



SL SLOVAKIA, a.s.  
Ľupčianska 57  
976 13 Slovenská Ľupča

IČO / ID: 36 346 403  
IČ DPH / VAT: SK2022039899  
IBAN: SK07 0900 0000 0006 3218 4573

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## PRIVACY POLICY

As amended by the Articles 13 and 14 of the General Data Protection Regulation of the European Parliament and of the Council (EU) 2016/679 (GDPR)

The Company SL SLOVAKIA, a.s. sees personal data processing and the respective compliance with statutory conditions as one of its key priorities. All the actions within particular stages of personal data processing are performed with the maximum emphasis on protection of data subjects' fundamental rights, mainly personal and privacy protection rights, and principles relating to lawful processing of personal data.

### IDENTIFICATION DATA OF THE CONTROLLER AND THE DATA PROTECTION OFFICER

#### Controller:

Company name: **SL SLOVAKIA, a.s.**  
Company seat: Ľupčianska 57, 976 13 Slovenská Ľupča  
Company ID: 36 346 403  
E-mail address: info@essel.sk

#### Data Protection Officer:

Company name: **Advocatur Gémeš, Filipová & Partner AG**, the Law Office  
Company seat: Städtle 17, Vaduz 9490, the Principality of Liechtenstein  
Registration no.: FL - 0002.539.075 – 9  
Registered at: Amt Für Justiz Fürstentum Liechtenstein Handelsregister

on behalf of the organisational unit:

Company name: **BOOM & SMART Slovakia**  
Company seat: Dolná 6A, 974 01 Banská Bystrica  
Company ID: 53 096 428  
Represented by: JUDr. Matúš Gémeš, the Chairman of the Board of Directors or JUDr. Martina Filipová, the Member of the Board of Directors  
Registered at: Registered in the Business Register of the District Court in Banská Bystrica, section: Po, insert no.: 740/S  
E-mail address: office@boomandsmart.com

SL SLOVAKIA, a.s. (hereinafter referred to as **"Controller"**) processes all personal data in compliance with the currently applicable legislation, especially the Regulation of the European Parliament and of the Council (EU) 2016/679 from April 17, 2016 on protection of natural persons with regard to



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processing of personal data and on free movement of such data, and repealing the Directive 95/46/ES (GDPR) (*hereinafter referred to as “Regulation” or “GDPR”*), and the Act no. 18/2018 Coll. on personal data protection (*hereinafter referred to as “the Act” or “the Act no. 18/2018”*).

This document mainly relates to data subjects who are not employed by SL SLOVAKIA, a.s. (e.g. business and contractual partners, persons entering the company premises, job applicants, etc.). The information contained in this document is the information as amended by the Art. 13 of the Regulation.

## FOR WHAT PURPOSES AND ON WHAT LEGAL BASES DO WE PROCESS YOUR PERSONAL DATA?

### MEETING A LEGAL OBLIGATION

The Controller is entitled to process personal data of a data subject to meet a legal obligation under EU or national legislation to which the Controller is subject. When processing personal data on the basis of a specific legal regulation, the Controller shall process personal data of data subjects without their consent (i.e. under statutory conditions). When processing personal data on this legal basis, the Controller undertakes to process personal data only to the extent and in the manner permitted by the application legislation.

In conformity with the abovementioned legal basis, **the main purpose of personal data processing** is:

- a) meeting Controller’s obligations regarding human resources management,
- b) complying with health and safety regulation at the workplace,
- c) meeting legal obligations under accounting or tax regulations,
- d) meeting legal obligations under § 7 (10) of the Art. 179/2011 Coll. on economic mobilisation and the Act no 387/2002 Coll. on the state management in the time of crisis situations out of the time of war and the state of war as amended,
- e) exercising legal activities, such as preparing contracts, lawsuits, powers of attorney, proceedings on material damage compensation or bodily injury due to an accident,
- f) statutory obligations and requirements in relation to the Register of Public Sector Partners,
- g) investigation of claims under the Act no. 54/2019 Coll. on protection of persons reporting anti-social activities as amended,
- h) administration of registers and archives.

