

Information on Processing the Personal Data of Employees, External Associates, Customers and Business Partners in Lundegaard a.s.

Regulation (EU) No 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) entered into force on **25th May 2018**.

By providing this information, we want to thoroughly inform the company's employees, its **external associates, customers and business partners** (suppliers, subcontractors) and other natural or legal persons with whom our company maintains contacts without having a contractual relationship about personal data we collect about them, how we handle them, from what sources we obtain them, what purposes we use them for, to whom we may provide them, from whom they can obtain information about the personal data we process about them, and what their individual rights in the area of personal data protection are.

Contents

Principles.....	1
Controlling and Processing of Personal Data	1
Purpose of and Legal Grounds for Processing	1
Scope of Processing Personal Data	2
Method of Processing Personal Data.....	3
Recipients of Personal Data	3
Transfer of Personal Data Abroad.....	3
Time of Processing Personal Data	3
Right of the Affected Person to Withdraw Consent.....	4
Sources of Personal Data	4
Right of the Affected Person to Access Personal Data and Protection of their Rights	4
Electronic Means of Communication and Mobile Applications	4
Validity and Effectiveness of the Information	4
Appendices	4

Article 1 Principles

1. Lundegaard a.s. (hereinafter also referred to as the "Company") collects, processes and provides personal data
 - a. **without your consent**
 - i. to fulfil the obligations imposed by the generally binding legislation of the Czech Republic and the European Union
 - ii. with respect to the performance of the contractual obligations

- iii. due to the Company's legitimate interest

b. with your consent

- i. for the purpose of care of employees and external associates
 - ii. to ensure awareness within the Company
 - iii. for the purpose of publishing information containing personal data within public relations and marketing
 - iv. for the purpose of publishing information containing personal data in the Company profile on social media
2. We process **personal data** for a clear and understandable reason, by the means specified and in a manner ensuring the purpose of their processing; we only store personal data for as long as necessary.
 3. When processing personal data, we provide adequate security against unauthorised or accidental access to personal data, their alteration, destruction or loss, unauthorised transfers or unauthorised processing, as well as misuse.
 4. We clearly inform all affected persons about the processing of personal data and their rights to accurate and complete information regarding the processing of personal data.
 5. We have adopted and adhered to the appropriate organisational and technical measures, internal standards and procedures to ensure the necessary level of security appropriate to the anticipated risks. All persons who come into contact with personal data are required to

maintain confidentiality of information obtained in connection with the processing of such data.

Article 2

Controlling and Processing of Personal Data

1. The **personal data controller** is Lundegaard a.s., with its registered office at Papírenská 180/1, 160 00 Prague 6 – Bubeneč, Company Reg. No. 25687221; the company is registered in the Commercial Register kept by the Municipal Court in Prague, File No. B 23149 (hereinafter referred to as the "Company").
2. In certain cases, the Company also handles the personal data of the affected persons on behalf of another person (another controller). These include, for example, cooperation with other companies of the **Lundegaarden Group** (hereinafter referred to as the "Lundegaarden Group"); a list of entities belonging to the Lundegaarden Group is given in **Appendix 1** to this information and will be updated as necessary, providing third party products or services or collaborating with third parties on various projects or programmes. In such a case, it is always necessary to contact a specific personal data controller for further information, unless the Company is authorised to provide the information in a particular case.

Article 3

Purpose of and Legal Grounds for Processing

1. **Without the consent** of the person affected in the interest of

- a. preventing damage to the assets of the affected persons entrusted to the Company and the assets of the Company
- b. performance of reporting obligations to public authorities
- c. performance of obligations arising from the enforcement of decisions of a court and/or public authority
- d. performance of obligations imposed on the Company in direct connection with the services it is entitled to provide to its business partners primarily on the basis of Act No. 480/2004 Coll. on Certain Services of Information Society, as amended
- e. performance of archiving obligations
- f. negotiation of rights and obligations and exercising of rights and obligations arising from contracts and agreements entered into, in particular the exercising of rights and obligations under
 - i. follow-on or entered-into employment and similar relationships with job applicants or employees
 - ii. established or entered-into business relationships with potential customers or customers

In such cases, personal data are necessary, among other things, to negotiate, enter into and carry out a contractual relationship without undue legal risks, including negotiations on its entering into or negotiations on its modification.

