

## **Information about processing of personal data of data subjects**

When performing the business activities of ENSECO, a. s., we deal with the processing of personal data of data subjects, but we would like to make you sure that the protection and safe processing of your personal data provided to our company is of significant importance for us. Therefore; as well as based on the articles 13&14 of the Regulation of the European Parliament and of the Council (EU) 2016/679 (GDPR) on the protection of natural persons with regard to the processing of personal data and on free movement of such data (herein after only the “Regulation”) and pursuant to the §19 and §20 of the Act no.: 18/2018, Coll. on personal data protection, as amended (hereinafter only the “Act”), we would like to provide you with all the necessary information related to the processing of personal data by our company.

The Controller has appointed a responsible data protection officer, who supervises compliance with the legal obligations and principles of personal data protection. You can contact the data protection officer of ENSECO, a. s., by writing an e-mail to: [gdpr@enseco.sk](mailto:gdpr@enseco.sk)

### **Who processes your personal data?**

Controller:

ENSECO, a.s., Hollého 10/1499, 949 01 Nitra, Slovakia

Company ID number: 36220370

Contact address: +421 36 6375120, sekretariat@enseco.sk

Contact to the data protection officer of the Controller: [gdpr@enseco.sk](mailto:gdpr@enseco.sk), +421 36 6375955

(herein after only “the Controller”)

### **What kinds of personal data are being processed?**

The Controller is processing, in paper or electronic version, processing your personal data within the scope of its information systems as follows: IS-wages and human resources, IS-accounting documents, IS-register of received and sent correspondence, IS-visitors’ book, IS-reporting of anti-social activities, IS-OH&S and WHS, IS-register of contracts, IS-photos, IS-register of radiation doses of personnel, IS-register of entrances to the protected areas, IS-surveillance system, IS-register of applicants for free job positions and IS-requests of the persons concerned

**What is the purpose of data processing and what is the legal basis of the Controller for processing of your personal data?**

| Purpose  | Legal basis  | Persons concerned/data subjects   | Processed personal data     | Recipients  | Data storing period  |
|--|--|---|-----------------------------|---|--|
| <p>Wages and human resources:<br/>Fulfilment of the employer's obligations related to the employment or similar relationships, incl. pre-contractual relationships</p> | <p>Act no.: <b>311/2001</b>, Coll. – Labour Code as amended; Act no.: <b>663/2007</b>, Coll. on Minimum Wage as amended; Act no.: <b>461/2003</b>, Coll. on Social Insurance as amended; Act no.: <b>124/2006</b>, Coll. on Occupational Safety and Health Protection as amended, Act no.: <b>462/2003</b>, Coll. on compensation of earnings during an employee's temporary incapacity for work and on amendments to certain acts, Act no.: <b>580/2004</b>, Coll. on health care insurance and on amendments to certain acts, Act no.: <b>95/2002</b>, Coll. on insurance industry and on amendments to certain acts as amended, Act no.: <b>43/2004</b>, Coll. on old-age pension savings and on amendments to certain acts, as amended, Act no.: <b>650/2004</b>, Coll. on supplementary pension saving and on amendments to certain acts, Act no.: <b>595/2003</b>, Coll. on income tax, as amended, Act no.: <b>233/1995</b>, Coll. on Court Distainers and Distraint Procedures (the Distraint Rules), Act no.: <b>355/2007</b>, Coll. on Protection, Support and Development of Public Health, and on amendments and</p> | <p>Employees, employees working on alternative employment contract, Controller's statutory bodies</p> | <p>Common personal data</p> | <p>Social Insurance Agency,<br/><br/>supplementary pension management companies<br/><br/>Health Insurance Agencies<br/><br/>Taxing Authority<br/><br/>Executors, layers, courts, authorised public agencies<br/><br/>WHS<br/><br/>Inspectors of the Office for Personal Data Protection<br/><br/>Compeko spol. s.r.o. (personal data made available, confidentiality agreement)<br/><br/>K2 atmitec Slovensko s.r.o. (contract, personal data made available)</p> | <p>5 - 50 years<br/><br/>Personal file and records on employees up to 70 years since their date of birth</p> |

