

# Privacy policy on personal data protection with respect to activities not related to the provision of legal services

## 1. Introductory information and our contact information

Protection of personal data of our clients and other natural persons is important to us. This Privacy Policy provides an explanation on how we process personal data of data subjects within the framework of selected activities which do not concern the provision of legal services by our Law Firm BAK & PARTNERS s. r. o., with registered seat at: Panská 14, 811 01 Bratislava, Company ID No. (IČO): 47 254 840 (hereinafter “**We**” or “**Our Law Firm**”). In this regard, the foregoing relates to the processing of personal data of

- (i) our business partners to whom we provide or who provide us other than legal services, supply goods and other fulfilments (e.g. sublease of non-residential premises, supply of software products, etc.) (i.e. personal data of our business partners who are natural persons and, in case of legal entities, personal data of their representatives, employees and others who represent them, including former and future business partners) (hereinafter the “**business partner**”);
- (ii) natural persons who have addressed Our Law Firm or who have otherwise expressed an interest in becoming our employee or who have been approached by Our Law Firm offering the opportunity to become an employee (hereinafter the “**job seeker**”);
- (iii) natural persons who contact Our Law Firm in order to apply, or exercise their respective rights under the EU General Data Protection Regulation, i.e. 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 (General Data Protection Regulation) (hereinafter the “**GDPR**”) (hereinafter the “**persons exercising their rights under GDPR**”);
- (iv) natural persons who are the senders or recipients of our written or electronic correspondence or who contact Our Law Firm through its contact details or social networks (hereinafter the “**recipients and senders of correspondence**”);
- (v) employees of Our Law Firm, our cooperating attorneys and other representatives of Our Law Firm (hereinafter the “**Representatives of Our Law Firm**”).

At the same time, we state that Our Law Firm processes the personal data of data subjects also in other cases than those above, especially as regards the exercise of our profession, i.e. the provision of legal services by Our Law Firm. The processing in such cases relates mainly to the processing of the personal data of our clients and other connected data subjects in the extent necessary for the purpose of practicing our profession (for instance a counterparty to our client and/ or its representatives or others who represent such counterparty, other contracting party within the contractual relations of our client, other parties to proceedings held before public authorities). Please find more information about how Our Law Firm processes personal data in the provision of legal services at the following link - <http://www.bakpartners.sk/en/#contacts>.

As for the processing of personal data with respect to activities not related to the provision of legal services, Our Law Firm processes the personal data directly and for the purposes of the legal regulation stated hereunder that regulates the protection of personal data it is therefore considered to be the controller. If, in special cases, personal data is provided to and processed by the attorneys of Our Law Firm listed on our website (e.g. for evaluation of documents received from a job seekers), such activities are performed at the request of Our law firm and to the extent specified by it. For this reason, our attorneys are considered processors for the purposes the legal regulation stated hereunder. The mutual relationship between Our Law Firm and our attorneys in the processing of personal data is regulated by special contracts on processing of personal data that are based on and fully in compliance with the applicable legal regulation, by which it is ensured that all rights of data subjects to which we refer hereunder are duly preserved.

In the processing of personal data, we primarily follow

- (i) GDPR, which also governs your rights as a data subject (see Articles 12 to 22 of the GDPR);

- (ii) those parts of the Slovak Act No. 18/2018 Coll. on Personal Data Protection and on the Amendment and Supplement to Certain Acts, as amended (hereinafter the “**Act on Personal Data Protection**”) that are applicable to us (in particular Section 78);
- (iii) the Slovak Act No. 586/2003 Coll. on Advocacy and on Amendment and Supplement to Act No. 455/1991 Coll. on Trade Licensing (Trade Licensing Act), as amended (hereinafter the “**Act on Advocacy**”) (in particular Section 18); and
- (iv) other applicable legal and professional regulations of the Slovak Bar Association (hereinafter the “**SBA**”).