- g. the protection of rights and legally protected interests, in particular in the interests of
 - i. the protection of the rights and legally protected interests of the Company, authorised beneficiaries or other authorised persons, for example, when substantiating claims to which the Company is required to collect claims, liquidate collateral or exercise other claims, or develop provided services
 - ii. carrying out negotiations on the assignment of rights and obligations, including related implementation and other subsequent negotiations with third parties, etc.
 - iii. keeping all contentious paperwork, especially for the purposes of litigation or other disputes (e.g. fulfilment of the duty of proof).
2. **With the consent** of the person affected
- a. These are usually cases where a person affected voluntarily agrees

that the Company will process personal data provided or otherwise obtained by the person affected. If the person affected does not give consent, the Company may not be able to provide its services, products or programs, or it will be forced to adjust the availability, scope or terms of its services, products or programs provided in a justified manner. With the consent of the person affected, the Company processes the personal data of the person affected for the following purposes:

- i. care for employees (job applicants, former employees) or customers (potential customers, former customers) in activities that do not constitute performance of employment, commercial or other agreement or are not based on any other legal framework for the processing of personal data and which include the following activities:
 - market research
 - monitoring the behaviour of customers on the Company's website in relation to the services or products offered (Therefore, this purpose does not involve simply obtaining information on the behaviour of users visiting our company's website.); monitoring the behavior of employees, external collaborators and selected business partners using e.g. CRM, JIRA, Confluence and other internal systems of the Company
 - maintaining courtesy contact, relationship and communication
- ii. certain methods of mutual informing between cooperating entities in matters of subcontracting in which the Company may act both as a main contractor and as a subcontractor; to a certain extent, in such cases, the Company is also entitled to participate in the mutual exchange of certain information between cooperating entities without obtaining the consent of the persons affected;
- iii. offering products and services; in particular, dissemination of information, offering of products and services of the Company and mediation of other persons' services, including products and services specifically targeted at individual customers, through various channels, such as mail, electronic means (including email and messages sent to mobile devices via phone number) or by

phone call and through the website. To some extent, in these cases, the Company is also entitled to offer products and services to the persons (customers) affected without obtaining their consent; if this is legally required, the persons affected will be notified of the right to oppose further offers of products or services. In this context, the personal data of the affected person may also be transferred to third parties for the purpose of disseminating information and offering products and services of those third parties.

Article 4

Scope of Processing Personal Data

1. The Company processes personal data to the extent necessary to fulfil the above purposes. It processes, in particular, contact and identification data, creditworthy, credibility and payment discipline data, descriptive and other data and, to the extent necessary and justified, data on other persons, generally available from public sources. Further information on the extent of processed personal data of clients is given in Appendix 2 to this information.
2. Certain specific categories of personal data and how they are processed:
 - a. **Personal Identification Numbers.** According to the law, the Company is required to process, among other things, the personal identification number of its employees. Employee's personal identification number, if assigned, must be legally determined and processed by the Company for tax, social and health insurance purposes. If the personal identification number needs to be processed for other purposes, it can be processed only with the consent of the affected person.
 - b. **Copies of documents.** Due to the legal obligation and legitimate interest of the Company to properly identify job applicants and its employees, it is required to process, among other things, certain information about their documents (ID card type, series and number, state or authority issuing it, expiry date). Therefore, with the consent of those affected persons, we make copies of such documents.
 - c. **Recording communication.** The Company monitors and records selected communication with customers. In the case of recording, if the recording is not grounded in legislation (e.g. Sections 88, 89, 562 and 1730 of Act No. 89/2012 Coll., the Civil Code), the Company will always notify the affected person in advance.