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|   | <p>supplements to certain acts, as amended, Act no.: <b>5/2004</b>, Coll. on Employment Services, and on amendments and supplements to certain acts, as amended, Act no.: <b>283/2002</b>, Coll. on reimbursement of travel expenses, Act no.: <b>152/1994</b>, Coll. on Social Fund, as amended, Regulation of the Council no.: <b>161/68</b> on freedom of movement for workers within the Community, Regulation of the Council no.: <b>311/76</b> on the compilation of statistics on foreign workers (EEA relevance), Act on Personal Data Protection, Act no.: <b>215/2004</b>, Coll. on Protection of Classified Information and on amendments to certain acts, as amended, Act no.: <b>570/2005</b>, Coll. on National Service and on change and amendment of some acts</p> |   |   |  |                |
| OH&S and provision of work health service (WHS) | <p>Act no.: <b>124/2006</b>, Coll. on Occupational Safety and Health Protection as amended, Act no.: <b>311/2001</b>, Coll. – Labour Code as amended; Act no.: <b>355/2007</b>, Coll. on Protection, Support and Development of Public Health, and on amendments and supplements to certain acts, as amended,</p>  | <p>Employees/self-employers working for the Controller, clients</p>                             | <p>Common personal data and specific personal data (related to health of persons concerned)</p> | <p>Labour Inspectorate, WHS, Social Insurance Agency, Health Insurance Agencies, authorised state bodies</p> | <p>5 years</p> |
| Register of entrances to the protected areas    | <p>Act no.: <b>541/2004</b>, Coll. on Peaceful Use of Nuclear Energy, Act no.: <b>124/2006</b>, Coll. on Occupational Safety and Health Protection and Decree no.:</p>   | <p>Employees, employees working on alternative employment contract, self-employers, clients</p> | <p>Common personal data</p>   | <p>Slovenské elektrárne, a. s.</p>   | <p>5 years</p> |

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|   | <b>121/2002</b> , Coll. on fire prevention   | – suppliers, users   |  |  |          |
| Register of radiation doses   | Act no.: <b>311/2001</b> , Coll. – Labour Code as amended, Act no.: <b>124/2006</b> , Coll. on Occupational Safety and Health Protection as amended and Act no.: <b>355/2007</b> , Coll. on Protection, Support and Development of Public Health, and on amendments and supplements to certain acts, as amended,   | Employees, employees working on alternative employment contract, self-employers  | Common personal data and specific personal data (related to health of persons concerned) | Slovenské elektrárne, a. s., Health Insurance Agencies, authorised state bodies, WHS   | 75 years |
| Register of received and sent correspondence  | Act no.: <b>395/2002</b> , Coll. on Archives and Registries and on the amendments of certain acts and Act no.: <b>40/1964</b> , Coll. civil Code, as amended   | Employees, employees working on alternative employment contract, self-employers, customers, contact persons of business partners, clients – suppliers, users | Common personal data   | courier services, Slovak post office, authorised state bodies, State Archive, K2 Atmitec Slovensko s.r.o. (contract, personal data made available) | 5 years  |
| Register of visitors and persons entering the company premises with the purpose to protect the property and personnel of the Controller | Legitimate interests of the Controller pursuant to the article no. 6, para. 1, letter f) of the Regulation (EU) <b>2016/679</b> of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, Act no.: <b>18/2018</b> , Coll. on Personal Data Protection, §13 item no.: 1, letter f) | Any natural persons visiting the premises of the Controller  | Common personal data   | Authorised state bodies  | 2 years  |
| Reporting of anti-social activities   | Act no.: <b>307/2014</b> , Coll. on Certain Measures Related to Reporting of Anti-social Activities and on Amendment and Supplements to Certain Acts   | Employees, employees working on alternative employment contract, self-employers, statutory bodies of the   | Common personal data   | Authorised state bodies  | 3 years  |

