

Information on Data Processing to Employees and Board Members (the “Memorandum”)

Introduction

Dear employees,

Dear board members,

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.

In addition to the information contained in this Memorandum, further details on the processing of your personal data will be available in the relevant internal rules of the Controller.

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 have concluded your employment contract (or a similar contract) or your executive service agreement (hereinafter the “**Controller**”) who is responsible for discharging the obligations under the applicable data protection laws.

List of selected terms and abbreviations

TERM/ABBREVIATION	DEFINITION
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 Sb., on Processing of Personal Data, as amended
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, temporary address, address for service or other contact address, nationality, place and state of birth, 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
- **personal data related to the employment (or any similar) contract:** bank account number, payroll details, education, criminal matters, identification data of children and family members, knowledge of foreign languages, personal number
- **in specific cases special categories of personal data**

An overview of the personal data processed by the Controller is available in the relevant internal rules of the Controller.

Source of the personal data being processed

The Controller obtains your personal data **primarily from you** during the negotiation of your employment contract or your executive service agreement and in connection with its performance. 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 89pegn, 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 systems can be found on signs placed on the respective premises. For details on the processing of personal data through the video surveillance systems please refer to www.epholding.cz.

Purpose and duration of 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 (for example, payroll sheets or accounting records containing data required for pension insurance purposes are archived by the Controller for 30 years, payroll sheets or accounting records containing data required for pension insurance purposes kept on an old-age pensioner are archived for 10 years).

Non-exhaustive list of processing purposes:

- processing of personal data of employees in connection with personnel matters
- processing of personal data of employees in connection with payroll matters
- processing of personal data in connection with arranging occupational medical examinations
- processing of personal data of board members for the purpose of registration in public registers
- processing of personal data of board members and persons closely associated with them under Regulation (EU) No. 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/ES a 2004/72/EC
- processing of personal data in the context of archiving documents
- processing of personal data in the context of enforcing the Controller's claims

An overview of the purposes of processing and the processing periods is available in the relevant internal rules of the Controller.

Legal ground for the processing of personal data

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., when preparing data for the calculation of statutory health and social insurance contributions)
- 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 consent to use a photograph) can be applied

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.

An overview of the legislation related to the processing of personal data for compliance with a legal obligation is available in the relevant internal rules of the Controller.

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 the employment contract in paper form in the employee's personnel 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. These include, for example, companies providing payroll processing for the Controller or providers of IT services and software providers providing programming or other technical support services.

An overview of the processors processing personal data on the Controller's behalf is available in the relevant internal rules of the Controller.

Recipients of personal data

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

These **recipients** include, for example, public authorities to whom personal data of employees are routinely transferred for the purpose of keeping tax records or calculating social security or health insurance contributions:

- Czech Social Security Administration
- health insurance companies
- tax authorities and bailiff offices in connection with the employer's normal reporting and tax obligations

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.

Rights of data subjects

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

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: <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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 processing of personal data being processed on the basis of legal grounds: <ul style="list-style-type: none"> • 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 <p>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.</p> <p>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</p>

	marketing purposes , the personal data shall no longer be processed for such purposes.
Right not to be subject to automated individual decision-making, including profiling	Data subjects have the right not to be subject to a decision based solely on 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 using the Controller's contact details specified in section **'Controller'**, to the email address info@epgc.cz, to the email address of the data protection officer cpo@epholding.cz, or you can use the telephone number: +420 232 005 200, or you can contact your HR manager.

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@uouu.cz.