

INFORMATION FOR THE DATA SUBJECTS

pursuant to Art. 13 of 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 (General Data Protection Regulation) (hereinafter referred to as the "Regulation") and

pursuant to Act No. 18/2018 Coll. on personal data protection and on the amendments to certain acts (hereinafter referred to as the "Act")

1. Controller and Data Subjects

- 1.1. VISIBILITY s.r.o., with its registered office at Panská 14, 811 01 Bratislava, Company ID No.: 44 927 991, Tax ID No.: 2022883170, VAT No.: SK2022883170, registered in the Business Register of Bratislava I District Court, Section: Sro, Insert No. 60074/B (hereinafter referred to as "VISIBILITY") is the controller of filing systems and in conducting its activities, it processes personal data of natural persons, namely:
- clients of VISIBILITY in the framework of pre-contractual relationships,
 - contractual or authorised representatives of clients of VISIBILITY in the framework of pre-contractual relationships,
 - employees of VISIBILITY in the framework of pre-contractual relationships,
 - contractual clients of VISIBILITY,
 - contractual or authorised representatives of contractual clients of VISIBILITY,
 - employees of contractual clients of VISIBILITY,
 - visitors of VISIBILITY
- (hereinafter referred to as the "data subject").
- 1.2. Pursuant to the Regulation and the Act, VISIBILITY provides the data subjects with the following information relating to the terms of processing of their personal data in the filing systems of VISIBILITY, as well as information on the rights of the data subjects.

2. Processors

- 2.1. VISIBILITY may use processors in connection with the processing of personal data.
- 2.2. Where VISIBILITY uses processors for the collection and/or processing of personal data (or provides personal data to other controllers in this respect), it does so solely on the basis of a written contract with the processor and only after thorough assurance that the processor meets all the technical, organisational and personnel security requirements applicable to personal data collection and processing.
- 2.3. The list of VISIBILITY's processors is provided on the website www.visibility.sk.

3. Purpose and Legal Basis for Personal Data Processing

- 3.1. VISIBILITY processes personal data of data subjects for the following purposes and on the following legal bases:

Purpose	Legal basis
newsletter – informing the data subject about new products/services or changes to products/services	consent of the data subject pursuant to Art. 6 (1) (a) of the Regulation or a legitimate interest of VISIBILITY pursuant to Art. 6 (1) (f) of the Regulation
direct marketing and cookies – contacting the data subject or the data subject's representative by VISIBILITY (or by processors on behalf of VISIBILITY) for the purpose of direct marketing of products and services offered by VISIBILITY by sending documents using electronic means, calls, facsimile messages or text messages	
eBook download – downloading an information document about new products/services, changes to products/services, news and matters of interest as concerns online marketing	
registration for an event (webinar/beer after five) – data subjects' interest in participating in a free event organised by VISIBILITY or a third party, where VISIBILITY organises the preparation and course of the event	
purchase of admission to an event – data subjects' interest in participating in a paid event organised by VISIBILITY or a third party, where VISIBILITY organises the preparation and course of the event	
suggestion of the theme for an event – data subject's tip for an event addressed to VISIBILITY	performance of a contract to which the data subject is party pursuant to Art. 6 (1) (b) of the Regulation
pre-contractual and contractual relations – data subjects' interest in VISIBILITY's services in the form of, e.g., a request for quotation, an analysis, a service order, or direct performance under a contractual relationship;	
accounting and tax agenda	fulfilment of legal obligation under a special regulation pursuant to Art. 6 (1) (c) of the Regulation (e.g. Act No. 431/2002 Coll. on accounting, Act No. 595/2003 Coll. on income tax, Act No. 222/2004 Coll. on value-added tax)
exercising rights and claims under legal regulations (dispute agenda)	legitimate interest of VISIBILITY pursuant to Art. 6 (1) (f) of the Regulation
monitoring of data subjects in the premises of VISIBILITY	

- 3.2. The legitimate interests of VISIBILITY as the controller, within which it processes personal data of data subjects, include:
- protection of VISIBILITY's property;
 - ensuring order and security in the premises of VISIBILITY;
 - assistance in detecting criminal activities;

- d. providing care for VISIBILITY's clients during the term of the contractual relationship, providing information on new services and products and/or offers, special offers and benefits that might be of interest to the data subject, unless the data subject expresses dissent or objects to the processing of his/her personal data for this purpose;
- e. establishing, exercising or defending legal claims of VISIBILITY.

