

Declaration on the Protection of Personal Data in the Company

ZPS – MECHANIKA, a. s.

In this "Declaration on the Protection of Personal Data", the company ZPS – MECHANIKA, a. s. specifies how it processes personal data of individuals (the data subject), in particular, information about the categories, extent and purpose for which they is processed, about the source from which the personal data are collected and the persons to whom personal data is transferred, about the time of storing of the personal data and others. In this Declaration, information about the rights of the data subjects in relation to the processing of personal data is also given.

The company ZPS-MECHANIKA, a. s. with registered office in Zlín – Malenovice, třída 3. května 1180, 763 02, Czech Republic, ID 26 92 33 51, registered in the Commercial Register kept by the Regional Court in Brno, file no. B 3972, as a personal data controller ("ZPS-Mechanika") processes personal data in accordance with the legislation on the protection of personal data, in particular, the Regulation (EU 2016/679 of the European Parliament and of the Council of 27 April 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) (hereinafter "GDPR") and further, in accordance with our internal rules and principles.

The contacts information of the controller: info@zps-mechanika.cz

Tel.: +420 577 533 585

Data protection officer has not been named.

The purposes of the processing of personal data and legal basis of the processing:

We process personal information only to the extent necessary for that purpose. We process personal information for the purpose of:

- **the business purposes** – (sale of sheet metal end products /machined parts to the contractual partners – a natural person doing business, for the purpose of offering and selling end products, fulfillment of business activities and normal operation of the company) – i. e. the processing is necessary for performance of the contracts or for the implementation of the measures adopted prior to the conclusion of the contract at the request of the data subject – according to the Article 6 para. 1 letter b) GDPR,

- **the contracting purposes** – (the conclusion, performance, alteration and termination of commercial contracts with customers – a natural person doing business, the related billing, claims and communication. The provision of personal data is a contractual requirement.) – processing is necessary for performance of the contract – according to the Article 6 para. 1 letter b) DGPR and the legitimate interest of the controller under the Article 6 para. 1 letter f) GDPR,

- **the purposes of fulfilling the legal duties of the controller** – (the processing of personal data on the basis of law, i. e. legal regulations of the Czech Republic and the European union – e. g. accounting law, tax law, law on auditors, etc.) – processing is necessary for compliance with a legal obligation to which the controller applies – according to the Article 6 para. 1 letter c) GDPR,

- **the purposes of the legitimate interests of the controller** – (processing is necessary for the purposes of the legitimate interests of ZPS-MECHANIKA, a. s. according to the Article 6 para. 1 letter f) GDPR)
 - contracting customers in order to establish cooperation and conclusion of business contracts, contacting existing business partners for the purpose of invitations to events organized by the company ZPS-MECHANIKA, a. s. (Customers days, fairs, Open day, etc, - NO newsletters are sent in the form of offers and promotional discounts),
 - contacting of the business partners for the purpose of promotion/presentation of the company ZPS-MECHANIKA, a. s.,
 - the processing of data in the solution of labour – law disputes, debt recovery, resolving business disputes with business partners (natural persons) (for example, in the case of damage to company property, etc.) – in some cases, the company is entitled to transfer personal data to third parties (for example law office),
 - camera systems (CCTV) at the premises of the company for the protection of property, life and health of persons entering into the premises of the company. About the location of the cameras, the information signs shall inform. The security footage is checked, if no damage to property or health, otherwise there is no cctv footage not being processed or used. CCTV records are kept for a period of 7 days.
 - administrative purposes,
 - registration of job applicants (registration and processing of applications for job applicants for a specific job position or in general sent CVs of candidates without specific recruitment procedure).

Categories of personal data being processed:

- 1) The company ZPS-MECHANIKA, a. s. processes the following personal data of existing and potential business partners: name and surname of the commercial representative of the firm or entrepreneur natural persons, corporate phone and email

- 2) The company ZPS-MECHANIKA, a. s. processes the following personal data of applicants for employment: name and surname, date of birth, address of permanent residence, telephone number, email address, education and qualifications.

The source from which the information originated:

The personal data obtained, the company ZPS-MECHANIKA, a. s. from business partners or from applicants for employment.

On the basis of own activities of the company ZPS-MECHANIKA, a. s. personal data may come from publicly available sources (e. g. from the website of the business partner, advertising, etc.).

The recipients or categories of recipients of the personal data:

The company ZPS-MECHANIKA, a. s. processes personal data of data subjects as the controller of the personal data. The personal data is not passed on to third parties except when required to do so by law (state or state-designated entities, authorities active in criminal proceedings, misdemeanour and administrative proceedings, audit firm) or on the basis of the concluded contract on the protection of personal data (the service of external processors). In the case that personal data is sent to the other entities referred to in the preceding sentence, the company ZPS-MECHANIKA, a. s. makes available personal data only to the extent necessary to achieve the specified purpose.

