

## **Information on terms of personal data processing** **by receiving from the data subject – business partners**

pursuant to Article 13 of Regulation of the European Parliament and Council (EU) No. 2016/679 (hereinafter referred to as “GDPR”) in connection with Section 19 of Act No. 18/2018 Coll. on personal data protection and on change and amendment of some acts as later amended (hereinafter referred to as “Information”).

This information is designated for the business partners who are natural persons – entrepreneurs and employees and representatives of the business partners who are legal entities, who are the data subjects personal data of whom we process. The personal data are acquired directly from the data subjects and processed by **MERFOR, a.s.** company, Dunajská 46, 811 08 Bratislava, Company Identification Number. 36706523, registered in the Business Register of the District Court Bratislava I, Section: Sa, File No.: 6140/B as a controller (hereinafter referred to as “**Controller**”). You can contact us in writing via post at the given address or via e-mail to [sekretariat@merfor.sk](mailto:sekretariat@merfor.sk).

What data we process and based on what are your data processed?

### **Personal Data Categories**

The Controller processes following personal data categories about employees and representatives of the business partners:

- Identification data, i.e. name, surname, title;
- Contact data, i.e. contact telephone number and contact e-mail address;
- Job position and/or job function in a company, affiliation to a business company.

The Controller processes following personal data categories about the business partners who are natural persons – entrepreneurs:

- Trade name;
- Place of business;
- Company Identification Number, Tax Identification Number, VAT Identification Number;
- Bank and bank account number;
- Contact data, i.e. contact telephone number and contact e-mail address.

### **Purpose and legal base for personal data processing**

Your personal data are processed by the Controller for the purposes:

- that are needed for concluding and performance of a contract or order concluded between the Controller and business partner;
- related to settlement of a warranty claim or the ordered goods/services;
- of meeting the legal duties of the Controller resulting from the various legal regulations, mainly:
  - Act No. 513/1991 Coll. Commercial Code;
  - Act No. 595/2003 Coll. on Income Tax;
  - Act No. 222/2004/Coll. on Value Added Tax;
  - Act No. 431/2002 Coll. on Accounting;
- of achievement of our eligible interests being:
  - Communication with a business partner
  - Debts recovery from the business partners and management of disputes with the business partners.

Legal base for personal data processing is:

- Article 6 (1) (b) of the GDPR – processing is necessary for performance of a contract concluded between the Controller and a data subject;

- Article 6 (1) (c) of the GDPR - processing is necessary for meeting the legal obligation resulting for the Controller from the respective legal regulations;
- Article 6 (1) (f) of the GDPR - processing is necessary for the purposes of eligible interests of the Controller.

Providing of personal data is necessary to fulfil the above stated purposes. Providing personal data is not your legal or contractual duty, however without providing personal data it will not be possible to conclude a business contract if you are our potential business partner or the proper performance thereof.

Are your data provided to other recipients?

### **Providing of personal data**

Personal data of the data subjects may be provided by the Controller to the following recipients/categories of recipients:

- Transport services provider;
- Accounting and tax advisory provider;
- Technical support and IT services provider;
- Invoicing software provider.

### **Safeguarding and protection of personal data**

With the goal to ensure security and protection of the personal data the Controller adopted and maintains all the possible technical and organizational measures which prevent from an unauthorized or accidental access to the personal data, misuse, damage or destruction thereof via a secured access to our computers, secured access to our e-mail boxes, cipher communication, secured access to our mobile phones, secured access to the invoicing systems, safely closed place of business, regular software update.

All the subject to whom the personal data may be made available, respect the right of the data subjects for privacy protection and they are obliged to proceed pursuant to the valid legal regulations related to the personal data protection.

Will your personal data be provided out of the European Union?

### **Transfer of the personal data to the third countries**

The Controller does not make the transfer of the personal data to the third countries (out of the European Union/European Economic Area).

How long will your data be stored?

### **Period of data storage**

The Controller is entitled to store the personal data:

- During the period of duration of contractual relation and following 5 years from the end of the calendar year in which the contractual relation was terminated;
- During the period of existence of a debt;
- During the period of duration of a court, administrative or other proceeding in the inevitable scope during the entire period of duration of such proceedings and remaining part of period of limitation or lapse period after the termination thereof;
- During the period resulting from a respective legal regulation in the area of accounting (10 years from the end of the calendar year the accounting document is related to).

What are your rights?

Exercise of the rights guaranteed by the GDPR is from our point of view the strengthening of your confidence in legality of your personal data processing. You have following rights:

- **Right to access the data:** You have the right to gain a confirmation on whether your personal data are being processed. This right is also related to the right of access to these personal data and related information.
- **Right to rectification of the data:** You have the right to have your incorrect, incomplete or out-dated personal data rectified and supplemented without undue delay, regardless the reason of occurrence of inaccuracy.
- **Right to erasure:** In special concrete situations you have the right to demand the termination of processing and erasure of all your personal data. You have this right mainly if you revoke the consent with processing of your personal data processed on a legal base of a consent or if the purpose for which the personal data were processed has been met or you successfully objected against the personal data processing based on the eligible interest or if the personal data were processed illegally.
- **Right to restriction of processing:** You have the right to require the restriction of processing of your personal data for example if there is a doubt on correctness of the personal data, namely for the period enabling the verification of the personal data or if the purpose of your personal data processing ceased to exist but you need the personal data as a data subject to prove, exercise or protect your legal claims.
- **Right to data portability:** If your personal data are processed by automated means based on a legal base of your consent or based on a contract you are a contractual part to, you have the right to the portability of the personal data that are processed in a structured, commonly used and machine readable format and you have the right to transfer these data to another controller or to yourself.
- **Right to object:** You have the right to object due to the reasons related to your concrete situation against the personal data processing on a legal base of the eligible interest or against the personal data processing for the direct marketing purposes. In this case we will not be processing your personal data further, unless we prove the necessity of processing by the proportionality test.
- You can exercise your rights via e-mail at [sekretariat@merfor.sk](mailto:sekretariat@merfor.sk) or via post at the address of the registered office of the Controller at Dunajská 46, 811 08 Bratislava.

We would especially like to draw your attention to your right to revoke the consent with your personal data processing under the assumption if the consent is used legal base for the personal data processing. You can revoke the given consent anytime. You can exercise the right to revoke the consent with processing via e-mail address at: [sekretariat@merfor.sk](mailto:sekretariat@merfor.sk).

You have the right to approach the supervisory body being the Office of Personal Data Protection with the complain about your personal data processing at the following contacts:

Úrad na ochranu osobných údajov (Office of Personal Data Protection of the Slovak Republic)  
Hraničná 12, 820 07, Bratislava 27, Slovak Republic  
Company Identification Number: 36064220  
e-mail: [statny.dozor@pdp.gov.sk](mailto:statny.dozor@pdp.gov.sk)

Will your data be used for an automated decision-making?

### **Automated decision-making**

The Controller does not realize the automated decision-making or profiling by data processing.

The personal data processing principles are valid in this updated version from 12 May 2020.

In Bratislava on 12 May 2020