The content of such communication is confidential and is used by the Company solely for the purpose of complying with its legal obligations, entering into and performing the contract, protecting rights and legally protected interests and, with the consent of the affected persons, for customer care purposes.

- d. **Camera recording.** The Company makes camera recordings in the framework of providing specific customer service. Camera recordings are made solely for the purpose of user testing of designs, prototypes or production versions of applications or their functional parts. If camera recordings are not deemed necessary for the further development of application designs, prototypes or production versions on request by the customer and with the consent of the affected persons, the Company destroys them on an ongoing basis. The assessment is carried out without undue delay, but not later than thirty (30) calendar days from the recording. For records that have been retained for the above reasons, an assessment of the need to maintain them is made on an ongoing basis.

Article 5 Method of Processing Personal Data

1. The way in which the Company processes personal data includes both **manual and automated** processing, including algorithmic processing, in the Company's information systems.
2. Personal data are processed predominantly by the Company's employees. To the extent necessary, also third parties to whom the processing of personal data has been entrusted under a special written agreement entered into prior to any transfer of personal data to this third party. This special agreement contains the same safeguards for the processing of personal data as the Company itself observes in accordance with its legal obligations.

Article 6 Recipients of Personal Data

1. Personal data of the affected persons (employees, job applicants, former employees) or customers (potential customers, former customers) or business partners (potential or former business partners) are made available to the extent necessary, in particular, to authorised employees of the Company in connection with the fulfilment of their work duties where personal data must be handled. Ensuring that all security precautions are observed is a matter of course. In addition, personal data of the affected persons are transferred to third

parties who, on the basis of a special written agreement, participate in the processing of personal data of the affected persons, or these personal data are made available to them for another reason in accordance with the law.

2. In accordance with the applicable legislation, the Company is entitled, or directly required, **without the consent of the affected person**, to transfer personal data to:
 - a. the relevant public authorities, courts and law enforcement authorities for the purpose of carrying out their legal duties and for the purpose of enforcement;
 - b. other persons to the extent provided by law, such as third parties for the purpose of recovering the Company's claims on the affected persons.
3. **With the consent of the affected person**, on the basis of which the Company is entitled, to the appropriate extent, to handle also information constituting confidential information, trade secrets, banking secrets and other information classified on the basis of Act No. 412/2005 Coll., on the Protection of Classified Information on Security Capability, we transfer personal data to:
 - a. entities belonging to the Lundegaarden Group, persons affiliated with the Company, for the purpose of complying with the Company's legal obligations, entering into and performing an agreement, offering products and services, protecting the Company's rights and interests, customer care and mutual information within the Lundegaarden Group on matters that show the creditworthiness and credibility of customers;
 - b. entities belonging to a group of persons affiliated with a company of the Company's customer, if this is agreed in a written business agreement with the Company's customer;
 - c. other persons for the purpose of disseminating information, offering products and services of the Company; such a transfer will be carried out by the Company, subject to the consent of the affected person, in full compliance with the other terms and conditions set forth in this information, in particular in relation to the purpose, scope and time of the processing of personal data. In this case, the Company will only transfer identification and contact information to the extent necessary for the recipient.

Article 7 Transfer of Personal Data Abroad

1. Personal data of the affected persons are processed in the territory of the Czech Republic and in other European Union countries, where entities belonging to the Lundegaarden group are based, which share the same standards of personal data protection as the Company or the Czech Republic. Neither the Company nor the entities involved in the processing of personal data of the affected persons transfer personal data of the affected persons to countries outside the European Union.