### LEGITIMATE INTEREST

Processing of personal data is legitimate in case it is deemed necessary for the purpose of legitimate interests of the Controller or third parties except for the cases when person’s rights subject to personal data processing override these interests.



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These **legitimate interests** include:

- a) monitoring or surveillance systems for the purpose of protecting Controller's property as well as compliance with workplace health and safety regulations,
- b) making and issuing personal identification cards to enable a permanent or temporary access of data subjects to the Controller's premises,
- c) internal and/or external audit.

## PERFORMANCE OF A CONTRACT

The Controller may process personal data without data subject's consent if such personal data processing is deemed necessary for performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

This legal basis allows us to process personal data of contractual partners, customers and service providers. This legitimate basis may also be used for processing personal data of job applicants replying to a job advert, in relation to their CVs and other ancillary documents to be sent to the Controller in course of the job application process.

## DATA SUBJECT'S CONSENT

Consent to personal data processing must be freely given, specific, informed and unambiguous. All the conditions of data subject's consent are governed by the Art. 7 of the Regulation. The consent must be an affirmative action expressing the data subject's desire to accept a form of data processing. Data subject's consent as a legal basis is used exceptionally only in cases none of the above legal grounds can be applied. The data subject shall have the right to withdraw **his** or her **consent** at any time in writing. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

Consent to personal data processing as a legal basis can be applied, for instance, in the case of processing of personal data of contractual partners unless they are party to the contract or for the purpose of keeping records of job applicants in the company internal database.

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#### WHAT CATEGORIES OF DATA DO WE PROCESS?

- a) **Basic information and contact details, notably:** degree, name, surname, permanent or temporary residence, date of birth, ID number, data from the Central Trade Register of the Slovak Republic (for self-employed persons); e.g. data necessary for maintaining records of staff and visitors entering the company premises, the time within the company premises, vehicle registration plates, data necessary for concluding the contract, etc.;
- b) **Human Resources agenda** (only job applicants);
- c) **Camera recordings;**
- d) **Documents and accounting data:** information related to contracts, invoices, orders, CVs, received and processed payments, bank account details, bank account numbers;
- e) **Information about Members of the Board of Directors, proxies, Members of the Supervisory Board and shareholders:** to the extent that is necessary for proper exercise of powers of the respective members or bodies, i.e. as specified in the corresponding regulations.

#### WHO IS THE DATA SUBJECT AND WHO THIS INFORMATION IS DESIGNED FOR?



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Data subjects refer to parties to any legal relationships who are subjects to contracts, invoices or orders, the data subjects within dispute settlement procedures - lawsuits, administrative proceedings as well as Members of the Statutory Board, Members of the Supervisory Board, representatives and employees of business partners or their subcontractors, representatives and employees of trade companies the Controller has its share in, Controller's shareholders, visitors or persons entering the Controller's premises or any other entities in relation to the legal basis and purposes stated herein.

#### **FOR HOW LONG IS YOUR DATA STORED?**

The Controller processes your personal data for an arbitrary period of time but for no longer than is necessary for the purposes for which it was processed. Storage of personal data is governed by the Act no. 395/2002 Coll. on archives and registers in accordance with the Registry plan of the Controller. The length of time to store some other documents is also prescribed by specific legislation. For instance, administration and keeping of accounting documentation (accounting records) is governed by the Accountancy Act determining a ten-year-long period to store such records with the start date depending on the type of the particular record.

Processing of personal data which is subject to consent shall be performed for the time period for which the consent was granted or until the moment when the person withdraws such consent.

#### **WHO HAS ACCESS TO YOUR PERSONAL DATA?**

Personal data of data subjects can be provided to recipients who can be jointly referred to as central authorities, e.g. state control bodies, state administration bodies or municipalities, law enforcement authorities, courts, etc.

Except for the recipients as stated in the previous sentence, under specific circumstances your data may be provided to a person in charge of external accounting, economic and/or legal services, to a security company or external auditors.