The length of time that personal data will be stored with the administrator:

The personal data of current and potential business partners obtained not on the basis of the consent – personal data is kept for the duration of the contractual relationship/business cooperation and after its termination, for the period strictly necessary for the case of further cooperation.

The personal data of current and potential trading partners obtained on the basis of consent – these details are kept for a period of 3 years from granting of consent.

The personal data of data of job applicants – the personal data is kept for the ongoing selection procedure and 3 months after the end of the selection procedure.

Data subject's rights in terms of protection of personal data:

The company ZPS-MECHANIKA, a. s. in the processing of all personal data of the data subject, fully respects the data subjects respects laid down in Chapter III of the GDPR, which are the following:

- 1) **Right of access by the data subjects** – the data subject has the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed not processed, and where that is the case, access to the personal data and the following information: the purposes of the processing, the categories of personal data concerned, the recipients or categories of recipient to whom the personal data has been or will be disclosed, in particular recipients in third countries or international organisations, where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period, the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing, the right to lodge a complaint with a supervisory authority, where the personal data is not collected from the data subject, any available information as to their source, the existence of automated decision – making, including profiling.
- 2) **Right to rectification** – 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.
- 3) **Right to erasuer ("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 and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies: the personal data is no longer necessary in relation to the purposes for which they were collected or otherwise processed, the data subject withdraws consent on which the processing is based according to point (a) of Article 6 (1) GDPR, or point (a) of Article 9 (2) GDPR, and where there is no other legal ground for the processing, the data subject objects to the processing pursuant to Article 21 (1) GDPR and there are no overriding legitimate grounds for the processing, or the data subjects objects to the processing pursuant to Article 21 (2) GDPR, the personal data has been unlawfully processed, 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, the personal data has been collected in relation to the offer of information society services referred to in Article 8 (1) GDPR.
Personal data cannot be deleted, if it has been collected for the purpose of performance of the contract (according to the Article 6 para. 1 letter b) GDPR) or processing is necessary for compliance with a legal obligation (according to the Article 6 para. 1 letter c) GDPR).
- 4) **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 objections:
 - denial of the accuracy of the data,
 - the processing is unlawful and the data subject opposes the erasure of personal data, and asks instead about the restrictions on their use,

- the controller no longer personal data needs, but the data subject is required for the identification, performance or defence of legal claims,
- the entity has raised an objection against the processing

Right to restriction of processing cannot be required if the personal data was collected for the purpose of performance of a contract or processing is necessary for compliance with a legal obligation, and with regard to the nature of the performance.

- 5) Right to data portability to other controller – the data subject shall have right to obtain personal data relating to him or her, which he or she has provided to the controller, without hindrance from the controller to which the personal data has been provided, in case that:
 - data provided by the data subject,
 - the processing is based on contract or consent,
 - the data is provided in a structured and commonly used electronic format, if it is available for the subject,
 - the processing is carried out by automated means.

- 6) Right to object – the data subject shall have the right to object at any time to the processing of personal data relating to him, if the processing is necessary for the performance of a task carried out in the public interest or in the exercise of public authority or if the processing is necessary for the purposes of the legitimate interests of the controller. The controller does not process data unless he demonstrates serious legitimate reasons for further processing, which outweigh the interests or rights and freedoms of the data subject. The same applies when the processing is for direct marketing purposes.

- 7) Right not to be subject to an automated individual decision – making, including profiling – this right cannot be used, if a decision is necessary for the conclusion or performance of a contract, or a decision is authorised by Union law or Member State, or a decision is based on explicit consent of the data subject.

If any of the above rights is exercised, the applicant will be informed in writing of the manner in which the application is processed without undue delay (within statutory time limits).

The data subject has the right to withdraw consent to the processing of personal data, which has granted the controller (when personal data is processed on the basis of the consent) at any time. The withdrawal of consent, however, shall not affect the lawfulness of processing based on consent granted before its withdrawal.

The data subject has the right to lodge a complaint with the Office for personal data protection (address: Pplk. Sochora 27, 170 00 Praha 7, tel.: +420 234 665 111) if it considers that there has been a breach of the obligations laid down by the legislation.

The fact, whether the provision of personal data is a legal or contractual requirement, and whether the data subject has the obligation to provide personal data is designed according to the character/nature of the relationship between the controller and the data subject (see above, Purposes of the processing of personal data and legal basis of the processing operation).

In the processing of personal data by the company ZPS-MECHANIKA, a. s. as a controller, there is no automated decision making including profiling.

Update

Last update 1rd January 2020

The rules and principles of personal data protection in the company of ZPS-MECHANIKA, a. s. they are continuously checked, can occasionally change, mainly in order to achieve compliance with the legislation.

An update version of the Declaration is always available on this website.