

# METAL TRADE COMAX, a.s.

Registered office at Velvary 420, postal code 273 24, Identification No. 496 84 442,  
entered in the Commercial register kept by the Prague Municipal Court under Section B, File  
11701

## INFORMATION MEMORANDUM ON PERSONAL DATA PROCESSING

Dear Customers, Trading Partners and Public,

The document you are currently reading contains basic information on the manner how we process your personal data. We appreciate that you share your personal data with us, and we are determined to protect them to the greatest extent possible. We also make every effort to be as transparent as possible in relation to you, in particular with regard to the manner how we process your personal data.

Given the European Union's new legislation, this Information Memorandum has been drawn up in compliance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27th 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 (**GDPR**).

In this document we are trying to provide you with the information as clearly as possible, therefore we present it in the form of questions and answers to them. You will learn the information in the following order:

1. Who is a personal data controller?
2. Who is a data protection officer?
3. For what purpose do we need personal data?
4. How was the personal data obtained?
5. What categories of personal data are processed?
6. What is the legal basis for personal data processing?
7. Will we transmit personal data to anyone else?
8. Will we transmit personal data to a third country or to an international organisation?
9. How long will we handle personal data?
10. What are your rights concerning personal data processing, and how can you exercise them?
11. Is personal data automatically evaluated?

This Information Memorandum sets out the basic information that we, as a personal data controller, are obliged to provide. If you have any questions about the processing of your personal data, do not hesitate to contact us at the e-mail address [gdpr@mtcomax.cz](mailto:gdpr@mtcomax.cz) or telephone number +420 315 730 730. In all cases you can contact us at our mailing address Velvary 420, 273 24 Velvary.

## 1.1. WHO IS A PERSONAL DATA CONTROLLER?

*The controller is a natural or legal person, public authority, agency or any other body which alone or jointly with others determines the purposes and means of personal data processing; where the purpose and means of such processing are determined by Union law or Member State law, the controller concerned or the specific criteria for their nomination may be designated by this law.*

The personal data controller is METAL TRADE COMAX, a.s., a company whose registered office is at Velvary 420, 273 24 Velvary, Identification No. 49684442, entered in the Commercial register kept by the Prague Municipal Court under reference B 11701.

## 1.2. WHO IS A DATA PROTECTION OFFICER?

*A data protection officer is a person who is experienced in the field of personal data protection and does everything to ensure that the processing is done in a proper manner, in particular in compliance with the applicable legislation. S/he is also the person most competent to answer questions and handle requests concerning personal data.*

The controller has decided that the GDPR regulation does not oblige them to appoint an official data protection officer, therefore s/he has appointed only own representative who is responsible for managing the protection relating to personal data processing. This representative is Vladimír Slovák, who can be reached out to on [gdpr@mtcomax.cz](mailto:gdpr@mtcomax.cz) or at the phone number +420 315 730 730.

## 1.3. FOR WHAT PURPOSE DO WE NEED PERSONAL DATA?

The controller performs various activities which s/he would like to inform you about. The processing performed by the controller varies depending on the relationship between yourself and us.

**If you are a candidate** who would like to become a member of our team, we process your personal data

- based on our **legitimate interests or the legitimate interests of third parties (Article 6(1)(f))**, and we use them for

- recruiting new employees and securing a selection procedure for the open position to be filled;
- searching for appropriate candidates on the free market.

**If you are a visitor to our premises,** we process your personal data

- based on our **legitimate interests or the legitimate interests of third parties (Article 6(1)(f))**, and we use them for
  - carrying out random checks of vehicles and persons;
  - managing access to the company, including vehicles and persons registration.

**If you are a visitor of our internet websites, participant of public and non-public events of our company,** we process your personal data

- based on our **legitimate interests or the legitimate interests of third parties (Article 6(1)(f))** and we use them for
  - publishing articles, interviews, photographs and videos on social networks and YouTube, exclusively to market our products or our company brand;
  - managing the protection of property and of persons on the company premises, on which we make camera recordings of you in relation to your movement around the company premises, and
- based on the **contractual obligation (Article 6(1)(b))** we use your personal information for
  - providing security of the leased non-residential premises;
  - mediating sales conducted by the company's agent (representative).