#### **IS YOUR PERSONAL DATA TRANSFERRED TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS?**

Your personal data shall not be transferred to any third country or international organisation.

The third country refers to countries outside the European Economic Area. The European Economic Area (EEA) covers the European Union countries, Liechtenstein, Iceland and Norway.

#### **DO WE USE AUTOMATED INDIVIDUAL PROCESSING INCLUDING PROFILING?**



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Our company will not use any processes based on automated individual decision-making including profiling as amended by the Art. 22 GDPR.

#### DATA SUBJECT'S RIGHTS - ART. 12-22 GDPR

##### **Right to withdraw consent to personal data processing**

In cases when the Controller processes personal data of data subjects on the basis of their consent, the data subjects shall have the right to withdraw their at any time. The consent can be withdrawn electronically by sending the notice to Controller's email address, in writing, by withdrawal of consent notice or in person at the Controller's premises. Withdrawing the consent shall not affect lawfulness of personal data processing based on consent before its withdrawal.

##### **Right of access**

The data subject shall have the right to be provided a copy of the personal data undergoing processing as well as any information on what personal data are being processed. In the majority of cases, the data subject shall be provided such information in a written form unless otherwise agreed by the parties. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.

##### **Right to rectification**

The Controller shall ensure adequate technical and processing measures to ensure accuracy, consistency and completeness of the information being processed. The data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

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

The data subject shall have the right to obtain from the Controller the erasure of personal data concerning him or her without undue delay. For instance, when the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed to the extent permitted by law. The data subject shall have the right to erasure where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) the data subject withdraws consent on which the processing is based and where there is no other legal ground for the processing;
- c) the data subject objects to the processing pursuant to [Article 21\(1\)](#) and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to



[Article 21\(2\)](#);

- d) the personal data have been unlawfully processed;
- e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.

These paragraphs shall not apply to the extent that processing is necessary:

- a) for exercising the right of freedom of expression and information;
- b) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- c) for reasons of public interest in the area of public health pursuant to § 16 and points (h) and (j) of the Act;
- d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with § 78 (8) of the Act in so far as the right referred to in paragraph 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- e) for the establishment, exercise or defence of legal claims.

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

The data subject shall have the right to obtain from the Controller restriction of processing where one of the following applies:

- a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
- b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims;
- d) the data subject has objected to processing pursuant to [Article 21\(1\)](#) pending the verification whether the legitimate grounds of the controller override those of the data subject.

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

The data subject shall have the right to transmit the personal data concerning him or her to another controller without hindrance from the Controller to which the personal data have been provided, in case:

- a) the processing is based on consent or on a contract, and
- b) the processing is carried out by automated means.

#### **Right to object**





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The data subject shall have the right to object, on ground relating to his or her particular situation as amended by § 13 (1), points (e) or (f) of the Act, including profiling based on these provisions. The controller shall no longer process the personal data unless the controller 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. Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

#### **Right to lodge a complaint with a supervisory authority**

In accordance with the Art 3 (2d) GDPR, the data subject shall have the right to lodge a complaint with a supervisory authority. The supervisory authority within the territory of the Slovak Republic is the Office for Personal Data Protection in the Slovak Republic where the data subject may enforce his/her right to initiate proceedings pursuant §100 of the Act.

### **ENFORCEMENT OF DATA PERSON'S RIGHTS**

The data subject may enforce his/her above mentioned rights in any of the following manners:

- a) in writing or electronically with the application specifying what the claimant demands and what rights he is set to enforce,
- b) in person by minutes expressly stating who has enforced that right, what that person has claimed, when and by whom the minutes have been written, his/her signature and the signature of the data subject,
- c) when enforcing his/her rights, the data subject must prove his/her identity so as the Controller would not provide performance to the person who is not the data subject.

In case of any questions in relation to personal data protection, the data subject may contact the Data Protection Officer, who is in charge of answering all of their queries, at any time, in writing and in accordance with the law or the Regulation.