Article 8 Time of Processing Personal Data

1. Personal data of the affected persons are processed by the Company only for the time necessary for the purposes of their processing, unless the processing time is required by law. The responsible persons authorised by the Company continually assess whether the need to process certain personal data needed for a specific purpose continues. If the Company finds that data are no longer needed for any of the purposes for which they were processed, they will be destroyed.
2. Internally, in relation to certain purposes of processing personal data, the Company assesses the normal usability of personal data. Upon its expiry, the Company assesses in particular the need to process the relevant personal data for the purpose. In this context, personal data processed for the purposes of:
 - a. performance of an agreement are processed for the duration of the contractual relationship with the customer; after that the relevant personal data are normally usable for a period of ten (10) years;
 - b. mutual information of entities cooperating in a subcontracting relationship are processed for the duration of the contractual relationship; after that the relevant personal data are normally usable for a period of ten (10) years;
 - c. offers of products and services are processed by the Company for the duration of the contractual relationship; after that the relevant personal data are normally usable for a period of ten (10) years; if personal data are transferred to third parties in this context, the Company determines the processing time by a third party in accordance with the applicable legislation and rules contained in this information;
 - d. customer care are processed by the Company for the duration of the contractual relationship with the customer; after that the relevant

personal data are normally usable for a period of ten (10) years.

Article 9

Right of the Affected Person to Withdraw Consent

1. In this information, the Company explains why it needs personal data of the affected persons and that it may only process them for certain purposes with their consent. The affected person is not required to give consent to the processing of his/her personal data and is also entitled to withdraw the already given consent at any time. If the affected person withdraws his/her consent, the Company will terminate the processing of the relevant personal data for purposes requiring the relevant consent, but it may be authorised or even required to continue to process the same personal data for other purposes under the relevant legal title.
2. If the affected person does not give his/her consent or withdraws it, the Company may:
 - a. adjust the availability, scope or terms of their products or services accordingly; or
 - b. refuse to provide the affected person or entity with its products or services if it finds such consent necessary to provide the product or service under the given conditions.
 - c. If the affected person wishes to withdraw his/her already given consent with the processing of personal data, he/she may contact the Company in writing to the address Lundegaard a.s., Sokolovská 651/136a, 186 00 Prague 8 - Karlín, by e-mail to info@lundegaard.eu, or by telephone to +420 222 253 021.

Article 10

Sources of Personal Data

1. The Company obtains personal data of the affected persons in particular:
 - a. directly from the affected persons, for example when submitting documents for negotiating and entering into agreements relating to employment relationships or products or services provided, or indirectly, for example, when using the products or services by the affected persons or within disclosing information about products and services to the affected persons, for example, through the Company's website, etc.;
 - b. from publicly available sources (public registers, records or lists);
 - c. from third parties authorised to handle personal data of the affected person and to transfer them to the Company under specified conditions,

for example from members of the Lundegaard Group;

- d. from parties potentially interested in company services or products within marketing events and campaigns;
- e. through its own activities by processing and evaluating other personal data of the affected persons.

Article 11

Right of the Affected Person to Access Personal Data and Protection of their Rights

1. If the affected person requests information from the Company concerning the processing of his/her personal data, the Company will, without undue delay, provide him/her with all information concerning the data processed. The provision of such information is generally free of charge. For certain specific cases, the Company reserves the right to claim reasonable costs incurred in direct connection with the provision of such information.
2. If the affected person finds or believes that the Company or third party involved in the processing of personal data is processing the personal data of the affected person contrary to the protection of his/her private life or to the law, especially if his/her personal data are inaccurate, the affected person may:
 - a. require clarification from the Company or a third party involved in the processing of personal data;
 - b. require the Company or a third party involved in the processing of personal data to rectify the defective condition, in particular require the rectification or addition of incorrect personal data; if necessary, the Company will temporarily block any incorrect personal data or delete them.
3. If the Company finds a requirement of the affected person justified, the Company or a third party involved in the processing of personal data will rectify the defective condition without delay and free of charge.

Article 12

Electronic Means of Communication and Mobile Applications

1. In the area of care of all affected persons, the Company develops its technology so that the affected persons may make appropriate use of its products, services and programmes, using modern electronic means of communication and online applications. These include services related to the use of the Internet, the use of social media and various online applications. In this context, the Company processes all personal data obtained about the affected

persons in accordance with the terms and principles set out in this information.

