

Personal data processing policy for customers

Daktela s.r.o. according to GDPR

The aim of these Personal Data Processing Policy for Daktela customers according to the GDPR issued by Daktela s.r.o. with registered office at Vinohradská 2828/151 , Prague 3, 130 00 ("Policy" and "Company") is to provide information on what personal data the company (as administrator) processes natural persons during the provision of services, sales of goods and contacts with potential customers, for what purposes and for how long Daktela processes this personal data in accordance with applicable legal regulations, to whom and for what reason it can pass it on, as well as inform about what the rights of natural persons in connection with the processing of their personal data.

These Principles relate to the processing of personal data of Daktela customers and, as appropriate, their representatives or contact persons, users of Daktela services, and those interested in services and goods. These Principles are effective from 25/05/2018 and are issued in accordance with Regulation (EU) 2016/679, on the protection of natural persons in connection with the processing of personal data ("regulation" or "GDPR") in order to ensure the information obligation of Daktela as administrator according to Article 13 GDPR.

A. Categories of personal data

Personal data is any information that relates to a natural person that the company is able to identify. In connection with the provision of services and the sale of goods, the company may process the following categories of personal data.

1. Basic personal identification data and address data

Such data are necessary for the conclusion and performance of the contract. These are in particular:

- academic title
- name and surname
- business name
- IČO, DIČ
- address of registered office or place of business
- billing address
- identification data of the customer's representative or contact person designated by the customer, technical contact
- identification data of the bill payer
- bank connection



- signature, stamp

In the case of contracts for the one-time sale of goods, the scope is limited to basic identification data.

2. Contact information

- name, pleasant, delivery address
- contact phone number
- contact e-mail

Data from communication between Daktela and the customer

These data are generated during communication related to the provision of services and goods between Daktela and the customer. These are written and electronic communications with the customer and records of telephone calls, chat and video chat communications between the customer and Daktela.

B. Purposes, legal reasons and periods of personal data processing

The scope of the processed data depends on the purpose of the processing. For some purposes, it is possible to process data directly on the basis of a contract, Daktela's legitimate interest or on the basis of law (without consent), Daktela does not collect personal data for the purpose of direct marketing.

Processing due to the fulfilment of the contract, fulfilment of legal obligations and due to the legitimate interests of Daktela

The provision of personal data necessary for the performance of the contract, the fulfilment of Daktela's legal obligations and the protection of Daktela's legitimate interests is mandatory. Without providing personal data for these purposes, it would not be possible to provide services. We do not need consent to process personal data for these purposes. Processing for the purpose of fulfilling the contract and the fulfilment of legal obligations cannot be refused.

These are in particular the following basic sub-purposes:

- provision of services agreed in the contract, provision of electronic communications services, provision of other services (performance of the contract)
- billing for services (contract performance)
- fulfilment of legal tax obligations (fulfilment of legal obligations)
- purposes established by special laws for the needs of criminal proceedings and to fulfil the duty of cooperation with the Police of the Czech Republic and other state authorities (fulfilment of legal obligations)
- collection of customer claims and other customer disputes (legitimate interest)
- recording and monitoring calls with the customer line, technical support (fulfilment of the contract)
- processes associated with customer identification (contract fulfilment)

- provision of evidence in case of need to defend the rights of Daktela (legitimate interest of Daktela)
- records of debtors (legitimate interest of Daktela)

Personal data for these activities are processed to the extent necessary for the fulfilment of these activities and for the time necessary to achieve them or for the time directly stipulated by legal regulations. Personal data is then deleted or anonymised. The basic periods for processing personal data are available below.

For customers of Daktela's services, Daktela is authorized to process their basic personal, identification, contact data, service data and data from their communication with Daktela in the customer database for a period of 4 years from the date of termination of the last contract with Daktela.

In case of purchase of goods from Daktela, Daktela is entitled to process basic personal, identification and contact data of the customer, data about the goods and data from communication between the customer and Daktela for a period of 4 years from the date of expiry of the warranty period for the goods.

In the event of a negotiation between Daktela and a potential customer regarding the conclusion of a contract, which was not concluded with the conclusion of the contract, Daktela is entitled to process the provided personal data for a period of 3 months from the relevant negotiation.

In accordance with § 35 of Act No. 235/2004 Coll., on value added tax, invoices issued by Daktela are archived for a period of 10 years from their issuance. Due to the need to document a legal reason for issuing invoices, customer contracts are also archived for a period of 10 years from the date of termination of the contract.

According to § 90, paragraphs 3 and 4 of Act No. 127/2005 Coll., on electronic communications, the company Daktela is obliged to store the operational data of the service until the end of the period during which the billing of the price or the provision of the electronic communications service can be legally challenged by a complaint. For this purpose, the company Daktela processes, in accordance with § 64 paragraphs 8 to 10 and § 129 paragraph 3 of Act No. 127/2005 Coll., on electronic communications, operational data of the service for a period of 3 to 6 months from its provision, unless maybe a longer time. Daktela is also entitled to process the operational data of the service until the resolution of the dispute on the objection to the processing of the claim or until the time during which the claim can be legally enforced.

