



## Information Memorandum on the Processing and Protection of Personal Data

The purpose of this document is to inform data subjects and summarise key information regarding the principles of personal data processing and protection which our company, OMEXOM GA Energo s.r.o., adheres to and which it has adopted to ensure compliance with Regulation (EU) 2016/679 of the European Parliament and of the Council (hereinafter referred to as the “**GDPR**” or the “**Regulation**”), effective from 25 May 2018, in particular and with regard to Article 13 of the Regulation.

Our company has taken the necessary steps to strengthen the security and confidentiality of the personal data processed and to fulfil the prescribed obligations.

In accordance with the GDPR, our organisation processes personal data in accordance with the following principles:

**1. Lawfulness, fairness and transparency**

We only process data where there is a legitimate reason to do so (e.g. a legal obligation, performance of a contract, protection of our interests, protection of the interests of third parties, or consent given by the data subject).

**2. Purpose limitation**

We collect personal data only for specific, explicitly stated and legitimate purposes (see above).

**3. Data minimisation**

We process personal data only to the extent necessary for the specific purpose.

**4. Accuracy**

We process only up-to-date personal data.

**5. Storage limitation**

We retain personal data only for as long as is strictly necessary in accordance with the GDPR and other relevant legislation.

**6. Integrity, confidentiality**

We have implemented appropriate technical and organisational measures to protect personal data against accidental or unlawful destruction, loss, alteration, unauthorised disclosure or access to personal data that is transmitted, stored or otherwise processed.

**7. Accountability**

We are able to demonstrate compliance with the principles set out in points 1 to 6 above.

OMEXOM GA Energo s.r.o.

Na Střilně 1929/8 323

00 Plzeň-Bolevec

T +420 373 303 111, [www.gaenergo.cz](http://www.gaenergo.cz)



## Information provided where personal data has been obtained from the data subject or their legal representatives

### Contact details of the personal data administrator

Name of the legal entity: OMEXOM GA Energo s.r.o.

Company ID: 49196812

Registered office address: Na Střilně 1929/8, Plzeň

File reference, entry in the Commercial Register: C 4355 held at the Regional Court in Plzeň

Telephone number: 373 303 100

Official email address of the legal entity: [info@gaenergo.cz](mailto:info@gaenergo.cz)

Data box ID: Ryt33bf

Contact email for enquiries regarding the processing of personal data: [gdpr@gaenergo.cz](mailto:gdpr@gaenergo.cz)

We process most personal data **for the purpose of fulfilling statutory obligations**, in particular under Act No. 500/2004 Coll., the Administrative Procedure Code, as amended, and Act No. 499/2004 Coll., on Archiving and Records Management and on Amendments to Certain Acts. **In the event that we process personal data for reasons other than those required by law:**

- a) processing is necessary for the performance of a contract to which the data subject is a party, or in order to take steps at the request of the data subject prior to entering into a contract,
- b) processing is necessary for compliance with a legal obligation to which the controller is subject,
- c) processing is necessary in order to protect the vital interests of the data subject or of another natural person,
- d) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller,
- e) processing is necessary for the purposes of the legitimate interests pursued by the controller concerned or by a third party.

it constitutes **the processing of personal data for which we require your explicit, freely given, specific and informed consent of the data subjects**. The provision of such consent is entirely voluntary, and you may withdraw your consent at any time or exercise other rights, which are set out in detail in the written consent.

We hereby inform **job seekers** that if they submit a written or electronic application for employment, or otherwise express an interest in working for our company, this must be sent to the controller's email address or postal address, or submitted via the designated form on the controller's website [www.gaenergo.cz](http://www.gaenergo.cz). By submitting their application, the applicant acknowledges that their personal data will be processed for the duration of the recruitment process for the position they have applied for, typically for a period of 6 months.

**The organisation has taken the necessary measures to ensure the security of the personal data being processed, both in physical and electronic form.** These measures include, in particular, the establishment of internal rules for working with the relevant information systems, ensuring that access to personal data is restricted to authorised persons, and the creation of electronic records that enable the determination and verification of when, by whom and for what reason personal data were recorded or otherwise



processed, and preventing unauthorised access to data storage media. In particular, this is achieved through the setting of passwords, access rights, encryption, the preparation of documentation on the technical and organisational measures adopted, the enhancement of security through the installation of locks, the purchase of lockable cabinets, etc.

In the legitimate interest of protecting property and persons, a CCTV or similar system may be used; where such a system is installed, data subjects are informed of the specific conditions by an authorised person to the extent prescribed by law.

**All employees** and persons who have access to personal data in the course of our company's activities **are properly trained and made aware of the security and confidentiality rules governing the handling of personal data.**

**We only disclose personal data to third parties in cases prescribed by law** (mandatory reporting to state administration bodies, local authorities, insurance companies, tax authorities, etc.) or, to the extent necessary, to selected suppliers who provide certain services for us, such as bookkeeping or IT management. We have clearly defined contractual relationships with all such parties, and all suppliers are obliged to comply with the necessary rules for the processing of personal data to the extent and within the parameters required by the GDPR, in accordance with the obligations of a processor as set out in Article 28 of the Regulation.

