

# PRIVACY POLICY

## A. General Section

Effective as of 25 May 2018

### 1. OPENING PROVISIONS

- 1.1. CZ.NIC, an interest association of legal entities, Company ID No.: 67985726, with its seat at Milešovská 1136/5, Vinohrady, 130 00 Prague 3, incorporated in the Register of Associations kept by the Municipal Court in Prague under file No. L 58624 (hereinafter “**CZ.NIC**” or “**CZ.NIC Association**”), establishes these principles for the processing of personal data by the CZ.NIC Association.
- 1.2. CZ.NIC performs a range of activities and provides a range of services for the processing of personal data, and the range of this data, as well as the method used for its processing, differs from one case to another. This General Section therefore establishes the general principles for the processing of personal data by the CZ.NIC Association (hereinafter the “**General Privacy Policy**”) with the fact that the specific treatment of the processing of personal data for individual activities or services is contained in the Special Section relating to the processing of personal data for individual activities or services (hereinafter the “**Special Privacy Policy**”). Together, they are also referred to as the “**Privacy Policy**”.
- 1.3. The concepts capitalised in the **Privacy Policy** shall have the meaning defined in the **Privacy Policy** or other documents issued by the CZ.NIC Association, especially in the terms and conditions or rules.
- 1.4. **Personal data protection legislation** shall mean the legislation that is part of the Czech legal system, including the relevant international treaties and European Union legislation, concerning the protection of personal data.
- 1.5. The CZ.NIC Association holds the Information Security Management System (ISMS) certification according to ISO 27001.

### 2. ACQUISITION, PURPOSE AND LEGAL BASIS OF THE PROCESSING OF PERSONAL DATA

- 2.1. Except as otherwise provided in the **Privacy Policy**, personal data is acquired by the CZ.NIC Association from the data subjects.
- 2.2. If the legal basis, purpose or extent of processing of personal data is not covered by the General Privacy Policy, it is stated in the Special Privacy Policy.
- 2.3. The data subject providing personal data to the CZ.NIC Association is responsible for the accuracy of all personal data provided and declares that it is not pseudonymous (except for activities or services that explicitly provide for the provision of pseudonymous data).

### 3. PROCESSING OF PERSONAL DATA UNDER AN AGREEMENT

- 3.1. The processing of personal data by the CZ.NIC Association is carried out in the vast majority of cases (exceptions are provided in the **Privacy Policy**) because of the necessity of fulfilling an agreement concluded between CZ.NIC and the data subject, always for the purpose of fulfilling such an agreement.

- 3.2. The CZ.NIC Association is authorised to process personal data for the entire duration of the agreement and for a period of 10 years after the expiration of the agreement, unless stated otherwise in the Special Principles or unless a longer period is stipulated by law, for the purposes of archiving and the legitimate interests of the CZ.NIC Association or third parties under a restricted processing regime so that the data can be used to determine the exercise of, or to defend against, legal claims.

#### **4. PROCESSING OF PERSONAL DATA ON THE BASIS OF THE CONSENT OF THE DATA SUBJECT**

- 4.1. If the processing of personal data is subject to consent, it is provided to the extent and for the purposes of such consent in accordance with this **Privacy Policy**, and its refusal, if any, does not affect the provision of the services of the CZ.NIC Association.
- 4.2. The data subject may revoke this consent to the processing of personal data at any time, but this shall be without prejudice to the lawfulness of processing based on a consent given prior to the withdrawal of consent. The provisions of Article 3.2 shall apply *mutatis mutandis*.

#### **5. PROCESSING OF PERSONAL DATA PROVIDED BY A THIRD PARTY**

- 5.1. The person who provides the CZ.NIC Association with the personal data of third parties represents such third parties and confirms that it is authorised by such third parties to provide their personal data.
- 5.2. The data subject or person providing the CZ.NIC Association with the personal data of third parties is obliged to notify the CZ.NIC Association of any change in the personal data provided; in the case of the personal data of third parties, that person represents such third parties and confirms that it is authorised by such third parties to provide their personal data.