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|   |  | Controller, employees or statutory bodies of business partners  |                       |  |          |
| Utilization surveillance systems for the protection of the Controller's property and for the safety assurance of the persons being present in the Controller's premises, as well as safety of persons concerned outside and inside the warehouse. | Legitimate interests of the Controller pursuant to the article no. 6, para. 1, letter f) of the Regulation (EU) <b>2016/679</b> of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, Act no.: <b>18/2018</b> , Coll. on Personal Data Protection, §13 item no.: 1, letter f) | Any natural persons being present in the premises or at the grounds of the Controller   | Audio/video recording | Authorised state bodies<br>Personal data made available to SECTEL, s.r.o. (contract) | 15 days  |
| Utilization of photos of personnel and statutory bodies for the advertising purposes at the company website   | Data processing is being executed pursuant to the article no. 6, para. 1, letter a) of the Regulation (EU) <b>2016/679</b> of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, Act no.: <b>18/2018</b> , Coll. on Personal Data Protection, §13 item no.: 1, letter a)      | Employees and statutory representatives of the Controller   | Portrait              | -  | 5 years  |
| Register of contracts and contractual relations   | Act no.: <b>431/2002</b> , Coll. on Accounting, as amended, Act no.: <b>513/1991</b> , Coll. Commercial Code, as amended   | Employees and statutory representatives of the Controller, customers<br><br>Contact details of employees of business partners, self-employers | Common personal data  | courts, layers, distrainers, authorised state bodies                                 | 10 years |
| Elaboration and processing of accounting documents within the scope of the Controller's   | Act no.: <b>431/2002</b> , Coll. on Accounting, as amended, Act no.: <b>513/1991</b> , Coll. Commercial  | Employees and statutory representatives of the  | Common personal data  | courts, layers, distrainers, authorised state  | 10 years |

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| business activities                           | Code, as amended  | Controller, customers<br>Contact details of employees of business partners, self-employers |                      | bodies , K2 Atmitec Slovensko s.r.o. (contract, personal data made available)       |         |
| Register of applicants for free job positions | Data processing is being executed pursuant to the article no. 6, para. 1, letter a) of the Regulation (EU) <b>2016/679</b> of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, Act no.: <b>18/2018</b> , Coll. on Personal Data Protection, §13 item no.: 1, letter a) | Job applicants   | Common personal data | Human Resources, head of the department - (insight)                                 | 1 year  |
| Requests of the persons concerned             | Act no.: <b>18/2018</b> , Coll. on Personal Data Protection as amended  | Persons concerned (data subjects)  | Common personal data | Office for Personal Data Protection of the Slovak Republic, authorised state bodies | 2 years |

**List of personal data; voluntary or obligatory provision of personal data:**

Controller/Processor receives and collects just those types of personal data that are defined in valid legislation of the Slovak Republic, and are therefore obligatory. If the Controller/Processor needs also personal data that are beyond the framework of the valid legislation, the Controller/Processor may request them from the data subject based on a consent freely given by a clear affirmative action.

The provided consent is completely freely given unambiguous indication of the data subject's wishes that may be anytime withdrawn either personally, or in writing, or by sending an e-mail to: [gdpr@enseco.sk](mailto:gdpr@enseco.sk) using request template that is available at the website: [www.enseco.sk](http://www.enseco.sk). The consent withdrawal does not affect the legality of data processing performed on the basis of the consent prior to its withdrawal.

### **Will your personal data be provided to third countries?**

The Controller does not plan to transfer your personal data to third countries.

### **How long will your personal data be processed for this purpose?**

The Controller will store your personal data for a mandatory period pursuant to the registration plan, elaborated in compliance with the Act on Archives and Registries no.: 395/2002, Coll., as amended.

If the Controller processes your personal data provided based on the consent, the provided personal data will be solely used just for the approved purposes. Your personal data will be processed for the approved purposes for the duration of the consent validity, or until the consent withdrawal. The maximum period of the given consent validity is 5 years. When handling with the personal data the Controller adopts the principle of minimization, what means that, as soon as the period, during which it is mandatory to store personal data, expires, your personal data are immediately rendered anonymous in the databases and information systems.

### **What are your rights in relation to the data processing?**

Based on the written request, that can be found at our website: [www.enseco.sk](http://www.enseco.sk), you are obliged to claim:

- **Right to Access the Personal Data**

Pursuant to § 21 of the Act no.: 18/2018, Coll. on Personal Data Protection, the data subject should have the right to obtain from the Controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, the data subject has right to access the personal data and information about the data.

- **Right to Rectification of Personal Data**

Pursuant to § 22 of the Act no.: 18/2018, Coll. on Personal Data Protection, 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. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed.

- **The Right to Erasure of Personal Data**

Pursuant to § 23 of the Act no.: 18/2018, Coll. on Personal Data Protection, the data subject shall have the right to obtain from the Controller the erasure of personal data concerning him or her without undue delay.