4. Scope of Personal Data Processing

- 4.1. VISIBILITY collects and processes personal data to the extent specified in applicable legal regulations, in documents on business transactions that the data subject will enter into with VISIBILITY and to the extent that such personal data will be provided to VISIBILITY on documents, forms, letters and notices, or in telephone calls or electronic communications between VISIBILITY and the data subject.
- 4.2. When using the VISIBILITY website, certain data are stored automatically for system administration or statistics and support purposes. Such data include the name of the Internet connection provider, Internet protocol (IP) address, browsing software version, operating system of the computer used to access the VISIBILITY website and websites used to open the VISIBILITY website. Such data may be used in order to understand the profile of the VISIBILITY website users, however, at all times without using any data relating to a particular person. Such data will be used only if provided anonymously.

5. Disclosure, Transfer and Storage of Personal Data

- 5.1. VISIBILITY shall be both obliged and entitled to provide personal data of the data subjects to third parties, in particular the public authorities, to the extent and for the purposes laid down by special regulations (e.g. courts, law enforcement authorities, health insurance companies), other recipients, e.g. lawyers, accountants, tax advisors, auditors, carriers or intermediaries of VISIBILITY, and persons who ensure the operation, service and security of filing systems and technologies, the operation and service of technical equipment, and the activities relating to the protection of property and individuals as well as the transport of consignments. A recipient of personal data of the data subjects may also be a person who is defined as a recipient in a special legal regulation.
- 5.2. VISIBILITY may disclose personal data of the data subjects to its contractual partners, with whom VISIBILITY has concluded a personal data processing agreement and who have been authorised by VISIBILITY to fulfil VISIBILITY's contractual or legal obligations, including the exercise of rights under contractual relations between VISIBILITY and the data subject, and to third parties, in order to provide the required business or use additional services offered by VISIBILITY through third parties.
- 5.3. VISIBILITY may disclose personal data of the data subject to third parties providing VISIBILITY with web services, i.e. cloud solutions and accounts (Google Drive) and online web tools (e.g. Odoo, Hotjar, Data studio, Google AdWords, Google Analytics, Google Webmaster Tools, Google Optimize, GTM, Majestic, ActiveCampaign).
- 5.4. Personal data processed by VISIBILITY may be subject to cross-border flow of personal data to European Union Member States as well as to third countries guaranteeing adequate personal data protection, in accordance with clause 5.3 above.
- 5.5. VISIBILITY stores personal data in individual filing systems in the form that enables identification of a data subject for no longer than it is necessary for the purpose of processing such personal data. In the course of storing personal data, VISIBILITY proceeds as follows:
 - a. accounting and tax documents are archived for the period of 10 years after the year to which they relate;
 - b. contracts and contractual documentation relating thereto are archived for the period of 10 years after the expiry of their validity and settlement of all claims arising therefrom;
 - c. documentation constituting the dispute agenda is stored for the period of 10 years from the valid decision of the competent authority and settlement of all claims;
 - d. marketing documentation is stored for the period of granted consent or until withdrawal thereof, or until the data subject expresses dissent to the processing during the term of the contractual relationship;
 - e. CCTV recordings are archived for the shortest period possible, 72 hours in general, i.e. for the period necessary to render criminal, administrative and civil liability and application of relevant penalties.Special regulations may determine a different archiving period for individual purposes.

