

# **PERSONAL DATA PROCESSING POLICY**

**HARLEY-DAVIDSON CLUB MORAVIA, Z.S**

The company **Harley Davidson Club Moravia, z.s.** with registered office at Zdarec 65, Zdarec 594 56, ID No.: 27053075 (hereinafter as "the Company"), is a company whose business is primarily the manufacture and service of aircraft. The Company also operates the website h-dcm.cz. The Company's business activities involve the processing of personal data within the meaning of the General Data Protection Regulation (Regulation (EU) 2016/679).

The purpose of this Personal Data Processing Policy (hereinafter as "**the Policy**") is to inform you, as the data subjects whose personal data is processed by the Company (hereinafter as "**You**"), about the processing of personal data carried out by the Company and your rights related to this processing.

The protection of your personal data is a priority for the Company and the processing of personal data is carried out by the Company in accordance with all requirements set out in the legislation on the protection of personal data and the basic principles of personal data processing.

## I. BASIC PRINCIPLES OF PERSONAL DATA PROCESSING

When processing personal data, the Company follows the following basic principles of personal data processing.

*The principle of lawfulness, fairness and transparency*

- Your personal data is processed fairly and in a lawful and transparent manner.

*Principle of purpose limitation*

- We collect (and process) your personal data only for specific, explicit and legitimate purposes and at the same time do not further process it in a way that is incompatible with those purposes.

*Data minimisation principle*

- We only process your personal data to the extent that it is reasonable, relevant and necessary for the individual purposes of processing your personal data.

*Principle of accuracy*

- We only process accurate personal data and update your personal data where necessary.

*Storage limitation principle*

- We only process (store) your personal data for as long as is necessary for the purposes of processing your personal data, or for as long as required by applicable law.

*The principle of integrity and confidentiality*

- We only process your personal data in a manner that ensures appropriate security of your personal data against unauthorised or unlawful processing and against accidental loss, destruction or damage.

*Responsibility principle*

- We are responsible for compliance with the abovementioned processing principles and for ensuring that the processing of your personal data is carried out in accordance with the legislation

## II. CATEGORIES OF PERSONAL DATA PROCESSED

The Company processes the categories of personal data listed below - however, in relation to a specific data subject, only to the extent necessary in relation to the purpose of the processing and the nature of the relationship between the data subject and the Company:

- **identification data**, in particular name, surname, date of birth, birth number and, where applicable, details of identity documents;
- **contact details**, in particular permanent address, other contact (correspondence) address, telephone number and e-mail address;
- **payment data**, i.e. data used to make payments, in particular credit card and bank account numbers;
- **basic profile data**, i.e. data on basic physical and socio-demographic characteristics of the person, in particular gender, nationality, marital status;
- **professional profile data**, in particular information on education, professional and vocational qualifications (including data contained in CVs);
- **data of a financial nature**, i.e. information on the financial circumstances, payment behaviour and economic credibility of a person, including data on indebtedness;
- **data of a contractual nature**, i.e. data on contractual relations concluded by the Company, in particular data relating to goods and services supplied and provided by the Company or the Company, including information on related requests and complaints and related communications;
- **data on rights and legal claims**, i.e. information on the rights and legal claims of a person against the Company and/or a third party (or vice versa);
- **authentication data**, i.e. data used to securely verify (verify) your identity, in particular your first name, surname or login name, passwords, PIN, card chip and other electronic authentication elements, as well as your car registration number;
- **audio/visual personal data**, in particular photographs, video recordings and/or voice recordings; and
- **IP address, hash, cookie data and other electronic data in connection with your visit to our website;**
- **other data** that you provide to us or that we collect in connection with the provision of the agreed services;

The Company may also process additional personal data not listed above relating to the Company's business partners and customers and/or other third parties - the Company always duly informs the data subjects about such processing in accordance with the requirements set out in data protection legislation and this Policy.

Personal data is obtained by the Company from various sources, primarily from the data subjects themselves. The Company also obtains personal data from publicly available sources (in particular the Internet and public lists, registers such as the Commercial Register, Trade Licensing Register or Insolvency Register). Personal data is also obtained by the Company through third parties, in particular the Company's business partners, but also state administration authorities.

Another source of your personal data may also be cookies collected by the Company in connection with your activity on our website - please see our **Cookie Notice** for more information.

### III. PURPOSES OF PERSONAL DATA PROCESSING

The Company processes your personal data for the following purposes:

- **contractual agenda**, i.e. for the purposes of concluding contracts with the Company's business partners and customers, their amendments and termination (including pre-contractual negotiations), performance of rights and obligations arising from contracts, keeping records of contracts and related communication with the Company's business partners and customers.

For this purpose, the Company processes in particular the following personal data of the Company's business partners and customers or their representatives: identification data, contact data, payment data, data of a financial nature, data of a contractual nature and data on rights and legal claims;

- **interactions with state administration authorities**, i.e. for the purpose of fulfilling of various information, notification and other obligations towards the state authorities (in particular courts, administrative authorities, financial administration authorities, law enforcement authorities) set out in legal regulations.