We also follow the Code of Conduct adopted by SBA that further explains processing of personal data by attorneys. You can familiarize yourself with the SBA’s Code of Conduct in more detail at the following website of the SBA:

[https://www.sak.sk/web/sk/cms/document/224/section/\\_docList\\_/rows/729/attr/name/preview](https://www.sak.sk/web/sk/cms/document/224/section/_docList_/rows/729/attr/name/preview)

If you have any questions regarding the processing of personal data by Our Law Firm or in case you wish to file an application or other requests under the provisions of GDPR and under the provisions of Personal Data Protection Act, you can contact Our Law Firm by telephone at the following phone number: + 421-2-20758391, by email at [office@bakpartners.sk](mailto:office@bakpartners.sk), or by post to the following address: Panská 14, 811 01 Bratislava.

## **2. Why we process personal data?**

Processing of personal data by Our Law Firm is necessary for us to be able to:

- (i) provide to or receive from our business partners other than legal services and fulfilments;
- (ii) duly assess the skills and suitability of job seekers;
- (iii) duly assess the applications and requests of the persons exercising their rights under the GDPR and the recipients and senders of correspondence and to provide a qualified response to them;
- (iv) comply with various legal, professional and contractual obligations; and
- (v) protect legitimate interests of Our Law Firm, or other persons.

Collecting and processing of personal data may be in the light of the foregoing under certain circumstances be a requirement arising under the respective legal regulation (e.g. special accounting and tax laws, etc.), as well as a requirement necessary to conclude a contract with a business partner or a job seeker and to duly fulfil the obligations resulting therefrom.

Depending on the specific case, the failure to provide personal data establishes the right of Our Law Firm to refuse to enter into a contract with a business partner or a job seeker, or to refuse the applications of persons exercising their rights under the GDPR.

## **3. For what purposes and on what legal basis we process personal data?**

As for our **business partners**, we process their personal data as follows:

Purposes of the processing	Legal basis for the processing	Categories of the personal data	Period for which the personal data will be stored
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<p><b>Provision of other than legal services</b></p>	<p>Compliance with legal obligations pursuant to Article 6 (1) (c) of GDPR, performance of a contract pursuant to Article 6 (1) (b) of GDPR, legitimate interests pursuant to Article 6 (1) (f) of GDPR.</p> <p>The legitimate interest of Our Law Firm is, in this regard, particularly the protection of property of Our Law Firm and the asserting and protection of rights and legal claims that could arise to Our Law Firm from contractual relationships with our business partners, applicable legislation or from other legal facts within the provision of other than legal services.</p>	<p>Ordinary personal data including identification data (e.g. name, surname, title, address of permanent residence, date of birth, etc.) (hereinafter also referred to as the “<b>identification data</b>”), contact information (e.g. postal address, e-mail address, phone number, etc.) (hereinafter also referred to as the “<b>contact information</b>”) and other personal data in the extent necessary for the provision of other than legal services.</p>	<p>Depending on the applicable legal basis, we store personal data until the material and accounting expiration of the respective contractual relationship, or as the case may be, until the expiration of the limitation periods relating to individual claims arising from the contractual relationship with our business partner in question.</p>
<p><b>Accounting and tax purposes</b></p>	<p>Compliance with legal obligations pursuant to Article 6 (1) (c) of GDPR.</p>	<p>Ordinary personal data including identification data, contact information and respective financial data pursuant to applicable legislation.</p>	<p>We store the personal data to the extent and for the period stipulated in the special accounting and tax legislation.</p>

As for **job seekers**, we process the personal data of these persons in the following manner:

<p><b>Purposes of the processing</b></p>	<p><b>Legal basis for the processing</b></p>	<p><b>Categories of the personal data</b></p>	<p><b>Period for which the personal data will be stored</b></p>
<p><b>Evaluation of abilities, skills and personal qualities of the job seeker and the performance of a selection process for a designated job position and re-addressing the unsuccessful job seeker with a job offer and performance of a selection process for a new job position</b></p>	<p>Compliance with legal obligations pursuant to Article 6 (1) (c) of GDPR, performance of pre-contractual measures at the request of the job seeker prior to entering into a contract under Article 6 (1) (b) GDPR, jobseeker's consent under Article 6 (1) (a) GDPR.</p>	<p>Ordinary personal data including identification data, contact information and other personal data in the extent that the job seeker has provided in the CV during the selection process.</p>	<p>We store the personal data of job seekers who have been successful in the selection process only for the necessary time, i.e. during the selection process.</p> <p>We store the personal data of job seekers who have not been successful in the selection process only until the selection process is completed. In case we are provided with a written consent, we keep the personal data of unsuccessful job seekers for a period of 2 years from the</p>

			date of the written consent to the processing of personal data.
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As for **persons exercising their rights under GDPR**, we process the personal data of these persons in the following manner:

Purposes of the processing	Legal basis for the processing	Categories of the personal data	Period for which the personal data will be stored
<b>Ensuring compliance with personal data protection legislation</b>	<p>Compliance with legal obligations pursuant to Article 6 (1) (c) of GDPR, legitimate interests pursuant to Article 6 (1) (f) of GDPR.</p> <p>The legitimate interest of Our Law Firm is, in this regard, particularly to ensure the proper fulfilment of all obligations of Our Law Firm under the relevant legal and professional regulations, proper documentation of their fulfilment, as well as to provide a qualified response and reply to data subjects' requests and applications while exercising their rights under GDPR.</p>	<p>Ordinary personal data including identification data, contact information and other personal data to the extent set forth in the applicable legal regulation, particularly in GDPR and in Personal Data Protection Act, or stated in the applications of persons exercising their rights under GDPR.</p>	<p>We store the personal data for a period of 5 years from the processing of the data subject's application under GDPR, the fulfilment of the respective obligation arising from GDPR or Personal Data Protection Act, or other legally relevant fact.</p>

As for **recipients and senders of correspondence**, we process the personal data of these persons in the following manner:

Purposes of the processing	Legal basis for the processing	Categories of the personal data	Period for which the personal data will be stored
<b>Recording of incoming and outgoing correspondence</b>	<p>Compliance with legal obligations pursuant to Article 6 (1) (c) of GDPR, legitimate interests pursuant to Article 6 (1) (f) of GDPR.</p> <p>The legitimate interest of Our Law Firm is, in this regard, particularly to ensure the proper maintenance of evidence of the incoming and outgoing correspondence, as</p>	<p>Ordinary personal data including identification data, contact information and other personal data constituting the contents of correspondence or our electronic mailbox.</p>	<p>We store the personal data to the extent and for the period stipulated in relevant legal and professional regulations (e.g. we store the book of incoming correspondence and the book of outgoing correspondence for a period of 10 years from the date of receipt or dispatch of the last consignment entered</p>

	well as to ensure the provision of a qualified response and reply to the correspondence received by Our Law Firm.		in such books).
<b>Ensuring communication with potential clients and other persons who contact Our Law Firm through its contact details or social networks</b>	<p>Performance of pre-contractual measures at the request of the potential client prior to entering into a contract under Article 6 (1) (b) GDPR, legitimate interests pursuant to Article 6 (1) (f) of GDPR.</p> <p>The legitimate interest of Our Law Firm is, in this regard, particularly the necessity to establish a communication channel between a potential client and Our Law Firm, or, alternatively, the provision of a reply to requests of other third persons addressed to Our Law Firm.</p>	Ordinary personal data including identification data, contact information and other and other data that potential clients or other third persons provide in the course of communication addressed to Our Law Firm through its contact details or social networks.	We store the personal data until the end of the pre-contractual relationship with a potential client or for the period necessary to provide a response to other third persons.

As for the **Representatives of Our Law Firm**, we process the personal data of these persons in the manner set forth in internal regulation of Our Law Firm, of which Representatives of Our Law Firm have been duly informed.

#### **4. Storage periods of your personal data**

We store the personal data only to the extent necessary and as long as is necessary for the purposes for which the personal data are processed. When storing personal data, we ensure the compliance with the relevant legal regulations (e.g. special accounting and tax legislation, etc.), internal regulations, as well as recommended storage periods under the Resolution of Council of SBA No. 29/11/2011 (e.g. an attorney has to store the book of incoming correspondence and the book of outgoing correspondence for a period of 10 years from the date of receipt or dispatch of the last consignment entered in such books).