2. Social media. The Company communicates with the affected persons through various social media platforms, especially regarding commercial matters. The Company mainly uses these communication channels as marketing tools. It does not use them to provide its products and services, nor does it carry out its non-commercial activities and programmes.
3. Cookies. The Company also uses cookies for commercial communication via websites and social media platforms. Cookies are small text files that are stored on a person's computer when a website is first loaded. These files make it easier for the Company to identify the way affected persons interact with the content of its website and then to communicate more responsibly or to target their marketing activities more effectively. Further information on the use of cookies is available on the Company's website.

Article 13

Validity and Effectiveness of the Information

1. This information enters into force and effect on 28th May 2018.
2. The current version in electronic form, including the appendices, can be found by the affected persons on the Company's website at <http://www.lundegaard.eu/Files/download/en/gdpr-informace/>.
3. It is then available in paper form at the Company's Prague and Brno premises.

Article 14

Appendices

4. The following appendices form an integral part of this information.
 - Appendix No. 1: Lundegaard Group
 - Appendix No. 2: Scope of Processing Personal Data

Appendix No. 1

Lundegaarden Group

As of 25th May 2018, the Lundegaarden Group comprises the following entities:

Lundegaard a.s.

Registered office at: Papírenská 180/1, 160 00 Prague 6 – Bubeneč

Company Reg. No.: 25687221

Entered in the Commercial Register of the Municipal Court in Prague, File No. B 23149

Lundegaard Slovensko s.r.o.

Registered office at: Letná 45, 040 01 Košice, Slovakia

Company Reg. No.: 36683949

Entered in the Commercial Register of the District Court Košice I, Section Sro, File No. 18784/V

Aguan s.r.o.

Registered office at: Kaprova 42/14, 110 00 Prague 1 – Staré Město

Company Reg. No.: 24173681

Entered in the Commercial Register of the Municipal Court in Prague, File No. C 185493

Odlare a.s.

Registered office at: Sokolovská 651/136a, Karlín, 186 00 Praha 8

Company Reg. No.: 07249136

Entered in the Commercial Register of the Municipal Court in Prague, File No. B 23608

Annex No. 2:

Scope of Processing Personal Data

1. **Identification data** – they include, in particular, name, surname, date and place of birth, personal identification number, permanent address, type, number and validity of the identity card; in the case of a natural person – entrepreneur also Reg. No. and VAT number. Other possible identification data are, for example, the IP address of the computer being used, bank details and account number, and specific authentication data sets agreed upon by the Company with the affected person.
2. **Contact data** – contact addresses, telephone numbers, e-mails, fax numbers or other similar contact details.
3. **Data necessary to decide on entering into an agreement** – data necessary primarily to assess the riskiness of the contractual relationship or trade. Depending on the type of agreement being entered into, these data include, but are not limited to, data on good conduct, medical fitness, possible distrains, insolvency proceedings, entry into liquidation, and data on business ties.
4. **Data arising from the fulfilment of contractual obligations** – depending on the nature of the product or service provided, we process data relating to the product or service provided. Personal data processed in this category include for example contract duration, due date, the Company's payables to the affected person, the Company's receivables from the affected person, data on payment transactions with the affected person, data on the use of means of payment in relation to the affected person.
5. Personal data collected in connection with the provision of our products or services – these are personal data collected in our mutual interaction. These include:
 - a. data used to ensure communication security,
 - b. geolocation data,
 - c. records of the preferred language for communication, interest in a product or service, investment intentions,
 - d. data on distrains against the claim of the affected person against the Company, insolvency proceedings against the affected person, data on insurance if this insurance is related to the contractual relations of the affected person with the Company, data on business ties (compared to the list in section 3 of this appendix, these are up-to-date data collected in the course of providing our products or services).