The Controller shall have the obligation to erase personal data without undue delay, if the data subject claimed his/her right to erasure, where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) the data subject withdraws his/her consent pursuant to §13, item no.1, letter a) or §16, item no.2, letter a), on which the processing of personal data is based, and where there is no other legal ground for the processing;
- c) the data subject objects to the processing pursuant to §27, item no. 1 and there are no overriding legitimate grounds for the processing, or the data subject objects to the personal data processing pursuant to §27, item no.2;
- d) the personal data have been unlawfully processed;
- e) the personal data have to be erased for compliance with this act, special regulations or international treaties to which the Slovak Republic is bound;
- f) the personal data have been collected in relation to the offer of information society services referred to in §15, Item no. 1.

- **Right to Restriction of Processing of Personal Data**

Pursuant to § 24 of the Act no.: 18/2018, Coll. on Personal Data Protection, the data subject shall have the right to obtain from the Controller restriction of processing where one of the following applies:

- a) the accuracy of the personal data is contested by the data subject, for a period enabling the Controller to verify the accuracy of the personal data;
- b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) the Controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the exercise of legal claims;
- d) the data subject has objected to processing of personal data pursuant to §27, item no. 1 pending the verification whether the legitimate grounds of the Controller override those of the data subject.

- **Right to Data Portability**

Pursuant to § 26 of the Act no.: 18/2018, Coll. on Personal Data Protection, the data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a Controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another Controller, if it is technically possible, where:



- a) the processing is based on consent pursuant to point §13, item no. 1, letter a), §16, item no. 2, letter a) or § 13, item no. 1, letter b); and
- b) the processing is carried out by automated means.

The exercise of the right referred above in this paragraph shall be without prejudice to the right pursuant to §23. The right to data portability shall not apply to processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller.

The right of data subjects shall not adversely affect the rights and freedoms of others.

- **Right to Object Processing of Personal Data**

Pursuant to § 27 of the Act no.: 18/2018, Coll. on Personal Data Protection:

- (1) The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on § 13, item no. 1, letter a) or letter f), including profiling based on those provisions. The Controller shall no longer process the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the exercise of legal claims.
- (2) Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.
- (3) The Controller is obliged to explicitly bring the attention of the data subject to his/her rights under paragraphs 1 and 2, and that is at the latest at the time of the first communication with the data subject; furthermore, the information about these rights shall be presented clearly and separately from any other information.
- (4) In the context of the use of information society services, the data subject may exercise his or her right to object by automated means using technical specifications.
- (5) Where personal data are processed for scientific or historical research purposes or statistical purposes pursuant to §78, item no. 8, the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

- **Right to Withdraw the Consent**

The data subject has right to withdraw his/her consent anytime.

- **Right to Initiate a Proceeding**

The data subject has right to initiate a proceeding pursuant to §100 of the Act no.: 18/2018, Coll. on Personal Data Protection.

- **Right to Automated Individual Decision-making, Including Profiling**

Pursuant to § 28 of the Act no.: 18/2018, Coll. on Personal Data Protection, the data subject shall have the right to:

- (1) The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.
- (2) Paragraph 1 shall not apply if the decision:
  - a) is necessary for entering into, or performance of, a contract between the data subject and a data Controller;
  - b) is made pursuant to a special regulation or international treaty by which the Slovak Republic is bound, and which also lay down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or
  - c) is based on the data subject's explicit consent.
- (3) In the cases referred to in points (a) and (c) of paragraph 2, the data Controller shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, mostly with respect to the right to verify the decision in not-automated manner on the side of the Controller, to the right to express his or her point of view and to the right to contest the decision.
- (4) Decisions referred to in paragraph 2 shall not be based on special categories of personal data referred to in §16, item no. 1, unless § 16, item no. 1, letters a) or g) applies and suitable measures to safeguard the data subject's rights and freedoms and legitimate interests are in place.

The Controller shall inform the data subject about information and measures that have been adopted based on its request – and that is within one month from the request receipt.

**Does the Controller utilize the automated individual decision-making, including profiling, when processing your personal data?**

When processing your personal data no automated decision-making, nor profiling is done.

**Does the Controller make your personal data publicly available?**

The Controller does not make the personal data publicly available (an exception might be photographs of employees and statutory bodies to be used for the purposes of advertising at the company website, made with consent of the persons concerned)