#### **6. SOME INDEPENDENT PROCESSING OF PERSONAL DATA**

- 6.1. **The data of job seekers** is processed to the extent that it is stated in the curriculum vitae provided to the CZ.NIC Association by the job seeker for the sole purpose of the selection procedure and for a maximum period of one year after its completion, unless an employment relationship has been established between the applicant and the CZ.NIC Association. During that time, the job seeker may notify the CZ.NIC Association that he/she no longer wishes to be in the register, in which case the CZ.NIC Association shall terminate the processing of his/her personal data without delay.
- 6.2. The CZ.NIC Association processes the **personal data of its contractual partners, including those data subjects who have used the e-shop operated by CZ.NIC or participated in the trainings, seminars, lectures, conferences or other events organised by the CZ.NIC Association**, as necessary for the performance of agreements with these contractual partners, and, in connection with this, also for the purposes of the legitimate interests of CZ.NIC, for the period specified in Article 3.2; this personal data includes:
- first names, surnames, addresses, telephone numbers, email addresses, identification numbers, tax identification numbers and other data required by law, as well as the contact details of these contractual partners necessary for the performance of agreements with these contractual partners and for the purposes of the legitimate interests of the CZ.NIC Association, if such information is included in the relevant agreement or if such employees participate in the performance of such an agreement, to a similar extent.

- 6.3. The CZ.NIC Association also processes **sound recordings of telephone calls** received by the customer support service of the CZ.NIC Association for the purposes of fulfilling contractual obligations, the legitimate interests of the CZ.NIC Association or protecting the vital interests of the data subject or other individual. Records are kept for six months from their being made.
- 6.4. The CZ.NIC Association processes **video and audio-video recordings from security systems** (especially CCTV systems) intended for protection, security and monitoring access to the technical facilities of the CZ.NIC Association, for a period of seven days from their being made, in order to verify whether there has been a security breach or other security incident. This processing of personal data is necessary for the purposes of the legitimate interests of the CZ.NIC Association and third parties, in particular contractual partners of the CZ.NIC Association which could be affected by security incidents (e.g. interference with domain name holder rights through unauthorised access to the Central Register, etc.).

## **7. METHODS AND MEANS OF PROCESSING PERSONAL DATA**

- 7.1. The CZ.NIC Association
- 7.1.1. processes personal data mainly in electronic form and by automated means;
- 7.1.2. keeps personal data in its information systems or on backup media, mainly on the territory of the European Union and, in limited cases, outside this territory. The information systems of the CZ.NIC Association or the backup media are located or kept under the direct control of CZ.NIC or in third-party facilities, but always remain under the direct control of CZ.NIC and, unless otherwise provided by the **Privacy Policy**, the personal data contained therein is not provided or made available to third parties.
- 7.2. Technical and organisational protection measures: The CZ.NIC Association has adopted and documented such measures as to ensure that access to personal data and means for its processing are restricted to authorised persons only and that such authorised persons process and access only such personal data and processing means as correspond to their level of authorisation. At the same time, the CZ.NIC Association has adopted and documented such measures as to prevent any unauthorised reading, creation, copying, transmission, modification or deletion of records containing personal data and to trace who processed the personal data and how or who accessed the means of personal data processing and how.
- 7.3. Processing by the CZ.NIC Association and other persons: Personal data is processed by the CZ.NIC Association; only to a limited extent or to the extent necessary for the fulfilment of the contractual and legal obligations of the CZ.NIC Association may personal data be provided to third parties who provide the CZ.NIC Association with certain activities as subcontractors, such as marketing, dispatch of mail, processing of payments, keeping of accounts, tax advisory services, legal services, validation of contacts, etc., or where these are persons who require the provision of data in the exercise of their authority and/or on the basis of a contractual obligation of the Association (e.g. public funding providers), etc. However, this applies only to personal data that is necessary for the performance of such an activity or obligation, and the relevant persons are bound to protect the personal data to the extent of and in accordance with the law.
- 7.4. Transmission abroad: the CZ.NIC Association does not transmit personal data abroad except for some subcontractors as per Article 7.3 and with the exception set out in the Special Principles (Part B.I and B.IV).

## **8. USE OF PERSONAL DATA FOR SECURITY AND MARKETING PURPOSES**

- 8.1. Because of the nature of the activities of the CZ.NIC Association, which include the area of computer and Internet security and the fight against cybercrime, and the fact that ensuring the safe operation

of CZ.NIC services, especially the Central Register, is crucial for the development and daily functioning of public administration and entrepreneurs as well as the private activities of citizens, the CZ.NIC Association is authorised to use the personal data of data subjects for the purpose of identifying risks, vulnerabilities or threats related to data subjects or information systems or services operated by them, R&D in this area and targeted information on identified facts.

