitment process, during contract negotiations and in connection with the performance of contracts. Also, the Controller obtains your personal data from **publicly available sources** (such as from the commercial and trade registers) or from **state authorities**.

Video surveillance system

The Controller hereby informs you that EP Investment Advisors, s.r.o., company reg. No. 26687259, having its registered office at Pařížská 130/26, Prague 1 – Josefov, postcode 110 00, entered in the Commercial Register under file No. C 87354/MSPH, data box ID 89pegns, operates a video surveillance recording system in defined workplaces, in order to protect the property, lives and health of individuals moving in the area being monitored. Information about the use of the video surveillance system can be found on signs placed on the respective premises and in this Memorandum. For details on the processing of personal data through the video surveillance systems please refer to www.epholding.cz.

Purpose, duration and legal basis for the processing of personal data

The Controller processes your personal data in particular for the purposes listed below, based on the respective legal ground.

The **period for which the Controller is entitled to process your personal data** depends on the purpose of processing.

Article 6 GDPR distinguishes **six types** of legal grounds for the processing of personal data; **four legal grounds** that are **most relevant** to the Controller are **shown below**. The Controller processes your personal data as follows:

- processing is necessary for the **performance of a contract**
- processing is necessary for **compliance with a legal obligation** to which the Controller is subject (e.g., processing of personal data for compliance with legal obligations arising from tax and accounting legislation)
- processing is necessary for the purposes of **the legitimate interests pursued by the Controller or by a third party**, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child
- on the basis of your **consent**, only if no other legal ground for data processing (such as keeping your CV) can be applied.

| Purpose of processing | Legal basis | Duration of processing ² |
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| Recruitment and selection of employees | Legitimate interest Contract performance (necessary to implement measures taken before the conclusion of employment (or a similar contract)) | Erasure; personal data is disposed of after the completion of the selection procedure or until the date stated in the HR application used to process the job application |
| Keeping records of job applicants' CVs | Consent | Personal data is kept over the period for which the data subject gave its consent or until the consent is withdrawn. |
| Keeping records and control of access to buildings and premises | Legitimate interest | 3 years from the end of the relevant calendar year in which the data was recorded |
| Tenders for providers of services and work | Legitimate interest | 3 years after the completion of the tender (10 years under the Public Procurement Act), in the case of a contractual relationship, personal data is kept until the termination of contract guarantees or for the time necessary to assert legal |

² In determining the adequacy of the duration of processing of personal data, the following aspects are taken into account (i) limitation periods, (ii) probability of legal claims, (iii) common market practices, (iv) probability and significance of the risks involved, and (v) any recommendations of supervisory authorities

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| | | claims |
| Conclusion and registration of contracts and agreements, orders, including related powers of attorney, authorizations and performance of the obligations arising therefrom; contractor records | Contract performance Compliance with a legal obligation | Personal data is kept until the termination of contract guarantees or for the period necessary to assert legal claims. In some circumstances, a legal regulation provides for the obligation to conclude a contract and its contents. |
| Economic management and asset management | Compliance with a legal obligation Legitimate interest Contract performance | Personal data is kept for as long as it can be inspected by public authorities, for the period of investigation of an incident, for the period necessary to claim an insurance benefit or for the period necessary to assert legal claims |
| Invoicing documents | Compliance with a legal obligation Legitimate interest | Personal data is kept for the period resulting from tax and accounting legislation or for the period necessary to assert legal claims |
| Processing of personal data for archiving purposes | Compliance with a legal obligation Legitimate interest | Personal data is kept for the period arising from the applicable legislation, until the expiry of the retention period |
| Processing of personal data for the enforcement of the Controller's claims | Legitimate interest | For the duration of the purpose |
| Processing of personal data in relation to data protection control activities and data subjects' requests | Compliance with a legal obligation | For 5 years from the processing of the request |
| Investigating concerns under the Anti-Corruption and Anti-Bribery Policy and the Policy on Reporting of Serious Concerns | Legitimate interest | For 5 years after the end of the investigation or assessment |
| Processing of personal data during epidemics and in connection with related emergency measures | Compliance with a legal obligation Data processing is necessary to protect vital interests Data processing is necessary in the public interest | For the duration of emergency preventive (protective) measures as well as for the time necessary for their evaluation |
| Keeping records of data processors | Legitimate interest | Personal data is kept for the time necessary for a possible inspection by public authorities |
| Investigation and registration of incidents | Compliance with a legal obligation Contract performance Legitimate interest | Personal data is kept for the time necessary for a possible inspection by public authorities, for the period of investigation of an incident, for the period necessary |

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| | | to claim an insurance benefit or for the period necessary to assert legal claims |
| Counterparty check | Compliance with a legal obligation | Personal data is kept for the period required by applicable legislation |

It is not possible to conclude a contract without providing the personal data necessary for the performance of the contract and the fulfilment of legal obligations. You have right to object to the processing of personal data for the purposes of legitimate interests. You have the right to withdraw your consent at any time. Please be informed that the withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

Manner and means of processing

The Controller and the processor processing personal data on behalf of the Controller process your personal data by **manual** means (such as by placing a contract in paper form in the relevant file) and by **automated** means (by means of ICT, such as a personal computer using Microsoft Office 365 applications, as well as the Controller's or processor's systems).

In processing your personal data by automated means, the Controller **does not apply automated decision-making, including profiling**, that might affect your rights.

Processor

The Controller processes your personal data through its employees who need access to the personal data in order to perform their duties and who are obliged to maintain confidentiality of all facts and information of which they become aware in the course of their employment.