For this purpose, the Company processes in particular the following personal data: identification data, contact data, payment data, basic profile data, professional profile data, data of a property nature and data on rights and legal claims;

- **marketing and promotion**, i.e. for the purpose of marketing and promoting the Company and its products and services (including sending commercial communications).

For this purpose, the Company processes in particular the following personal data: identification data and contact data;

- **protection of legal interests (claims) of the Company and third parties**, i.e. for the purpose of determination, exercise and protection of the rights, legal claims and other legal interests of the Company and third parties, in particular the Company's clients.

For this purpose, the Company processes in particular the following personal data: identification data, contact data, payment data, basic profile data, data of a property nature, data on rights and legal claims and data on state of health;

- **safety and security**, i.e. for the purpose of ensuring safety in the Company and protection of the Company's and third parties' property.

For this purpose, the Company processes in particular the following personal data: identification data and audio/visual personal data; and

- **recruitment**, i.e. for the purposes of recruiting new employees and associates of the Company (i.e. for the purposes of receiving, processing and recording CVs, selecting (screening) job applicants, conducting job interviews, evaluating job applicants, making offers of employment with the Company and communicating with applicants throughout the whole recruitment process) and keeping records of job applicants with the Company.

For this purpose, the Company processes in particular the following personal data: identification data, contact data, basic profile data, professional profile data and audio/visual personal data.

In the event that the Company processes your personal data in the future for other processing purposes not listed above, the Company will duly inform you about such other processing purposes in accordance with the requirements set out in the legal regulations on personal data protection and this Policy.

#### **IV. LEGAL GROUNDS FOR PROCESSING PERSONAL DATA**

The Company processes your personal data on the basis of the following legal grounds (titles):

- for reasons of compliance with the obligations laid down by legal regulations;
- for reasons of the performance of the contract concluded between You and the Company;
- for reasons of the legitimate interests of the Company and/or third parties; and
- on the basis of Your consent to processing.

##### ***Processing of personal data for compliance with obligations laid down by legal regulations***

On the basis of this legal reason, the Company processes personal data because the Company is required to do so by various legal regulations imposing various information or reporting obligations on the Company to government authorities. In the case of this legal reason (title) for processing, the processing is for the following processing purposes: interaction with public authorities.

##### ***Processing of personal data for the performance of the contract concluded between You and the Company***

If you have entered into a contract with the Company, the Company processes Your personal data also on the basis of this contract, since without the processing of such personal data it would not be possible to negotiate, conclude and perform the contract, or its conclusion would be considerably more difficult. In the case of this legal reason (title) for processing, it is therefore processing for the purposes of the contractual agenda.

##### ***Processing of personal data for legitimate interests***

The Company also processes Your personal data on the grounds of the so-called legitimate interests of the Company and/or third parties, but only on condition that Your interests or Your fundamental rights and freedoms requiring the protection of personal data do not take priority over the legitimate interests of the Company or third parties.

In the case of processing carried out by the Company, these are the following legitimate interests of the Company and/or third parties:

- **management and administration of the Company**, where the Company's legitimate interest is to ensure effective management, administration, operation and communication within and outside the Company, i.e. the organisation and management of the Company and the realisation of the Company's objectives;
- **protection of the Company's legal interests (claims)**, where the Company's legitimate interest is in the determination, exercise and protection of the Company's rights, legal claims and other legal interests, whether judicial, out-of-court or otherwise;
- **marketing and promotion**, where the legitimate interest of the Company is in the promotion of the Company and its reputation, the interest in the promotion of the Company's products and services and the interest in the maintenance and expansion of the Company's client portfolio;
- **safety and security**, where the legitimate interest of the Company is in ensuring security at the Company (both physical security and IT and network security) and the protection of the Company's and third parties' property;
- **recruitment**, where the legitimate interest of the Company is in the recruitment of new employees and associates of the Company and in maintaining a database (register) of job applicants with the Company in which we record personal data about selected job applicants who are likely to be offered a new job with the Company (e.g. if the Company establishes a new position identical or similar to the position for which the job applicant originally applied).

***Processing of personal data on the basis of consent to the processing of personal data***

Finally, the Company also processes (may process) Your personal data on the basis of Your consent, but of course only if You have given the Company Your consent to the processing of Your personal data. In this case, the Company will of course only process Your personal data only for the purposes for which you have given Your consent to the Company.

Your consent to the processing of your personal data is entirely voluntary and You have the right to withdraw Your consent to the processing of your personal data at any time.