6. Other Conditions of Personal Data Processing and the Rights of Data Subjects

- 6.1. The personal data will be processed using partial and fully automated means of data processing within VISIBILITY's filing systems in a secured and protected manner in accordance with relevant security standards, the Regulation and with the Act.
- 6.2. With regard to personal data processing, the data subject has the following rights:
 - a. right to information on personal data processing and right of access to personal data,
 - b. right to rectification,
 - c. right to erasure (to be forgotten),
 - d. right to restriction of personal data processing,
 - e. right to personal data portability,
 - f. right to object,
 - g. right to object to automated decision-making including profiling,
 - h. right to withdraw consent,
 - i. right to lodge a complaint with the Office for Personal Data Protection of the Slovak Republic.Exercising these rights may be subject to the fulfilment of the conditions specified below along a detailed definition of the rights.
- 6.3. The data subject has the right to request from VISIBILITY the access to personal data concerning him or her. In this regard, the data subject has the right to obtain from VISIBILITY confirmation as to whether or not the personal data concerning the data subject are being processed. If VISIBILITY processes such personal data, the data subject has the right to obtain access to such personal data and information on:
 - a. the purpose of personal data processing;
 - b. the categories of personal data processed;

- c. identification of the recipient or on the category of the recipient to whom the personal data have been or will be disclosed, in particular on the recipient in a third country or on an international organisation;
- d. where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e. the right to request rectification or erasure of personal data or restriction of the processing of personal data concerning the data subject or the right to object to personal data processing;
- f. the right to initiate personal data protection proceedings;
- g. the source of personal data, if the personal data have not been obtained from the data subject;
- h. the existence of automated individual decision-making, including profiling.

Where personal data are transferred to a third country or to an international organisation, the data subject shall also have the right to be informed of appropriate safeguards relating to the transfer of his/her personal data. VISIBILITY shall be obliged to provide the data subject with his/her personal data being processed. For repeated provision of personal data requested by the data subject, VISIBILITY may charge a reasonable fee that corresponds with administrative expenses. VISIBILITY shall be obliged to provide the data subject with personal data in a manner according to the data subject's request. The data subject's right to obtain personal data pursuant to the previous sentence shall not adversely affect the rights of other natural persons.

