



MEMORANDUM ON PERSONAL DATA PROCESSING

Dear customers, business partners and job applicants

The document you are reading now contains basic information on how we process your personal data. We appreciate the fact that you share your personal data with us and we undertake to protect your data to the maximum possible extent. We also strive to be as transparent as possible, especially regarding the methods of processing your personal data.

In view of the new European Union legislation, this memorandum was prepared in accordance with the 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 (**GDPR**).

In this memorandum, we are trying to give you the information as transparently as possible, so we have chosen the form of questions and answers we would give to them. You will receive the information in the following order:

1. Who is the controller of your personal data?
2. For what purpose do we need your personal data?
3. What are our legitimate interests?
4. How did we collect your personal data?
5. What personal data categories are processed?
6. What is the legal basis for personal data processing?
7. Will we pass your personal data to someone else?
8. Will we transfer personal data to a third country or to an international organisation?
9. How long will we retain your personal data?
10. Job applicants.
11. What are your rights in relation to personal data processing and how can you exercise them?
12. Are personal data evaluated automatically?

This memorandum provides the basic information that we, as the personal data controller, are obliged to provide.

Should you have any questions about the processing of your personal data, do not hesitate to contact us at the email address info@aoyama.cz or at +420733533365. In all cases, we can be reached at our mailing address Průmyslová 1166, 41002

1. Who is the controller of your personal data?

The controller is a person who, on its own or jointly with others, determines the purposes for personal data processing and decides how personal data will be processed.

The personal data controller is *Aoyama Automotive Fasteners Czech, s.r.o.*, Company ID No. 26695081. The controller can be contacted at info@aoyama.cz or at +420733533365

Mgr. Zdeňka Olšovcová is a representative of the controller.

2. For what purpose do we need your personal data?

The controller processes personal data:

- a) In order to ensure the conclusion and subsequent performance of the contractual obligations between the controller

and you (Article 6 (1) (b) of the GDPR). Such relationship gives rise to other legal obligations, and the controller must therefore also process personal data for these purposes (Article 6 (1) (c) of the GDPR);

- b) For marketing purposes, in order to adapt the offer of its products and services and related business communications to your needs; for this purpose for processing, the controller shall obtain your unequivocal consent (Article 6 (1) (a) of the GDPR);
- c) In order to protect its legitimate interests (Article 6 (1) (f) of the GDPR);

Generally, providing personal data to the controller is a contractual and legal requirement. Your consent is required as regards provision of personal data for marketing purposes, which does not represent contractual or legal obligations of the controller. If you do not give your consent to the controller for the processing of your personal data for marketing purposes, this does not mean that the controller will refuse to provide you with its product or service under a contract as a result.

3. What are our legitimate interests?

Personal data are also processed by the controller in order to protect its legitimate interests. Controller's legitimate interests include, in particular, fulfilment of all its contractual obligations, due fulfilment of all its statutory obligations, direct marketing, protection of its business and assets, and last but not least, protection of the environment and ensuring sustainable development. In order to ensure maximum protection of your privacy you have the right to demand that your personal data are processed only for the most crucial legal reasons, or that your personal data are blocked. For more details on your rights relating to the processing of your personal data, please refer to Article 11 of this memorandum.

4. How did we collect your personal data?

The controller obtained personal data directly from you, in particular through forms you have completed, from mutual communication or concluded contracts. In addition, personal data may also come from publicly available sources, registers and records such as business or trades register, registry of debtors and professional registers, for example, the Land Registry. Furthermore, the controller could obtain personal data from third parties that are authorised to access and process your personal data and with whom the controller cooperates, and from information you have placed on social networks and the internet.

5. What personal data categories are processed?

In order to ensure your satisfaction in terms of proper fulfilment of the given obligation, to ensure fulfilment of legal obligations, to ensure provision of personalised offers of goods and services of the controller and for the other purposes mentioned above, we process the following categories of personal data:

- a) basic identification data - name, surname, permanent address, and identification number;
- b) contact details - phone number and e-mail address;
- c) information obtained from mutual communication - information from emails, telephone call records or other contact forms;
- d) invoicing and transaction data - in particular, information mentioned in invoices, information about negotiated invoicing terms and received payments;

6. What is the legal basis for personal data processing?

The legality of data processing is governed by Article 6 (1) of the GDPR, according to which processing is legal if it is necessary in order to fulfil a contract and statutory obligations of the controller or to protect legitimate interests of the controller, or the processing is carried out on the basis of consent given to us by you.

Furthermore, the legality of processing is also based for example, on the Act No. 563/1991 Sb., on accounting, according to which invoicing data are processed and stored, and on the Act No. 89/2012 Sb., Civil Code, according to which the controller defends its legitimate interests, and finally, on the Act No. 235/2004 Sb., on value added tax.

7. Will we pass your personal data to someone else?

Based on the applicable legislation, we are obliged to disclose personal data to state administration bodies, e.g. to the tax administrator, courts, law enforcement authorities, or capital market supervisory bodies.

We will transfer personal data to other third parties only if you are duly familiar with it and give your consent to it.

8. Will we transfer personal data to a third country or to an international organisation?

We will not transfer personal data to countries outside the European Union or the European Economic Area or to any international organisations.