**The period for the processing and storage of personal data is generally determined by legislative requirements or on the basis of consent,** or until such consent is withdrawn.

**We do not transfer personal data abroad – to third countries.**

Our company has a system in place for reporting any security incidents. In the event of any data breach, we act in accordance with the GDPR to minimise potential damage.

**Right of access to your personal data.**

- a) You have the right to ask the controller to confirm whether they are processing your personal data.
- b) You have the right to ask the controller for access to the personal data being processed by providing you with a copy of the personal data being processed and information about the processing of such data.
- c) You have the right to ask the controller to provide a copy of the personal data being processed.

If you request access to the personal data being processed by way of a copy of such data, the company will generally provide a copy of the personal data being processed within 30 days of receiving the request. The controller will provide the data subject with a copy of the personal data being processed, provided that the data subject's personal data is being processed, usually within 30 days of receiving the request.

The controller will inform you of:

- the purposes of the processing,
- the categories of personal data being processed,
- the categories of recipients to whom the personal data have been or will be disclosed,
- the period for which the personal data will be stored by the controller,
- the right to request the rectification, erasure or restriction of the processing of personal data, and the right to object to the processing,
- the right to lodge a complaint with the supervisory authority.

The controller shall provide the information in the following form:



- in writing, following unequivocal verification of the data subject's identity,
- in electronic form following unequivocal verification of the data subject's identity,
- orally, following verification of identity, provided that no data or information may be provided by telephone.

Where possible and provided that the rights and freedoms of others are not adversely affected, the controller shall provide copies of the personal data being processed.

Copies are provided under the following conditions:

- The first copy or a copy provided after a longer period of time, following a change to personal data, or following a change in the processing of personal data.
- The controller will respond to your request in writing within one month, with the possibility of an extension of a further two months in accordance with the GDPR.

**The right to have any errors corrected that may occur during the processing of your personal data.**

You have the right to request the rectification of inaccurate data or the completion of incomplete personal data. The controller will respond to your request within 1 month (with the possibility of an extension of a further 2 months in accordance with the GDPR) of receiving your request. The controller will respond to you in writing. The controller will inform you whether and how your personal data has been rectified or completed.

**Right to erasure of certain personal data** (or the 'right to be forgotten').

In general, you have the right to ask the controller to delete certain personal data and not to retain it any longer; this is known as the right to be forgotten. Where the controller is exercising public authority (making decisions in administrative proceedings) and fulfilling its legal obligations, the controller will not erase personal data, even if you request it.

However, if you submit a request for erasure, the controller will respond to your request in writing within 1 month (with the possibility of an extension of a further 2 months) of receiving your request. They will inform you why they have not complied with your request for erasure or what data they have erased and to what extent.

**The right to erasure does not apply in the following cases:**

Where processing is necessary:

- a) for the exercise of the right to freedom of expression and information;
- b) to comply with a legal obligation which requires processing under 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 in accordance with Article 9(2)(h) and (i) and Article 9(3) of the Regulation;
- d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) of the Regulation, 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;
- e) for the establishment, exercise or defence of legal claims.

**The right to restrict the processing of your personal data.**

If you request the restriction of the processing of personal data and state the reason for your request, the controller shall mark such personal data. The controller shall store the marked personal data but may not otherwise process it further (except where permitted by law).

Cases in which you have the right to request that the controller restrict the processing of your personal data:



- a) If, in your view, your personal data is inaccurate.
- b) If the processing of your personal data is unlawful. However, instead of erasure, you request the restriction of processing.
- c) If the controller no longer needs to process the personal data. However, you request that the personal data be restricted because this is necessary for the establishment, exercise or defence of your legal claims.
- d) If the controller is processing your personal data on the basis of a legitimate interest, in the performance of a task carried out in the public interest or in the exercise of official authority. You object to the processing of your personal data.

The controller will respond to your request within 1 month (with the possibility of an extension of a further 2 months in accordance with the GDPR) of receiving your request. The controller will respond to you in writing. The controller will inform you whether and how your personal data has been restricted.

**Right to object to the processing of your personal data.**

If you have given your consent to the processing of personal data, you have the right to withdraw your consent at any time. However, this does not affect the lawfulness of the processing of personal data based on the consent given prior to its withdrawal. This means that the processing of personal data until the withdrawal of consent is entirely lawful.

**The right to lodge a complaint with a supervisory authority.**

You have the right to lodge a complaint with our organisation, which we will address in cooperation with our Data Protection Officer, or with the supervisory authority, i.e. the Office for Personal Data Protection, Pplk. Sochora 27, 170 00 Prague 7, tel. +420 234 665 111

Approved by the company management in Plzeň on 24 May 2018