

## Personal Data Protection

### 1. Personal Data Processing Principles

**Optifin Invest s.r.o.**, Rusovská cesta 1, 851 01 Bratislava, Company Registration No.: 35 735 457 (“the Controller”) within the meaning of Regulation No. 2016/679 GDPR (“the Regulation”) and Act No. 18/2018 Z. z., on personal data protection and on amendment to some acts (“the Act”), has implemented safety measures, which are updated on a regular basis. They define the scope and method of the safety measures required for the elimination and minimisation of threats and risks affecting the information system, in order to:

- ensure the availability, integrity and reliability of management systems using state-of-the-art information technologies,
- protect personal data against loss, damage, theft, modification, destruction, and to keep them confidential,
- identify possible problems and sources of violation and to prevent them.

**Data protection officer:**                dpo@optifininvest.sk and gdpr@optifininvest.sk

### 2. Personal Data Protection Principles

Your personal data will be safeguarded, in accordance with the Controller’s safety policy and only for the time inevitable for meeting the purpose of such processing. Your personal data may be accessed only by persons authorised by the Controller to process the personal data, who process them on the basis of the Controller’s instructions, in accordance with the Controller’s safety policy. Your personal data will be backed up in accordance with the Controller’s retention rules. Your personal data will be erased entirely from the backup warehouses as soon as it is possible in accordance with the backup rules. The personal data kept in the backup warehouses serve for preventing safety incidents, especially the violation of the availability of data as a result of a safety incident.

The Controller is obliged to arrange the data backup in accordance with the safety requirements of GDPR and Act No. 18/2018 Z. z.

### 3. Definition of Terms

- 3.1. “personal data” means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
- 3.2. “processing” means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- 3.3. “restriction of processing” means the marking of stored personal data with the aim of limiting their processing in the future;
- 3.4. “profiling” means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work,

economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;

- 3.5. "pseudonymisation" means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person;
- 3.6. "filing system" means any structured set of personal data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis;
- 3.7. "controller" means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;
- 3.8. "processor" means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
- 3.9. "recipient" means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;
- 3.10. "third party" means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
- 3.11. "consent" of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;
- 3.12. "personal data breach" means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;
- 3.13. "genetic data" means personal data relating to the inherited or acquired genetic characteristics of a natural person which give unique information about the physiology or the health of that natural person and which result, in particular, from an analysis of a biological sample from the natural person in question;
- 3.14. "biometric data" means personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images or dactyloscopic data";
- 3.15. "data concerning health" means personal data related to the physical or mental health of a natural person, including the provision of health care services, which reveal information about his or her health status

- 3.16. “representative” means a natural or legal person established in the Union who, designated by the controller or processor in writing pursuant to Article 27, represents the controller or processor with regard to their respective obligations under this Regulation;
- 3.17. “enterprise” means a natural or legal person engaged in an economic activity, irrespective of its legal form, including partnerships or associations regularly engaged in an economic activity;
- 3.18. “supervisory authority” means an independent public authority which is established by a Member State pursuant to Article 51;
- 3.19. “supervisory authority concerned” means a supervisory authority which is concerned by the processing of personal data because:
- a) the controller or processor is established on the territory of the Member State of that supervisory authority;
  - b) data subjects residing in the Member State of that supervisory authority are substantially affected or likely to be substantially affected by the processing; or
  - c) a complaint has been lodged with that supervisory authority;
- 3.20. “cross-border processing” means either:
- a) processing of personal data which takes place in the context of the activities of establishments in more than one Member State of a controller or processor in the Union where the controller or processor is established in more than one Member State; or
  - b) processing of personal data which takes place in the context of the activities of a single establishment of a controller or processor in the Union but which substantially affects or is likely to substantially affect data subjects in more than one Member State;
- 3.21. “relevant and reasoned objection” means an objection to a draft decision as to whether there is an infringement of this Regulation, or whether envisaged action in relation to the controller or processor complies with this Regulation, which clearly demonstrates the significance of the risks posed by the draft decision as regards the fundamental rights and freedoms of data subjects and, where applicable, the free flow of personal data within the Union;
- 3.22. “information society service” means a service as defined in point (b) of Article 1(1) of Directive (EU) 2015/1535 of the European Parliament and of the Council (19);
- 3.23. “international organisation” means an organisation and its subordinate bodies governed by public international law, or any other body which is set up by, or on the basis of, an agreement between two or more countries.