In addition, the **processor's** employees have access to your personal data, only to the extent necessary to carry out their work for the Controller. We enter into a written **Data Processing Agreement** with all our processors, establishing appropriate safeguards for the security of your personal data.

| Categories of processors | Activities |
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| Recruitment agencies | Ensuring the recruitment and selection of suitable job applicants |
| Providers of IT services and software providers | Provision of IT services and software including service support, system administration, development and maintenance as well as analysing security risks |
| Providers of legal services and counselling | Provision of legal services and counselling |
| Economic and tax advisors, auditors | Provision of services and counselling |

Recipients of personal data

The Controller may, in certain circumstances, transfer your personal data to recipients (other controller, processor) and third parties.

Recipients to whom personal data is routinely transferred, in particular:

- Tax Office
- Bailiff offices
- Courts
- Police of the Czech Republic

However, where public authorities require personal data in the framework of a particular inquiry, they are not considered to be recipients but **third parties**.

Transfer of personal data to third countries

The Controller and the processors acting on the Controller's behalf process your personal data primarily in the Czech Republic or in the European Union (EU), where unified data protection is guaranteed in each member state. Quite exceptionally, your personal data may be processed outside the EU, for example, in a computer system whose servers are located outside the EU. In that case, we would select a contractual partner that will meet the conditions for secure data transfer in accordance with the applicable legislation. We will inform you in an appropriate manner about the specific measures and procedures, about to whom and to which countries your personal data is disclosed/transferred, under which conditions, how your data is protected, and about the risks involved.

Legislation

When processing your personal data, we comply with the applicable legislation, including, in particular:

- 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)
- Act No. 110/2019 Coll., on Personal Data Processing
- Act No. 89/2012 Coll., Civil Code
- Act No. 90/2012 Coll., on Business Companies and Cooperatives (Business Corporations Act)
- Act No. 253/2008 Coll., on Selected Measures against Legitimation of Proceeds of Crime and Financing of Terrorism
- Act No. 99/1963 Coll., Code of Civil Procedure
- Act No. 586/1992 Coll., on Income Act
- Act No. 563/1991 Coll., on Accounting
- Act No. 304/2013 Coll., on Public Registers of Legal Entities and Natural Persons
- Act No. 340/2015 Coll., on Register of Contracts

Rights of data subjects

You **have the following rights** in relation to the processing of your personal data:

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| Right to information | Data subjects have the right to be informed of the processing of their personal data. |
| Right of access to information | Data subjects have the right to know whether or not their data is processed and the right to obtain the following information: |

- the purposes of the processing
- the categories of personal data concerned
- the recipients or categories of recipients to which the personal data has been or will be disclosed
- the envisaged period for which the personal data will be stored
- the existence of the right to request from the Controller rectification or erasure of personal data or to object to such processing
- the right to lodge a complaint with a supervisory authority
- where the personal data is not collected from the data subject, any available information as to their source
- the existence of automated decision-making, including profiling

Right to rectification Data subjects have the right to request the **rectification** of inaccurate or incomplete personal data.

Right to erasure Data subjects have the right to request the erasure of personal data where the Controller **no longer has a legal ground** for further processing

Right to restriction of processing Data subjects have the right to obtain from the Controller **restriction of processing of** personal data concerning them where at least one of the following conditions is met:

- the accuracy of the personal data is contested by the data subject
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead
- the Controller no longer needs the personal data for the purposes of the processing, but the data is required by the data subject for the establishment, exercise or defence of legal claims
- the data subject has objected to processing pursuant to Article 21 (1) GDPR pending the verification whether the legitimate grounds of the Controller override those of the data subject

Right to data portability Data subjects have the right to receive the personal data concerning them in a commonly used and machine-readable format allowing the transfer of the data to another controller if the Controller obtained the data on the basis of consent or in connection with the conclusion and performance of a contract, and the data is processed by automated means.

Right to object Data subjects have the right to object, on grounds relating to their particular situations, at any time to the processing of personal data on the basis of legal grounds:

- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller
- processing is necessary for the purposes of the legitimate interests pursued by the Controller or by a third party

The Controller shall no longer process the personal data unless it demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

You can also object to processing of personal data for the purposes of direct marketing or profiling. Where the data subject objects to **processing for direct marketing purposes**, the personal data shall no longer be processed for such purposes.

Right not to be subject to Data subjects have the right **not to be subject to a decision based solely on**

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| automated individual decision-making, including profiling | automated processing, including profiling, which produces legal effects concerning them or similarly significantly affects them. |
| Right to withdraw consent | Data subjects have the right to withdraw their consent at any time . Please be informed that the withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. |
| The right to lodge a complaint with the OPDP | Data subjects have the right to lodge a complaint with the OPDP or seek judicial remedy if they consider that there is an infringement of data protection legislation. |

Exercise of the rights of data subjects

If you exercise your right pursuant to section **'Rights of data subjects'** by presenting a **request**, the Controller is **always obliged** to handle such request of the data subject and is obliged to provide the information without undue delay after receipt of the request, in any case **within one month from receipt of the request**. In **exceptional circumstances**, this period may be extended by two months, of which the data subject must be informed by the Controller, including the reasons for such extension.

You can send your request to:

- the Controller's contact details specified in section **'Controller'**
- info@epgc.cz,
- the email address of the data protection officer cpo@epholding.cz
- or you can contact the Controller using the telephone number: **+420 232 005 200**

In order to facilitate the exercise of your rights, we have prepared a sample **Data Subject Request Form**.

If you have reasonable suspicion that there is an infringement of data protection legislation, you have the right to lodge a complaint with the Office for Personal Data Protection: Úřad pro ochranu osobních údajů, Pplk. Sochora 727/27, 170 00 Prague 7 – Holešovice, email: posta@uoou.cz.