

Českomoravská Nemovitostní a.s.

Information obligation of the controller



Information obligation of the personal data controller

Českomoravská Nemovitostní a.s., with its registered office at Václavské náměstí 806/62, 110 00 Praha, ID no. 05142202, e-mail info@cmn-n.cz, (the „**Company**“), as the controller of personal data, in line with the Regulation (EU) 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 (the „**GDPR**“), informs the data subjects as follows.

1 Purpose, scope, and duration of personal data processing

1.1 Purpose

The processing of personal data takes place exclusively for the purpose of fulfilment of the contractual obligation and obligations arising from applicable laws or based on another title specified in the GDPR.

1.2 Scope

The scope of the Company's activities does not primary include the processing of personal data and the personal data processed by the Company are only basic personal data necessary for the proper operation and performance of the Company's business activities. The Company process the personal data only to the extent permitted by law or specified in a consent granted by a data subject (including its subsequent modifications) or to another extent specified in the GDPR. The Company, as the collector, does not process sensitive data. The Company processes personal data in electronic form by automated means and in physical form by manual manner.

1.3 Duration

The Company processes personal data only for the time necessary to fulfill the obligations under the relevant agreements or obligations imposed by other applicable legal regulations or for a period determined by the consent of the data subject. For the purposes of protecting their legitimate interests, the Company retains personal data for the duration of the contractual relationship and for the relevant limitation periods commencing as of the termination of the contractual relationship or for as long as the Company is under a legal obligation to retain such information.

2 Which data are processed

The Company processes only personal data that are necessary for the proper operation and performance of the Company's business activities, and the subject of the Company's activities does not consist in the processing of personal data. For the above purpose, the Company processes the following types of personal data:

- identification and contact details
 - name and surname
 - date of birth and/or birth certificate number
 - ID no.
 - address of residence and / or contact address
- phone number
- e-mail
- client's bank details
- other data stipulated by law for employees

3 Guarantees

The Company does not use the provided personal data other than in accordance with the GDPR, the relevant agreement, this document and other than for the purposes defined above. The Company does not transfer personal data to third countries. The subject of the Company's business is not the processing of personal data. The Company does not use automated decision-making or other more invasive methods used in the processing of personal data.

4 Processors

The Company may use third parties - personal data processors - to process personal data. Such persons will be accountants, tax, legal, commercial, technical and other consultants, suppliers of software equipment, companies providing facility management, etc. The Company is obliged to enter into personal data protection agreements with all processors in the sense of GDPR.

The Company may transfer the personal data of the data subject to public authorities only if they have a legal reason for access to personal data (these may be bodies active in criminal proceedings, other control bodies with a legal authorization for access to personal data - ČMN, ČOI, ÚOOÚ etc.) or if it is necessary for the protection of the Company's rights (courts, arbitrators).

5 Rights of the data subjects

5.1 Right to access to personal data

If the data subject exercises his right of access to personal data, the Company will proceed in accordance with Article 15 of the GDPR and must provide the data subject with confirmation if his personal data are being processed by the Company. If his personal data are processed, the data subject may request the communication of:

- (a) Purpose of the processing;
- (b) Category of the process personal data;
- (c) the recipients or categories of recipients to whom the personal data will be disclosed;
- (d) the periods of storage of personal data (or criteria for determining such periods);
- (e) information on the existence of the right to request the correction and deletion of personal data, restrictions on their processing, to object to the processing, to file a complaint with the Personal Data Protection Office (*Úřad pro ochranu osobních údajů*);
- (f) information on the source of personal data, if not obtained from the data subject;
- (g) the fact that automated decision-making takes place (including the significance and expected consequences of such processing).

5.2 The right to correct personal data

If the data subject exercises the right to correct personal data, the Company will proceed in accordance with Article 16 of the GDPR and the Company is obliged to correct or supplement incomplete personal data, if any.

5.3 The right to delete and not use personal data

If the data subject exercises the right to delete personal data, the Company will proceed in accordance with Article 17 of the GDPR and the Company is obliged to delete the personal data provided that:

- (a) The personal data are no longer needed for the purposes for which they were processed;

- (b) The data subject withdraws the consent on the basis of which the personal data were processed and there is no other legal reason for the processing;
- (c) The data subject objects to the processing and there are no overriding reasons for further processing (in the case of an objection in direct marketing, the obligation to delete personal data is always there);
- (d) Personal data has been processed unlawfully; and
- (e) Personal data must be deleted in order to fulfil a legal obligation.

5.4 The right to restrict the processing of personal data

If the data subject exercises the right to restrict processing, the Company will proceed in accordance with Article 18 of the GDPR. In such a case, the personal data in question may only be stored and may not be processed in any other way unless the data subject has given his or her consent, until the processing restriction is lifted. The data subject has the right to limit the processing of the Company in the following cases:

- (a) The data subject denies the accuracy of the personal data for as long as is necessary to enable the Company to verify the accuracy of personal data;
- (b) The processing is unlawful and the data subject refuses to delete the personal data and requests for the restrictions on their use instead;
- (c) The Company no longer needs personal data for processing purposes, but the data subject requests it to determine, enforce or defend its claims; and
- (d) The data subject has objected to the processing until it is verified that the legitimate reasons of the Company outweigh the legitimate reasons of the data subject.

5.5 Right to object

If the data subject exercises the right to object to the processing, the Company will proceed in accordance with Article 21 of the GDPR. The Company does not further process personal data unless it demonstrates serious legitimate reasons for the processing, which outweigh the interests of the data subject. The objection does not always apply, but only in cases of processing based on the public interest and the legitimate interest of the Company. In other cases, the Company is not obliged to comply with the objection filed and not to further process personal data. On the contrary, the objection must always be upheld, and personal data may not be further processed in the event of an objection to the processing of personal data for direct marketing purposes.

5.6 Right to complain

If the data subject considers that there has been a breach of the law during the processing of his personal data, he may lodge a complaint with one of the supervisory authorities. In the territory of the Czech Republic, the supervisory authority is the Office for Personal Data Protection (*Úřad pro ochranu osobních údajů*), with its registered office at: Pplk. Sochora 27, 170 00 Prague 7, phone no: + 420 234 665 111, www.uouu.cz

5.7 Right to portability of personal data

If the data subject exercises the right to portability of personal data, the Company will proceed in accordance with Article 20 of the GDPR and transmit the personal data in a structured, commonly used and machine-readable data subject format, or directly to another controller designated by the data subject. However, the Company does not always have to comply with this right, but only in the cases specified in the GDPR. These cases are situations where personal data are processed on the basis of consent or on the basis of concluding and fulfilling a contract, and at the same time only if the processing is performed automatically.

5.8 The right to withdraw consent to the processing of personal data

If the data subject exercises the right to withdraw the consent with the processing, the Company is obliged to terminate the processing, unless there is another reason set out in the GDPR for further processing. Withdrawal of the consent may have legal consequences for the need to withdraw from the agreement. The necessary guidance on the consequences is provided by a specific contract.

6 Obligation to update the data

The Client should inform the Company of changes in personal data. The Company is not responsible for inaccurate personal data provided by the data subject.

Updated as of August 1, 2020

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