**If you are a student** who is undertaking an internship at our company, we process your personal data based on **the contractual obligation (Article 6(1)(b))**, and we use them for

- fulfilling the subject of the contract between your school and our company.

**If you are our customer,** we process your personal data

- based on our **legitimate interests or the legitimate interests of third parties (Article 6(1)(f))**, and we use them for
  - registering participants at our public events;
  - assessing the websites traffic and processing the supervision over sending informational emails;
  - publishing articles, interviews, photographs and videos on social networks and YouTube, exclusively to market our products or our company brand, and
- based on the **contractual obligation (Article 6(1)(b))** we use your personal information for
  - non-residential premises leasing;
  - draft contract preparation based on your inquiry;
  - contracts preparation for selling company assets;
  - operating the complaint website;
  - activities relating to the sales of products such as delivery of the goods you have ordered, contacting due to the possibility of collecting the manufactured

goods, contacting due to submitting an offer, conducting a market research to determine the demand/supply, preparation of the sales contract and the prepayment invoice, preparation of the supply and laying plan, procuring a contractual carrier, processing your inquiry or arrangement of sales conducted by the company's agent (representative).

**If you are a supplier or a partner, we process your personal data**

- based on our **legitimate interests or the legitimate interests of third parties (Article 6(1)(f))**, and we use them for
  - o registering participants at our company's public events;
  - o publishing articles, interviews, photographs and videos on social networks and YouTube;
  - o assessing the websites traffic and processing the supervision over sending informational emails;
- based on the **contractual obligation (Article 6(1)(b))** we use your personal information for
  - o securing a construction site and construction works within our company;
  - o contacting in order to submit an offer or deliver goods to a customer.

The provision of personal data to the controller is a generally statutory and contractual requirement. As for the provision of personal data for marketing purposes, which does not constitute performance of a contractual or legal obligation of the controller, your consent is requested. If you do not give the controller your consent to personal data processing for marketing purposes, it does not mean that, as a result, the controller will refuse to provide you with the controller's product or service under the contract.

We use **the consent to the processing of personal data (Article 6(1)(a))** for the processing purposes mentioned below, but only if you provide your consent:

- based on the feedback from the customer or the implementers we shall perform the final photo-documentation of the implementation, which we shall subsequently post on our internet websites, or publish in catalogues or our magazine, including your references, provided that you give them to us;
- if you decide to subscribe to newsletters from the website;
- if you participate in company or public events, training and workshops organised by us;
- if you participate in trade fairs, exhibitions, excursions and tours organised by us, where we collect your contact information;
- if you participate in the preparation and promotion of PR articles with us;
- if you are a student taking part in an excursion, you can leave your contact information with us for the purpose of contacting you with an employment offer.

Remember that you can revoke this consent at any time, and we will erase your personal data that we store, providing there is a possibility of their erasure. However, we cannot erase certain personal data the processing of which you gave us your consent to, in particular in case that you give us the consent for the data to be used in PR articles and videos which were created for

the purpose of marketing and promotion of the company, in newsletters with your references which we e-mail to our clients provided they request them, etc.

#### **1.4. HOW WAS THE PERSONAL DATA OBTAINED?**

The controller received personal data directly from you, in particular from completed forms, mutual communication or from concluded contracts. Apart from that, personal data may also come from publicly available resources, registers and records, e.g. from the commercial register, register of debtors, professional registers or e.g. from the land register. The controller could also receive personal data from third parties who are authorised to access and process your personal data and with whom the controller cooperates, and from information you posted yourself in social media and the internet.

#### **1.5. WHAT CATEGORIES OF PERSONAL DATA ARE PROCESSED?**

In order to secure your satisfaction from the proper performance of an obligation, to secure performance of statutory duties, to secure a personalised offer of services of the controller and for the other purposes stated above, the controller processes the following categories of personal data:

- a) basic identification data – name, surname, date of birth, address of residence, birth registration number and identification number, signature;
- b) contact data – telephone number and e-mail address;
- c) information about the use of the controller's products and services – information about the services you received from the controller in the past and about the services you currently are using;
- d) information from mutual communication – information from e-mails or contact forms on the internet websites;
- e) invoicing and transaction data – this means, in particular, information appearing on invoices, information about agreed invoicing conditions and about received payments, bank accounts numbers;
- f) information about a completed order - this means, in particular, drawings, documentation, photo-documentation, references;
- g) as for students, information about – school, subject and year of study, language skills, professional experience and the nature of potential cooperation;
- h) information on inspections carried out on entering the premises, or alternately camera recordings from the premises;
- i) information about websites traffic – where the processing of the IP address access occurs, the places of the website opening, the time spent on the website, the date and time of the website opening, the time of the most frequent website opening, cookies;
- j) information from CVs which you will introduce and disclose to us yourself in your CV.