For more information about the processing and storage of personal data please see the Section 3 above and, if needed, we will provide you with additional information or explanations based on your inquiry.

#### **5. To whom do we disclose your personal data?**

We disclose personal data of data subjects only to the extent necessary and always while maintaining the confidentiality of the data recipients, e.g. our employees, persons authorised to take individual legal actions within provision of legal and other services, our cooperating attorneys, our accountants and tax advisors, or the software and IT support providers of Our Law Firm. Personal data of data subjects can also be, in specific cases, provided to translators, notaries, companies providing email services or postal and delivery services.

Although our obligation to disclose your personal data to public authorities is limited for confidentiality reasons, we are required to frustrate the commission of criminal offences and we also have the obligation to report information regarding prevention of money laundering and terrorism financing. Specific cases of disclosure of your

personal data to the competent public authorities may also occur in the case of exercising your or our rights and claims in accordance with applicable law (e.g. exercising rights in court proceedings, in proceedings before the Office for Personal Data Protection of the Slovak Republic, etc.).

#### **6. To which countries do we transfer your personal data?**

We do not intend to transfer your personal data to third countries outside the European Economic Area (EU, Iceland, Norway and Liechtenstein).

#### **7. What automated decision-making do we pursue?**

We do not perform automated decision-making, nor profiling.

#### **8. How do we collect your personal data?**

Mostly, we obtain your personal data directly from you. In that case, obtaining your personal data is voluntary. We may also obtain personal data from publicly available sources, public authorities or other third persons.

#### **9. What rights do you have as a data subject?**

GDPR regulates several rights of data subjects whose personal data are processed. These rights among others include the right to withdraw the consent to the processing of personal data, the right of access to personal data, the right to rectification of personal data, the right to erasure of personal data ('right to be forgotten'), the right to restriction of the processing of personal data, the right to data portability, the right to object the processing of personal data and the right to lodge a complaint with the supervisory authority.

As a data subject, you may exercise your rights as specified below through the contact information of Our Law Firm referred to in Section 1 above.

##### ***a) Right to withdraw the consent to the processing of personal data***

If we process your personal data based on your consent to the processing of personal data (within the meaning of Article 6 (1) (a) of GDPR), you have the right to withdraw your consent at any time. The withdrawal of consent shall not affect the lawfulness of the processing based on the consent before its withdrawal. You can withdraw your consent to the processing of personal data given to Our Law Firm by email at [office@bakpartners.sk](mailto:office@bakpartners.sk) or in writing to the address of the registered seat of Our Law Firm.

##### ***b) Right of access to personal data relating to the data subject***

You have the right to obtain from Our Law Firm a confirmation as to whether or not we process your personal data. If we do process your personal data, you have the right to access such personal data and information about (i) the purpose of processing, (ii) the categories of your personal data concerned, (iii) the recipients or category of recipients to whom your personal data have been or will be provided; (iv) the period for which we will store your personal data; (v) the right to rectification and erasure of the personal data processed by Our Law Firm, the right to restriction or to object to the processing of personal data, (vi) the right to file a complaint with the supervisory authority (Personal Data Protection Office of the Slovak republic); (vii) the source of the personal data if we had not obtained them from you; (viii) the existence of automated decision-making, including profiling pursuant to Article 22 (1) and (4) of GDPR; and (ix) the appropriate safeguards established under Article 46 of GDPR, should we transfer personal data to a third country or an international organization.

You also have the right to be provided with a copy of the personal data undergoing processing. Our Law Firm may charge a reasonable fee corresponding to administrative costs for any additional copy that will be requested from your part.

***c) Right to rectification of personal data***

If we process your personal data, you have the right to obtain from Our Law Firm without undue delay the rectification of inaccurate personal data concerning you. With respect to the purpose of processing personal data, you also have the right to have incomplete personal data concerning you completed, including by means of providing a supplementary statement.