- 8.2. The CZ.NIC Association is authorised to use the personal data of data subjects in order to:
  - 8.2.1. provide information on the activities and services of the CZ.NIC Association which are the subject of a concluded agreement to the performance of which the processing of personal data by the CZ.NIC Association pertains, or for which consent to the processing of personal data has been granted;
  - 8.2.2. distribute commercial communications relating to other activities or services;
- 8.3. The data subject is, at any time, entitled to refuse to permit the processing of their personal data pursuant to Article 8.2.
- 8.4. The CZ.NIC Association is authorised to use the personal data of data subjects for statistical processing purposes and to publish these statistics.

## **9. LOGGING ACCESS, COOKIES AND LINKS**

- 9.1. In order to ensure the functionality and security of its website, services or applications, the CZ.NIC Association may process the logs of access to the website, services or applications, including IP addresses, to the extent necessary.
- 9.2. In order to ensure the best possible functionality for users/visitors or for analyses of its website, services or applications, the CZ.NIC Association may process the data of a website visitor or service or application user or may implement what are known as cookies into the visitor's browser. If a visitor to the website or user of a service or application disagrees with this data processing or with the implementation of cookies, he/she may refuse to allow this processing in his or her Internet browser settings by switching to the private or anonymous mode. However, each visitor to the website or user of a service or application acknowledges that the website, service or application may not function properly in that case.
- 9.3. Except for the data necessary to prove the identity of a visitor to the website or a user of the service or application when entering instructions for making changes (in particular in connection with changes to data in the case of domain names or the mojID service), data according to Articles 9.1 and 9.2 is retained only for the time necessary to ensure the functionality of the website, service or application.
- 9.4. CZ.NIC website, services or applications may contain links to third parties and their websites, services or applications. Such third parties may process the data of a visitor to their websites or a user of their service or application, or they may implement what are known as cookies into the visitor's browser. The processing of the data of a visitor to the website or a user of the service or application shall then be governed by the policies adopted by these third parties, and the visitor to the website or user of the service or application should be familiar with them before visiting the website or using the service. The CZ.NIC Association is not responsible for the processing of personal data by these third parties.

## **10. RIGHTS OF THE DATA SUBJECT AND THE POSSIBILITY OF CONTACTING THE CZ.NIC ASSOCIATION**

- 10.1. The CZ.NIC Association may be contacted about privacy matters in one of the manners listed at <https://www.nic.cz>.
- 10.2. The data subject is entitled to:

- 10.2.1. request CZ.NIC to explain and eliminate the resulting situation (in particular by blocking, correcting, supplementing or removing personal data) if the data subject finds or believes that the CZ.NIC Association is carrying out the processing of his/her personal data contrary to the law, in particular if the data is inaccurate with regard to the purpose of its processing; correction or supplementation may be performed through the Designated Registrar,
- 10.2.2. require CZ.NIC to allow the data subject to access, rectify or erase his/her personal data (through the Designated Registrar), or to restrict the processing thereof,
- 10.2.3. object to the processing of his/her personal data to the extent and under the conditions laid down by the law,
- 10.2.4. exercise the right to data portability in the case of automated processing of personal data performed with his/her consent or to conclude an agreement between him/her and the CZ.NIC Association, to the extent and under the conditions laid down by the law,
- 10.2.5. object against the processing of his/her personal data by the CZ.NIC Association with the supervisory authority, which is the [Office for Personal Data Protection](#).

## **11. CHANGES TO THE PRIVACY POLICY**

- 11.1. The CZ.NIC Association is entitled to amend the **Privacy Policy** at any time. The CZ.NIC Association is required to publish any changes at least one month before the effective date of such a change on the CZ.NIC website of the relevant services, on pages dedicated to CZ.NIC activities, or on the main website of CZ.NIC at <https://www.nic.cz>. The current versions of these documents are also always available on this website.
- 11.2. Any amendments, reservations, limitations or deviations concerning the **Privacy Policy** are excluded.
- 11.3. The right to withdraw consent to the processing of personal data under Article 4.2 shall not be affected by any change of the **Privacy Policy**.