#### **1.6. WHAT IS THE LEGAL BASIS FOR PERSONAL DATA PROCESSING?**

*The lawfulness of processing is set by Article 6(1) of GDPR, according to which the processing is lawful if it is necessary for the performance of a contract, for the compliance with a legal obligation of the controller, for the protection of legitimate interests of the controller or if the processing takes place with consent you provided.*

The lawfulness of processing is also based e.g. on Accounting Act No. 563/1991 of the Collection of Laws of the Czech Republic (Coll.), under which invoicing data is processed and kept, on Act No. 89/2012 Coll., the Civil Code, under which the controller defends their legitimate interests, or on Value Added Tax law No. 235/2004 Coll.

## 1.7. WILL WE TRANSMIT PERSONAL DATA TO ANYONE ELSE?

In order to fulfil our obligation towards you we are obliged to use the services of personal data processors for some of the processing. We may transmit your personal data to processors, make it accessible to third parties or provide it to recipients requesting it from us, provided they have legitimate reasons for us to transmit your personal data to them. The list of recipients of your personal data is complete, and you will always be informed in case of any updates in the processors.

### **The list of processors/third parties or recipients**

- ADVENT, s r. o., Prague 6, Na Beránce 57/2, postal code 16000, entered in the Commercial register kept by the Prague Municipal Court under Section C, File 33467
- NAVISYS s.r.o., Florianova 1158/16, Královo Pole, 612 00 Brno, entered in the Commercial register kept by the Regional Court in Brno under Section C, File 26585
- Trade representatives in individual countries (UK, FR, CR)
- Insurances collecting debts
  - o Atradius Crédito y Caución S.A. de Seguros y Reaseguros, branch for the Czech Republic, Karolinská 661/4, Karlín, 186 00 Prague 8, entered in the Commercial register kept by the Prague Municipal Court under Section A, File 77616
  - o Credendo - Short-Term EU Risks credit insurance company, a.s., Prague 4, Na Pankráci 1683/127, postal code 14000, entered in the Commercial register kept by the Prague Municipal Court under Section B, File 9958
  - o EULER HERMES SA, organizational entity, Prague 8, Molákova 576/11, postal code 18600, entered in the Commercial register kept by the Prague Municipal Court under Section A, File 74831
  - o Euler Hermes Services Czech Republic, s.r.o., Prague 8, Molákova 576/11, postal code 18600, entered in the Commercial register kept by the Prague Municipal Court under Section C, File 69978

- Coface Czech Credit Management Services, s r.o., Prague 2, I.P.Pavlov's Square 1789/5, postal code 12000, entered in the Commercial register kept by the Prague Municipal Court under Section C, File 3426
  - Coface Czech Insurance Service s.r.o., I. P. Pavlov's Square 1789/5, New Town, 120 00 Prague 2, entered in the Commercial register kept by the Prague Municipal Court under Section C, File 128894
- The law firm LEUCHTER & LEUCHTEROVÁ, s.r.o., Mikulandská 122/4, New Town, 110 00 Prague 1, entered in the Commercial register kept by the Prague Municipal Court under Section C, File 156919
  - BDO Advisory s.r.o., Karolinská 661/4, Karlín, 186 00 Prague 8, entered in the Commercial register kept by the Prague Municipal Court under Section C, File 107235
  - BLESK Servis s.r.o., Ocelářská 1272/21, Libeň, 190 00 Prague 9, entered in the Commercial register kept by the Prague Municipal Court under Section C, File 118507
  - External transport companies (CZ a PL)
  - JABLOTRON ALARMS a.s., Pod Skalkou 4567/33, 46601 Jablonec nad Nisou; entered in the Regional Court in Ústí nad Labem under Section B, File 1957
  - LMC s.r.o., Jankovcova 1569/2c, 170 00 Prague 7, entered in the Commercial register kept by the Prague Municipal Court under Section C, File 82484
  - SmartSelling a.s., Netroufalky 797/5, Bohunice, 625 00 Brno, entered in the Commercial register kept by the Regional Court in Brno under Section B, File 7559
  - Webnode CZ s.r.o., Hlinky 995/70, Old Brno, 603 00 Brno, entered in the Commercial register kept by the Regional Court in Brno under Section C, File 31249

We must provide personal data within the statutory limits to public authorities, e.g. tax administrator, courts, law enforcement authorities or capital market supervisory authorities.