9. How long will we retain your personal data?

Personal data will be processed and retained for the term contract at least. Some personal data needed for example for tax and invoicing obligations will be retained longer, usually for 5 years starting from the year following the occurrence of the respective event.

Personal data that are important for exercising the legitimate interests of the controller shall be retained for a maximum period of 3 years following the end of the contractual relationship with the controller.

Personal data processed for marketing purposes will be retained for a maximum period of [3] years following the moment they were obtained.

Personal data will never be retained longer than the maximum period of time determined by law. Upon expiry of the period of archiving, personal data will be safely and irreversibly destroyed to prevent the misuse thereof.

10. Job applicants

The controller does its best to process your data properly and safely. The rights described in this article are guaranteed to you and you may claim these rights with the controller.

If a person applies for a job position in ACZ online via www.aoyama.cz, we store his/her data and use them only for the needs of a specific selection procedure unless the person expressly agrees to archive the data for other selection procedures, too.

11. How can you exercise your rights?

You can exercise the individual rights by sending an e-mail to info@aoyama.cz or by calling +420733533365. You may also exercise your rights in the form of a written request sent to our mailing address Průmyslová 1166, 41002 Lovosice.

The controller provides all statements and communications related to your rights free of charge. However, if your request is clearly unreasonable or inappropriate, in particular if you keep repeating your request, we are entitled to charge a reasonable fee which takes into account the administrative costs involved in providing the requested information. In the event of a repeated request for copies of processed personal data, we reserve the right to charge a reasonable administrative fee.

The controller will provide you with statements or information about accepted measures as soon as possible, but no later than within one month. If necessary, the controller is entitled to extend this deadline by two months based on the complexity and number of the requests. The controller will inform you about such extension including the reasons for doing so.

Right to receive information about the processing of your personal data

You are entitled to request information from the controller whether your personal data are processed or not. If personal data are being processed, you are entitled to request from the controller especially information regarding the identity and contact details of the controller, its representatives or the data protection officer, the purposes of processing, the categories of the personal data in question, recipients or categories of recipients of the personal data, legitimate interests of the controller, a list of your rights, the possibility of contacting the Office for Personal Data Protection, sources of processed personal data, and automated decision-making and profiling.

If the controller intends to process your personal data for a different purpose than that for which they have been obtained, it shall give you information concerning such a different purpose and other relevant information before carrying out any further processing.

Information provided to you under this right is already contained in this memorandum; however, you are entitled to ask for that information again.

Right to access your personal data

You are entitled to ask whether your personal data are processed or not and, if so, you shall have access to information about the processing purposes, personal data categories, recipients or categories of recipients, how long your personal data will be retained, information about your rights (the right to ask the controller to correct or delete your data, to limit the processing thereof, or to object to data processing), about the right to file a complaint with the Office for Personal Data Protection, inquire information about the source of personal data, information regarding automated decision making and profiling and information about the used procedures as well as about the significance and implications the relevant processing may bring to you, and information and guarantees provided your personal data are transferred to a third country or to an international organisation. You have the right to request copies of the processed personal data. However, the right to obtain such copies must not adversely affect the rights and freedoms of others.

Right to demand correction

If, for example, your permanent address, phone number, or other personal information is changed, you have the right to request that the controller corrects the personal data processed. In addition, you have the right to complete incomplete personal data and you may do so by providing an additional statement.

Right to deletion (right to be forgotten)

In certain specific cases you have the right to require the controller to delete your personal data. Such cases include for example a situation when the data are no longer needed for the purposes mentioned above. The controller shall delete personal data automatically once the period of necessity has expired; however, you can contact the controller with your request at any time. Your request is then subject to individual assessment (despite your right to have your data deleted, the controller may be obliged or have a legitimate interest to keep your personal data). You will be informed on the request resolution in detail.

Right for restriction of processing

The controller only processes your personal data to the necessary extent. However, if you feel that, for example, the controller exceeds the above-mentioned purposes for which it processes your personal data, you may file a request and demand that your personal data are processed only for the most necessary statutory reasons or you may request your personal data to be blocked. In such an event, your request is subject to individual assessment and you will be informed in detail how your request was resolved.

Right to data portability

If you wish that the controller provides your personal data to another controller or to another company the controller will transfer your personal data in the appropriate format to the entity specified by you provided that there are no legal or other significant obstacles.

Right to object and automated individual decision-making process

If you determine or believe that we process your personal data in violation of your privacy or in violation of your personal life or in conflict with legal regulations (provided that personal data are processed by the controller based on public or legitimate interests or for the purpose of direct marketing, including profiling and statistical purposes, or for scientific or historical research purposes), you may contact the controller and ask for clarification or removal of the defective status.

You can also raise your objection directly against automated decision making and profiling.

Right to file a complaint at the Office for Personal Data Protection

You may submit your claim or complaint regarding the processing of your personal data at any time to the Office for Personal Data Protection, located at Pplk. Sochora 27, 170 00 Prague 7, website <https://www.uoou.cz/>.

Right to revoke consent

You have the right to revoke your consent to the processing of your personal data at any time either by completing the form/ticking the box/sending the notice of revocation to the address of the controller's registered office or by using the link that is part of e-mail communication.

12. What are your rights in relation to personal data processing and how can you exercise them?

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