***d) Right to erasure ('right to be forgotten')***

You have the right to obtain from Our Law Firm the erasure of your personal data which are processed if (i) your personal data are no longer necessary in relation to the purposes for which we collected or otherwise processed them (ii) you have withdrawn your consent to the processing of your personal data (if applicable) and there is no other legal ground for the processing of your personal data; (iii) you have exercised your right to object to the processing of your personal data (such as described in Section 9 (g) below) and at the same time there are no overriding legitimate grounds for the processing of your personal data, (iv) your personal data has been processed unlawfully, or (v) your personal data must be erased in order to comply with any obligation applicable to Our Law Firm.

However, your right to erasure of the personal data is not an absolute right and Our Law Firm is entitled to reject your application if any of the reasons set forth in Article 17 (3) of GDPR apply, e.g. (i) the processing of your personal data is necessary to fulfil our legal obligation (e.g. the period of storage of personal data under applicable legal or professional regulation still lasts), (ii) the processing of your personal data is required for the purposes of archiving in the public interest; and/ or (iii) the processing of your personal data is necessary to establish, exercise or defend any legal claims, in particular the claims of our clients or, as the case may be, claims of Our Law Firm.

***e) Right to restriction of processing of personal data***

If we process your personal data, you have the right to obtain from Our Law Firm the restriction of processing if any of following applies: (i) you contest the accuracy of the personal data for a period enabling us to verify the accuracy of the personal data, (ii) the processing of your personal data is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead, (iii) your personal data are no longer needed for the purposes of the processing, but you require them to establish, exercise or defend your legal claims or (iv) you have exercised your right to object to the processing of your personal data (as described in Section 9 (g) below) pending the verification whether the legitimate grounds of Our Law Firm override the legitimate grounds of yours.

If, after exercising your right to restriction of the processing of your personal data in the above cases the processing of your personal data has been restricted, Our Law Firm may, with the exception of storage of such personal data, process such personal data only with your consent or for the establishment, exercise of defence of legal claims of Our Law Firm or for the protection of the rights of another natural or legal person or for important public interest of the European Union or a member state of the European Economic Area Agreement.

***f) The right to data portability***

If we process your personal data, you have the right to receive your personal data which you have provided to us in a structured, commonly used and machine-readable format and to transmit this data to another controller, or the right to transfer this personal data directly to the other controller, if (i) we process your personal data based on your consent or based on a contract and (ii) the processing is carried out by automated means (i.e. electronically).

However, the aforementioned rights do not apply to personal data that we process on a legal basis other than the consent or performance of the contract (e.g. compliance with legal obligations). Further, the exercise of your rights as described above shall not adversely affect the rights and freedoms of others.

***g) Right to object the processing of personal data***

You have the right to object the processing of your personal data that is based on the legal grounds of public or our legitimate interest, including profiling based on legitimate interest.

After exercising this right, Our Law Firm will no longer process your personal data processed on the given legal grounds unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the reasons for the establishment, exercise or defence of legal claims.

If we process your personal data for direct marketing purposes, you also have the right to object at any time to the processing of your personal data for the purpose of such marketing, which includes profiling to the extent that it is related to such direct marketing. After exercising this right, Our Law Firm will no longer process your personal data for such purposes.

***h) Right to lodge a complaint with the supervisory authority***

If you believe that your rights under GDPR or Personal Data Protection Act have been violated within the processing of your personal data by Our Law Firm, you have the right to lodge a complaint with the supervisory authority, in particular in the Member State of your habitual residence, place of work or place of alleged infringement. The supervisory authority in Slovak Republic is the Office for Personal Data Protection of the Slovak Republic, Hraničná 12, 820 07 Bratislava.

**10. Cookie processing**

Cookies are small text files that improve website usage, e.g. by allowing us to recognise previous visitors when logging in to a user environment, remembering a user's choice when opening a new window, measuring website traffic, or evaluating usage of the website for improvement. Our website (<http://www.bakpartners.sk>) does not currently use cookies.

**11. Changes of Privacy Policy**

Protection of your data is not a one-time issue for us. The information we give you with regard to processing of personal data may change or cease to be up to date. For these reasons, we may change this Privacy Policy at any time and to any extent. If we change this Privacy Policy substantially, we will bring such changes to your attention, for example through a general notice posted on this website or by explicit notice delivered by email.

Yours sincerely,

Law Firm BAK & PARTNERS s. r. o.