## 1.8. WILL WE TRANSMIT PERSONAL DATA TO A THIRD COUNTRY OR AN INTERNATIONAL ORGANISATION?

Personal data shall not be transmitted to countries outside the European Union or the European Economic Area, neither will it be transmitted to international organisations. Shall such a situation occur, your consent will always be requested.

## 1.9. HOW LONG WILL WE STORE PERSONAL DATA?

Personal data will be processed and stored at least for the term of the contract or based on our legitimate interests. Alas, this data shall not be stored for longer than 5 years starting from the

year following the occurrence of the recorded fact. Certain personal data that is necessary e.g. for tax or invoicing obligations, will be stored for a longer term, although not for a longer time than the minimum set forth by the law.

- Personal data, such as e-mail address, name, surname, position, company, telephone number, IP address, the place of opening the website, the time spent on the website, the date and time of opening, the website the time of the most frequent website opening, date of birth, knowledge and experience, field of education, vehicle registration plate, the verification result from the company's reception, the visitor's signature, which are important for exercising the controller's legitimate interests, will be stored **for no more than 3 years from the end of the contractual relationship with the controller.**
- Personal data copied with the purpose of protecting the property and the persons on the company premises will be stored **for no more than 7 days** after copying.
- Personal data processed for **marketing purposes** will be stored for **the period of 3 years** after their acquisition.

Personal data will never be stored for a period exceeding the statutory maximum. After the term of archiving has expired, the personal data will be destroyed in a secure and irreversible manner so as to prevent their misuse.

## 1.10. WHAT ARE YOUR RIGHTS CONCERNING PERSONAL DATA PROCESSING, AND HOW CAN YOU EXERCISE THEM?

The controller does everything to ensure that your data is processed in a proper and secure manner, in particular. Personal data which the controller will obtain access to is under continuous physical, electronical and procedural control. The controller handles modern controlling, technical and security mechanisms ensuring the highest possible protection of the processed data from unauthorised access or transmission, from its loss or destruction, or any other possible misuse. All persons brought into contact with the personal data while carrying out their working or contractually acquired obligations are bound by the statutory or contractual confidentiality obligation. You are guaranteed the rights described in this Article, which you can exercise in relation to the controller.

### **How can you exercise your rights?**

You may exercise your rights by sending a written inquiry or request to our mailing address Velvary 420, 273 24 Velvary, with the officially verified signature via a data service or personally, if you visit one of our branches, at which we will verify your identity. We are obliged to perform an identity verification in order not to disturb the privacy of another natural person in the process leading to the exercising of your rights.

All communications and statements concerning the rights exercised by you are provided by the controller free of charge. However, if a request is apparently groundless or unreasonable, in particular because it is repeated, the controller may charge an appropriate fee to cover the administrative costs associated with handling the request. Where a request for copies of processed personal data is filed repeatedly, the controller reserves the right to charge a reasonable fee for this reason to cover the administrative costs.

Statements and, where applicable, information about adopted measures will be provided to you by the controller as soon as possible but no later than within one month. This term may be extended by two months by the controller if necessary with regard to the complexity and number of requests. The controller will inform you about the extension and the reasons for the extension no more than 30 days following receipt of the request.

### **Right to information about processing your personal data**

*You have the right to require information from the controller whether or not your personal data is processed. If the personal data is processed, you have the right to require information from the controller, in particular information about the identity and contact data of the controller, controller's representative and, where applicable, data protection officer, about the purposes of the processing, the categories of concerned personal data, the recipients or categories of recipients of the personal data, the authorised controllers, your rights, the possibility of contacting the Office for Personal Data Protection, the resource of the processed personal data and about automated decision-making and profiling.*

If the controller intends to process your personal data for a reason other than the one for which the data was obtained, the controller will provide you with information about such other reason and other relevant information prior to the previously mentioned further processing. The information to be provided to you when you exercise this right has already been contained in this Memorandum, but it does not prevent you from requesting such information again.