## 4. Filing Systems

### 4.1. Job applicant

The personal data of job applicants are processed on the basis of the “**Consent**” to the processing of personal data within the meaning of Art. 6(1)(a) given by the job applicant.

The Controller will only **contact** successful job applicants.

Personal data **will not be** transferred to any third country.

Personal data **will not be** used for automated individual decision making, including profiling.

Personal data will be kept for 12 months following the date, on which the Consent was given.

You have the right to withdraw your consent to the processing of personal data anytime prior to the expiration of the aforesaid period of time, by sending a request to the Controller’s address.

The Controller states that if the data subject sends a written request to stop processing the personal data prior to the expiration of the aforesaid period of time, the data will be deleted within 30 days following the delivery of the notice of consent withdrawal.

#### 4.2. Customers

The personal data of customers are processed within the meaning of Art. 6(1)(b) (the processing is inevitable for the performance of a contract, the **data subject being a contracting party**, or in order to take measures prior to the conclusion of the contract upon the data subject's request).

The processing of your personal data is subject to Act No. 395/2002 Z. z., the Archives and Registries Act, in connection with the Controller's Filing Plan.

Personal data **are not** transferred to any third country.

Personal data **will not be** used for automated individual decision making, including profiling.

### 5. Rights of the Data Subject

- 5.1. **Right to withdraw consent** – if we process your personal data on the basis of your consent, you have the right to withdraw the consent at any time. You can do so by e-mail, at the address of the data protection officer, in writing, by notice of withdrawal or in person at the address of our registered office. The withdrawal of consent will not affect the lawfulness of the processing of your personal data we processed based on your consent.
- 5.2. **Right of access** – you have the right to receive a copy of your personal data available to us, as well as to be informed how we are using the personal data. In most cases, your personal data will be provided to you in written paper form, unless you require otherwise. If the request is made by electronic means, the information will be provided by electronic means, if it is technically feasible.
- 5.3. **Right to rectification** – we take reasonable measures to ensure the accuracy, completeness and currency of your information. If you think the data available to use is inaccurate, incomplete or outdated, please do not hesitate to send us a request to modify, update or rectify the information.
- 5.4. **Right to erasure** (right to be forgotten) – you have the right to request erasure of your personal data, e.g. if the personal data we have received from you are no longer required for meeting the original purpose of the processing. However, your right must be considered on the basis of all relevant circumstances. For example, we may have certain legal and regulatory duties, which means we may not be able to accept your request.
- 5.5. **Right to restriction of processing** – under certain circumstances, you have the right to ask us to stop using your personal data. For example, if you think the personal data available to us may be inaccurate, or if you think we no longer need to use your personal data.
- 5.6. **Right to data portability** – under certain circumstances, you have the right to request the transmission of the personal data you have provided to use to any third party of your choice. However, the right to data portability only applies to the personal data that we have obtained from you on the basis of your consent or on the basis of a contract of which you have been a contracting party.
- 5.7. **Right to object** – you have the right to object to the processing of personal data based on our legitimate justified interests. If we do not have a convincing legitimate justified reason for processing and you raise an objection, we will no longer process your personal data.

If you think that any of the personal data we have available are incorrect or incomplete, contact us ([via the Personal Data Access Request Form](#)).

If you want to object to the method of processing your personal data, contact the data protection officer or the **Controller** in writing. Our data protection officer will examine your objection and will cooperate with you to settle the issue.

If you think your personal data are processed unfairly or unlawfully, you may lodge a complaint with the supervisory authority, i.e. the Office for Personal Data Protection of the Slovak Republic, Hraničná 12, 820 07 Bratislava 27; phone: +421 /2/ 3231 3214; email: [statny.dozor@pdp.gov.sk](mailto:statny.dozor@pdp.gov.sk), <https://dataprotection.gov.sk>.