

Principles for Personal Data Processing

Advokátní kancelář Pokorný, Wagner & partneři, s.r.o.

This document summarises the principles of personal data processing by Advokátní kancelář Pokorný, Wagner & partneři, s.r.o., as well as information about your rights to such processed personal data and options for exercising them.

1. Identification of Personal Data Controller

Company: Advokátní kancelář Pokorný, Wagner & partneři, s.r.o. (hereinafter the “**Law Firm**”)
Registered no.: 242 25 029
Address: Prague, Klimentská 1216/46, post code: 110 00
E-mail: office @ p-w.cz
Tel.: +420 224 229 287-9

The controllers of the personal data are also attorneys having a concluded contract on long-term co-operation with Advokátní kancelář Pokorný, Wagner & partneři, s.r.o. (a list can be found at the website www.p-w.cz). The attorneys and the Law Firm share the personal data in connection with the provision of legal services by the Law Firm’s attorneys. Data are shared between the attorneys and the Law Firm always only to the necessary extent, in accordance with these principles and a contract on sharing personal data concluded between the attorneys and the Law Firm.

2. Processed Personal Data and Their Source

Personal data are all information about an identified or identifiable natural person. The following personal data could be processed as a part of our activities:

- Identification data, in particular first name, surname, title, date of birth or birth number, company number, tax ID number, number of identification documents;
- Contact details, in particular telephone number, e-mail address, address, bank details;
- Data concerning an employment relationship and recruitment for a position at the Law Firm, including correspondence between us;
- Data obtained in connection with the provision of individual legal services, including related communications;
- Recordings from security cameras at the Law Firm’s registered office;
- Other data obtained based on your consent.

We obtain your personal data directly from you, as data subjects, from our clients, counterparties or other third parties (courts, state bodies) in connection with the provision of legal services or related activities of the Law Firm. We also obtain personal data from publicly accessible sources.

3. Legal Grounds for Processing and Purpose of Processing

We are entitled to process your personal data in compliance with one of these conditions, always only to the necessary extent:

- You granted us your consent to personal data processing for a certain purpose;
- To perform a contract on provision of legal services;
- To perform a contract that we conclude with you in writing or otherwise or for the performance of measures adopted before the conclusion of a contract at your request, including the performance of duties arising from labour-law relation and to conduct recruitment proceedings with applicants for employment at the Law Firm;

- If it is necessary for the protection of your vitally important interests or those of another natural person;
- If it is necessary for the performance of our legal duties;
- If it is necessary for the protection of our legitimate interests or the legitimate interests of third parties (in particular our clients), but only in a situation where your interests or your fundamental rights do not have priority over such interests.

We process personal data to the extent necessary for the provision of our legal services, for the ordinary running of our company, to perform statutory duties and secure our internal processes. The personal data are processed manually and automatically.

4. Recipients of Personal Data

We do not provide the personal data we process to any commercial entities. In certain cases we can share the processed data with other entities (supervisory bodies, courts, etc.), in particular if this duty is imposed by legal regulations or if it is necessary for the performance of our activities and the exercise of our rights. We hand the personal data over to the necessary extent between ourselves, i.e. between the Law Firm and the attorneys that work with on a long-term basis. We can share the personal data to the necessary extent also with third parties, which are:

- Providers of IT services, accounting services and other professional advisors for our firm;
- Auditors;
- Translators;
- Other recipients in accordance with the client's needs and instructions.

5. Period of Personal Data Processing

The personal data will be processed for the necessary time to meet the set purpose, unless the duty to process personal data for another set period results from legal regulations. The personal data obtained based on the consent are processed only for a period covered by a provided consent, for no longer than until it is rescinded.

6. Personal Data Security

As a controller of personal data we process personal data in accordance with legal regulations, primarily Act No. 85/1996 Coll. (the Attorneys Act) and Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 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. When handling personal data we apply a number of security standards to ensure the personal data are securely stored and to prevent illegitimate access to them, changes to them or the publication of information. All our partners, employees, service providers and attorneys that work with us on a long-term basis with access to personal data are bound by a duty of confidentiality. If there is a breach of the security of your personal data as a consequence of which there is a high risk to your rights and freedoms, we have the duty to inform you of this.

7. Supplementary Information

7.1. Recruitment Proceedings with Job Applicants

Your personal data provided in connection with recruitment proceedings for a position at the Law Firm will be processed at the Law Firm and, in some cases, by attorneys that work with the Law Firm on a long-term basis.

7.2. Marketing Communications

We can use the e-mail contact details of our clients or the e-mail contact details of other persons, if they have granted their consent to it, for marketing and business purposes. If you are an addressee of these messages, you have the option of refusing them at any time, using the procedure that is described in each such message or by writing to the address: office@p-w.cz.

8. Rights of Personal Data Subject

Legal regulations grant you the following rights in relation to your personal data that we process. The applicability of such rights, however, can, in individual cases, be restricted by the duty of the Law Firm and attorneys to maintain attorney privilege or the need to perform other statutory duties related to the provision of legal services.

Right to access: You have the right to obtain information from us about whether we are processing your personal data and, if we are doing so, you have the right to access the personal data and the right to other information related to their processing.

Right to rectification: You have the right to, without undue delay, have inaccurate personal data that concern you corrected at your request. You have the right to have incomplete personal data supplemented or corrected at any time.

Right to erasure: You have the right to have your personal data erased at your request, provided one of the following reasons is met: (a) the personal data are no longer needed for the purposes for which they were gathered or otherwise processed; (b) you rescind your consent to processing and there are no other legal grounds for processing; (c) you make objections to processing that must be complied with (see below); (d) we processed the personal data unlawfully; (e) the personal data must be erased to comply with our legal duties.

You do not have the right to request erasure, however, if the processing is necessary: (a) for the exercise of a right to freedom of speech and information; (b) for compliance with our legal duties; (c) for a reason of public interest concerning public health; (d) for purposes of archiving in the public interest, for purposes of scientific or historical research or for statistical purposes, if it is probable that erasure would prevent or seriously endanger compliance with the aims of the aforementioned processing; (e) for the determination, exercise or defence of legal claims.

Right to restrict processing: You have the right to restrict the processing of your personal data in the event that (a) you deny the accuracy of personal data—we will restrict processing for the time necessary to verify the precision of personal data; (b) processing is unlawful and instead of erasure you request the restriction of use of personal data; (c) we no longer need your personal data, but you request them for the determination, exercise or defence of legal claims; (d) you made an objection to processing—we will restrict processing until there is a check on whether our legitimate reasons predominate over your legitimate reasons.

Right to portability: In relation to the personal data that we process automatically based on your consent or for performance of a contract concluded with you, you can request their provision in ordinary and machine-readable format. You can subsequently hand these personal data over to another controller or, if it is technically possible, ask us to hand them over to another controller.

Right to rescind consent: In relation to personal data for whose processing you provided us with your consent you have the right to rescind this consent at any time. As far as concerns personal data processed based on other facts, the right to rescind consent cannot be exercised.

Right to object: You can object to the processing of your personal data. If it is an objection to the processing of your personal data for direct marketing purposes, we will stop processing your data. If an objection concerns another purpose, we will not continue to process your personal data unless we prove serious and legitimate reasons (a) for processing that predominate over your rights and interests or (b) for the determination, exercise or defence of legal claims.

Right to make a complaint: In the event that you are dissatisfied with the processing of your personal data in any way, you can contact the Office for Personal Data Protection.

More information about your rights is available at the website of the Office for Personal Data Protection. (<https://www.uouu.cz/6-prava-subjektu-udaj/d-27276>)

Last updated: 1 June 2018