C. Categories of recipients of personal data

Daktela uses the professional and specialized services of other entities in fulfilling its contractual obligations and obligations. If these suppliers process personal data transferred from Daktela, they have the status of personal data processors and process personal data only within the framework of instructions from Daktela and may not use it otherwise. This is mainly about debt collection, the work

of experts, lawyers, auditors, hosting, etc. We carefully select each such entity and we conclude a personal data processing contract with each one, in which the processor has strict obligations to protect and secure personal data. Processors are companies based both in the Czech Republic and in a member state of the European Union.

As part of fulfilling its legal obligations, Daktela transfers personal data to administrative bodies and authorities established by applicable legislation.

D. Method of personal data processing

Daktela processes personal data manually and automatically. Daktela keeps records of all activities, both manual and automated, during which personal data is processed.

Subcontractors - the customer grants permission with the involvement of a subcontractor as an additional processor in accordance to Article 28(2) of the GDPR, which are hosting providers and companies in which Daktela has a majority shareholding and whose involvement is necessary for the performance provided in accordance with the concluded contracts.

E. Information on the rights of data subjects in connection with the processing of personal data valid from 25/05/2018

According to the regulation, from May 25, 2018, the data subject will have the following rights if he is an identifiable natural person for Daktela and proves his identity to Daktela.

1. Right of access to personal data

According to Article 15 of the GDPR, the data subject will have the right to access personal data, which includes, on the one hand, the right to obtain from Daktela:

- confirmation whether it processes personal data,
- information on the purposes of the processing, the categories of personal data concerned, the recipients to whom the personal data have been or will be made available, the planned period of processing, the existence of the right to request from the administrator the correction or deletion of personal data concerning the data subject or the restriction of their processing or to raise an objection to this processing, the right to file a complaint with the supervisory authority, about all available information about the source of personal data, if not obtained from the data subject, the fact that automated decision-making takes place, including profiling, about appropriate safeguards when transferring data outside the EU.

In the event of a repeated request, Daktela will be entitled to charge a reasonable fee for a copy of the personal data.



The right to confirmation of personal data processing and information can be exercised in writing at the address of Daktela's headquarters.

2. The right to correct inaccurate data

According to Article 16 GDPR, the data subject will have the right to correct inaccurate personal data that Daktela will process about him. The customer of Daktela is also obliged to report changes to his personal data and to document that such a change has taken place. At the same time, he is obliged to cooperate with us if it is found that the personal data we process about him is not accurate. We will carry out the repair without unnecessary delay, but always taking into account the given technical possibilities.

3. Right to erasure

According to Article 17 of the GDPR, the data subject will have the right to delete personal data concerning him, if Daktela does not demonstrate legitimate reasons for the processing of this personal data. Daktela has set up mechanisms to ensure automatic anonymization or deletion of personal data if they are no longer needed for the purpose for which they were processed.

4. Right to restriction of processing

According to Article 18 of the GDPR, the data subject will have the right to limit processing until the resolution of the complaint, if he denies the accuracy of personal data, the reasons for their processing or if he files an objection to their processing, in writing to the address of Daktela's registered office.

5. The right to be notified of correction, erasure or restriction of processing

According to Article 19 of the GDPR, the data subject will have the right to be notified by Daktela in the event of correction, deletion or restriction of the processing of personal data. We will notify individual recipients if personal data is rectified or deleted, except where this proves impossible or requires unreasonable effort. Based on the data subject's request, we can provide information about these recipients.

6. The right to portability of personal data

According to Article 20 of the GDPR, the data subject will have the right to the portability of the data concerning him and which he has provided to the controller in a structured, commonly used and machine-readable format, and the right to request Daktela to transfer this data to another controller.

If the exercise of this right could adversely affect the rights and freedoms of third parties, your request cannot be granted. The request can be made after proving the legitimacy of the request.

7. The right to object to the processing of personal data

According to Article 21 GDPR, the data subject will have the right to object to the processing of his personal data due to Daktela's legitimate interest.

In the event that Daktela does not demonstrate that there is a serious legitimate reason for the processing that outweighs the interests or rights and freedoms of the data subject, Daktela will terminate the processing based on the objection without undue delay. The objection can be sent in writing to the address of Daktela's registered office.

8. The right to contact the Office for Personal Data Protection

The data subject has the right to contact the Office for the Protection of Personal Data (www.uoou.cz).

F. Commissioner for the protection of personal data

From 25/05/2018, the following contact for the personal data protection officer within the meaning of the regulation is available: Daktela s.r.o., Personal data protection officer with registered office at Vinohradská 2828/151 , 130 00 Prague or dpo@daktela.com.