

This instruction summarizes the basic principles of personal data processing by AGROFERT, a.s., as regards the personal data of persons registered in the PROMITEA purchasing system.

Personal data controller

Personal data controller is **AGROFERT, a.s., with its registered office at Prague 4, Pyšelská 2327/2, postal code 149 00, company ID no. 26185610**, registered in the Commercial Register maintained by the Municipal Court in Prague, Section B, Insert 6626 (hereinafter referred to as “AGROFERT”). AGROFERT will process personal data in accordance with applicable data protection regulations, in particular EU Regulation 2016/679, effective from 25 May 2018 (hereinafter referred to as the “Regulation”).

Overview of data (types) processed and their sources

The personal data of registered entities that will be processed by AGROFERT include the data provided by such persons in the registration form to the PROMITEA purchasing system, which are the identification data and data necessary for communication (typically name and surname, address, telephone number, e-mail), further data obtained in the course of business negotiations with registered persons, data on invoiced and paid amounts, account number and data on ongoing transactions.

Purposes of processing

The primary purpose of processing a participant’s personal data is to ensure the possibility of inviting a participant to a selection procedure organized by AGROFERT, to inform the participant of the current tenders and the possibility to conduct business meetings in written, telephone and personal form. Following these basic purposes, personal data will be further used to record and properly perform contractual relationships, for statistical purposes, to enforce claims, and to protect AGROFERT’s rights and third parties (such as other contractual partners). The data (in particular obtained from communication with the subscriber, such as IP address and communication time) will also be used to ensure AGROFERT’s IT security.

In addition, the personal data of the participant will be used by AGROFERT to fulfil its legal obligations, in particular under the regulations governing bookkeeping and taxation and concerning personal data protection.

Legal basis for processing

The legal basis for the processing of the personal data of the participants is the conclusion of a contract with the persons registered in the PROMITEA purchase system as well as the legitimate interests of AGROFERT, given in particular by the interest in the registration of registered persons, the contractual relations, the further development of AGROFERT services and the interest in the protection of its rights against various forms of tort including IT security breaches. AGROFERT will also process data for statistical purposes. The legal basis for the processing of personal data is also compliance with statutory requirements under the Personal Data Protection Act (in particular, Act No. 101/2000 Coll., and Regulation (EU) 2016/679), compliance with accounting regulations, compliance with tax regulations, etc..

Duration of processing

Personal data will be processed during PROMITEA registration and then for 4 years. For the processing of data for other purposes, AGROFERT ensures in the determination of the processing time from these aspects

(i) The length of the limitation period,

- (ii) Likelihood of raising legal claims,
- (iii) Normal market practices,
- (iv) Likelihood and significance of imminent risks; and
- (v) Any recommendations by the supervisory authorities.

Data update

If the data provided by the subscriber changes, we would like to ask you to submit information about such change.

In order to update the data, AGROFERT can contact the contacts below, preferably by e-mail marketa.vodarkova@agrofert.cz.

How processing will proceed and its consequences

AGROFERT will process personal data in particular in its computerized systems and computer systems of processors. AGROFERT will process the file in its filing cabinet. The provision of processed data by the participant is voluntary (but without the provision of certain data, the person will not be registered and in some cases some data are subsequently required by law, in particular accounting regulations).

Transfer of personal data to other persons (recipients of personal data)

AGROFERT may make personal data available to third parties only in cases where it will be imposed or allowed by legal regulation or with the consent of the participant. AGROFERT only makes available personal data to processors or other recipients - external service providers (typically programmers or other support technical services, computer system vendors, server services, e-mail distribution and archiving service providers), (backup) server operators or technology providers used by AGROFERT who process them in order to ensure the functionality of the relevant services, further those who assist AGROFERT with the organization of events, such as the organizing service and the timekeeper and the collection of starting fees. Additionally, personal data may be made available to the extent necessary to the legal, economic and tax advisors and auditors or persons constituting the AGROFERT Group, which process them for the purposes of providing advisory services. Personal data relating to debtors may also be made available to companies providing debt insurance or collection agencies for the purposes of enforcing or recovering debts. Upon request or in case of suspicion of an infringement, personal data may also be transmitted to public authorities. In accordance with the wording of the General Terms and Conditions relating to the operation of the PROMITEA shopping portal, the data of registered persons are also made available to other companies belonging to the AGROFERT group. The list of the group companies is accessible on <https://www.agrofert.cz/nasespolecnosti>.

Hand-over of personal data abroad

While the principle of free movement of persons in the EU applies according to the Regulation, the Regulation limits the transfer of personal data abroad to the EU. Our company does not usually transfer personal data abroad outside the EU. If we transfer your personal information outside of the EU, we will inform you thereof in a suitable way.

Under the Regulation, a natural person has the following rights with our company as a personal data controller:

- a) Require access to personal data processed by the controller, which means the right to obtain from the controller a confirmation that the personal data concerning it are processed or not and, if so, has the right to access such personal data if other information referred to in Article 15 of the Regulation,

- b) Require the correction of personal data processed if it is inaccurate. Taking into account the purposes of the processing, it may in some cases also require the addition of incomplete personal data,
- c) Require the erasure of personal data in cases covered by Article 17 of the Regulation.
- d) Require restrictions on the processing of data in cases covered by Article 18 of the Regulation,
- e) Obtain personal data relating to it and
 - (i) That we process with its consent, or
 - (ii) That we process for the performance of a contract to which such a natural person is a party, or for the implementation of measures taken prior to the conclusion of a contract at its request in a structured, commonly used and machine-readable format, having the right to transfer these data to another controller under the conditions and with the limitations set out in Article 20 of the Regulation; and 2
- f) Has the right to object to processing within the meaning of Article 21 of the Regulation on grounds relating to its particular situation.

If we receive such a request, we will inform the applicant of the measures taken without undue delay and, in any case, within one month of receiving the request. This deadline can be extended by another two months, if necessary and in view of the complexity and number of applications. In certain cases, our company is not obliged to comply with the request in whole or in part. This will be the case in particular if the application is clearly unreasonable or disproportionate, in particular because it is repeated. In such cases, we may (i) impose a reasonable fee, taking into account the administrative costs associated with providing the requested information or communication or taking the requested steps, or (ii) refusing to comply with the request.

If we receive the above request, but we will have reasonable doubt as to the identity of the applicant, we may ask you to provide additional information necessary to confirm his/her identity. The information that you have exercised your rights with us and how we have resolved your request will be stored for a reasonable period of time (usually 3-4 years) to substantiate this fact and protect our rights.

In the event that you believe AGROFERT handles your personal data wrongfully or otherwise infringes your rights, you have the right to file a complaint with the supervisory authority, such as the Office for the Protection of Personal Data, Pplk. Sochora 27, 170 00 Prague 7, whether you have the right to apply for legal protection.

How can you contact us?

For any comments and questions you may have about the protection of personal data and for contacting you about the exercise of your statutory rights, you may use the following contacts:

AGROFERT, a.s.

Pyšelská 2327/2, Chodov, 149 00 Prague 4

E-mail: osobni.udaje@agrofert.cz

Tel.: 272192111 (legal department)

Data box ID: data box ID: xftccth 3