### **Right of access to personal data**

You have the right to require information from the controller whether or not your personal data is processed, and if it is, you have access to information about the purposes of the processing, the categories of concerned personal data, the recipients or categories of recipients, the duration of storage of the personal data, information about your rights (the right to require rectification or erasure by the controller, right to restriction of processing, right to object to such processing), about the right to lodge a complaint with the Office for Personal Data Protection, information about the personal data resource, information whether automated decision-making and profiling takes place, information concerning the applied procedure, as well as the relevance and expected consequences of such processing for you, information and guarantees in case of transmitting personal data to a third country or an international organisation. You have the right to be provided with copies of the processed

personal data. However, the rights and freedoms of other persons must not be adversely affected by the right to obtain such a copy.

#### **Right to rectification**

If there was a change of your residence, telephone number or other facts that may be regarded as personal data, you have the right to require the controller to rectify the processed personal data. Moreover, you have the right to have incomplete personal data completed, even by providing an additional declaration.

#### **Right to erasure (right to be forgotten)**

In certain set cases you have the right to require the controller to erase your personal data. Such cases include e.g. the case where the processed data is no longer necessary for the above stated purposes. The controller erases personal data automatically after expiry of the necessary period, but you can contact the controller with your request at any time. Your request is subject to individual assessment (despite your right to erasure, the controller may have an obligation or legitimate interest to keep your personal data), and you will be informed in detail how the request was settled.

#### **Right to restriction of processing**

The controller processes your personal data only to the necessary extent. However, if you feel that the controller, e.g. exceeds the above stated purposes for which the controller processes personal data, you may request that your personal data is processed solely for the essential legal reasons or may request that your personal data is blocked. Your request is subject to individual assessment, and you will be informed in detail how the request was settled.

#### **Right to data portability**

If you wish the controller to provide your personal data to another controller or to another company, the controller will transmit your personal data in an appropriate format to the subject you specify, unless legal or other significant obstacles prevent the controller from doing so.

#### **Right to object, and automated individual decision-making**

If you find out or only assume that the controller processes personal data contrary to the protection of your private and personal life or contrary to legal regulations (provided that personal data is processed by the controller in a public or legitimate interest or is processed for the purposes of direct marketing, including profiling, or for statistical purposes or for the purposes of scientific or historical relevance), you may contact the controller and request explanation or rectification of the detrimental situation that arose. You may also object directly to automated decision-making and profiling.

#### **Right to file a complaint with the Office for Personal Data Protection**

At any time, you may file an action or complaint in the matter of personal data processing with the supervisory authority, namely the Office for Personal Data Protection with the registered office at Pplk. Sochora 27, 170 00 Prague 7, website <https://www.uoou.cz/>.

### **Right to withdraw consent**

You have the right to withdraw your consent to personal data processing at any time by filling out the form, or ticking off the box in the internet application, or sending the withdrawal notice to the address of the registered office of the controller, or by means of the link in the e-mail communication, depending on the fact how this consent had been obtained.

### **1.11. IS PERSONAL DATA AUTOMATICALLY EVALUATED?**

Personal data is neither automatically evaluated nor processed in any way and cannot be used for profiling or automated decision-making in the area of marketing or any other activities of the controller.

## **2. FINAL PROVISIONS**

All legal relationships originating on the bases of or with regard to the processing of personal data shall be governed by the legislation of the Czech Republic, regardless of the country where the access to it was executed. In order to settle any disputes arising in relation to privacy protection between you and ***METAL TRADE COMAX, a.s., a company whose registered office is at Velvary 420, 273 24 Velvary, Identification No. 49684442, entered in the Commercial register kept by the Prague Municipal Court under reference B 11701***, the authorised Czech courts will apply Czech law.

The wording of this Information Memorandum can and will be regularly updated. We shall inform you of any such update at least 30 days before the changes come into effect.

This public notice on personal data protection enters into force on May **25, 2018**, and was last updated on July 30, 2018.