- 6.4. The data subject has the right to obtain from VISIBILITY the rectification of inaccurate personal data concerning the data subject without undue delay. Taking into account the purposes of personal data processing, the data subject shall have the right to have incomplete personal data completed.
- 6.5. The data subject has the right to obtain from VISIBILITY the erasure of personal data concerning the data subject without undue delay. VISIBILITY shall be obliged to erase personal data without undue delay in case the data subject has exercised the right to erasure pursuant to the previous sentence, if:
- 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 consent on which the processing of personal data is based and where there is no other legal ground for the processing of personal data;
 - c. the data subject objects to the processing of personal data and there are no overriding legitimate grounds for the processing of personal data;
 - d. the personal data is unlawfully processed;
 - e. the personal data has to be erased due to compliance with an obligation pursuant to the Regulation, the Act, a special regulation or an international treaty to which the Slovak Republic is bound; or
 - f. the personal data has been collected in relation to the offer of information society services.
- However, this shall not apply to the extent that processing of personal data is necessary:
- a. for exercising the right of freedom of expression and information;
 - b. for compliance with an obligation pursuant to the Regulation, the Act, a special regulation or an international treaty to which the Slovak Republic is bound, or for the performance of a task carried out in the public interest vested in VISIBILITY;
 - c. for reasons of public interest in the area of public health;
 - d. for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as the right to erasure is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
 - e. for the establishment, exercise or defence of legal claims.
- 6.6. The data subject shall have the right to the restriction of processing by VISIBILITY, if:
- a. the accuracy of the personal data is contested by the data subject, for a period enabling VISIBILITY to verify the accuracy of the personal data;
 - b. the processing of personal data is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
 - c. VISIBILITY no longer needs the personal data for the purpose of personal data processing, but they are required by the data subject to demonstrate, exercise or defend a legal claim; or
 - d. the data subject objects to the processing of personal data, pending the verification whether the legitimate grounds of the controller override those of the data subject.
- Where processing has been restricted, the personal data shall, with the exception of storage, only be processed by VISIBILITY with the data subject's consent or for the purpose of the establishment, exercise or defence of legal claims or for the protection of the rights of other persons or for reasons of public interest. A data subject who has obtained restriction of processing shall be informed by VISIBILITY before the restriction of processing is lifted.
- 6.7. The data subject has the right to object to the processing of his/her personal data:
- a. on grounds relating to his or her particular situation, which is carried out in order to perform a task carried out in the public interest or for the purpose of legitimate interests of VISIBILITY or a third party, including profiling. VISIBILITY may not continue processing the personal data, if it does not demonstrate necessary legitimate interests for personal data processing, which override the rights or interests of the data subject, or the grounds for the establishment, exercise or defence of a legal claim;
 - b. for the purpose of direct marketing, including profiling, to the extent that it is related to such direct marketing. If the data subject objects to personal data processing for the purpose of direct marketing, VISIBILITY shall not continue processing the personal data for the purpose of direct marketing;
 - c. 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;
 - d. where personal data are processed for scientific or historical research purposes or statistical purposes, the data subject, on grounds relating to his or her particular situation, shall have the right to object to the 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.
- 6.8. The data subject has the right not to be subject to a decision based solely on automated processing of personal data, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her. VISIBILITY hereby informs the data subject that it does not take decisions based solely on automated processing of personal data, including profiling.
- 6.9. The data subject has the right to receive the personal data concerning him or her, which he or she has provided to the controller, in a structured, commonly used and machine-readable format and has the right to transmit those personal data to another controller where technically feasible, and where:
- a. the legal basis of personal data processing is the consent of the data subject, or the performance of a contract to which the data subject is party, or in order to take steps at the request of the data subject prior to entering into a contract; and
 - b. the processing of personal data is carried out by automated means.

Exercising the right to portability of personal data shall be without prejudice to the right to erasure of personal data. The right to portability shall not apply to personal data processing necessary to perform a task carried out in the public interest. The right to personal data portability shall not adversely affect the rights and freedoms of others.

- 6.10. If a data subject has given VISIBILITY consent to the processing of his/her personal data, he/she may withdraw such consent at any time. Withdrawal of the consent shall be without prejudice to the lawfulness of the processing of personal data of the data subject prior to its withdrawal.
- 6.11. The data subject may initiate personal data protection proceedings. The competent authority to act is the Office for Personal Data Protection of the Slovak Republic.
- 6.12. VISIBILITY hereby informs the data subject that with regard to collecting his/her personal data, provision of personal data for the purposes of conclusion and performance of a contract is voluntary, however, the provision of personal data is necessary because without such data, a contract cannot be concluded or performed.
- 6.13. Prior to the further processing of personal data, VISIBILITY shall be obliged to provide the data subject with information on another purpose and other relevant information, if VISIBILITY intends to further process the personal data for a different purpose than the purpose for which such data were obtained.
- 6.14. The data subject may contact the data protection officer of VISIBILITY with questions and requests relating to the processing of his/her personal data and to exercise his/her rights. Contact details of the data protection officer of VISIBILITY: info@visibility.sk.
- 6.15. VISIBILITY hereby provided you as a data subject with information relating to the processing of your personal data in the filing systems of VISIBILITY and informed you of your rights relating to the protection of your personal data to the extent laid down by relevant legal regulations.
- 6.16. VISIBILITY shall be entitled to amend, supplement and update this information. VISIBILITY will publish the amended, supplemented and updated version hereof on its website.
- 6.17. This information is available to the data subjects on the VISIBILITY website at any time, as well as in a visible place at the entrance to the VISIBILITY premises.

Bratislava, 25 May 2018 (updated on 1 January 2022)