**V. RECIPIENTS (CATEGORIES OF RECIPIENTS) OF PERSONAL DATA**

Your personal data is (might be) transferred by the Company to third parties as so-called recipients of personal data – in view of the purposes for which the Company processes personal data, Your personal data is (might be) transferred by the Company to the following recipients (categories of recipients):

- **contractual agenda** – in connection with the contractual agenda, personal data is transferred mainly to the Company's business partners who participate as subcontractors in the performance of contracts concluded by the Company;
- **interaction with state administration authorities** – in connection with the fulfilment of various information, notification and other obligations laid down by legal regulations, personal data is also transferred to the relevant state authorities, in particular to courts, administrative authorities, financial administration authorities, law enforcement authorities;
- **marketing and promotion** – in connection with the processing of personal data for marketing and promotion purposes, personal data is (might be) transferred to advertising agencies, graphic studios

and other persons providing services to the Company in connection with the Company's marketing and promotion;

- **protection of the legal interests (claims) of the Company and third parties** – in connection with this purpose of processing, personal data is transferred to persons involved in the determination, exercise and protection of the rights, legal claims and other legal interests of the Company and of the Company's clients (whether judicial, out-of-court or otherwise), and to public authorities (in particular courts, administrative authorities, financial administration authorities, law enforcement authorities and other authorities);
- **security and protection** – in this context, personal data is transferred to persons providing services in the area of ensuring security and asset protection services to the Company and to persons providing IT security and protection services to the Company;
- **management and administration of the Company** – in this context, personal data is transferred to persons providing various support services in the area of management and administration to the Company, including IT services (e.g. internet connectivity, webhosting, etc.), secure data disposal services, banking and financial services (including insurance), “*back office*” services, etc.; and
- **recruitment** – in connection with recruitment, personal data is (might be) transferred in particular to recruitment agencies.

## **VI. TRANSFER OF PERSONAL DATA TO THIRD COUNTRIES**

Your personal data is not transferred by the Company by default to third countries, i.e. countries that are not member states of the European Union, Iceland, Norway and Liechtenstein.

Therefore, the transfer of personal data to third countries occurs only in very exceptional cases and only if the following conditions are met:

- on condition that the personal data is transferred to a third country in respect of which a decision has been issued by the European Commission on adequate protection of personal data; or
- on condition that appropriate safeguards for the protection of personal data are provided by the recipient of the personal data (i.e. the person whom the personal data is transferred to); or
- subject to the conditions set out in applicable data protection law, in particular if (1) the transfer of personal data to a third country is necessary for the performance of a contract between the Company and You or a contract concluded for Your benefit, or (2) the transfer is necessary for the determination, exercise or defence of legal claims, or (3) You have given Your explicit consent to the transfer.

## **VII. STORAGE PERIOD OF PERSONAL DATA**

Your personal data is stored by the Company only for the period of time that is necessary with respect to the relevant purposes and reasons for processing Your personal data.

In the case of processing based on the performance of obligations imposed by legal regulations, the Company shall process Your personal data for the period of time stipulated by the applicable law.

In the case of processing carried out due to the performance of a contract concluded between You and the Company, the Company shall process Your personal data for the duration of the relevant contractual relationship and for a period of ten (10) years from the termination of the relevant contractual relationship.

In the case of processing carried out on the basis of the legitimate interests of the Company and/or third parties (in particular, the Company's clients), the Company shall process Your personal data for the following period:

- in the case of the Company's legitimate interest in the management and administration of the Company, for a period of two (2) years from the date of the collection of the personal data;
- in the case of the Company's legitimate interest in the protection of the Company's legal interests (claims), for the duration of the relevant contractual relationship and for ten (10) years from the termination of the relevant contractual relationship, otherwise for ten (10) years from the collection of the personal data;
- in the case of the Company's legitimate interest in marketing and promotion for the duration of the contractual relationship and for five (5) years after its termination, otherwise for five (5) years after the collection of the personal data;
- in the case of the Company's legitimate interest in safety and security, for a period of one (1) year from the collection of the personal data, in the case of IT security, for a maximum period of six (6) months from the collection of the personal data and in the case of personal data processed through a security camera system, for a maximum period of one (1) month from the collection of the personal data (however, in the event of a security incident, the personal data might be processed for a longer period of time, but only for as long as necessary to clarify and resolve the security incident); and
- in the case of the Company's legitimate interest in recruitment, for the duration of the selection process and in the case of keeping records of job applicants, for a period of six (6) months after the end of the selection process.

In the case of processing of personal data carried out on the basis of Your consent, the Company shall process Your personal data for the period specified in the relevant consent (or for the period otherwise demonstrably communicated to you).

## VIII. YOUR RIGHTS

In relation to the processing of Your personal data by the Company you have the following rights.

### ***The right to withdraw consent to the processing of personal data***

Where the Company processes Your personal data on the basis of Your consent, You have the right to withdraw Your consent to the processing of Your personal data at any time, as a whole or partly in relation to only some of Your personal data or only some of the purposes of the processing.

### ***Right of access to personal data***

You have the right to obtain confirmation from the Company as to whether (or not) Your personal data is being processed by the Company and, if so, the right to access Your personal data.

### ***Right to correction and completion of personal data***

You have the right to have inaccurate personal data relating to You corrected by the Company without undue delay. Taking into account the purposes of the processing, You also have the right to have incomplete personal data completed, including by providing an additional statement.



### ***Right to erasure ("right to be forgotten")***

You have the right to have Your personal data erased by the Company without undue delay if: (a) Your personal data is no longer necessary for the purposes for which they were collected by the Company; (b) You withdraw Your consent to processing, if the Company processes Your personal data on the basis of Your consent, and at the same time if there is no other legal reason for the processing of Your personal data; (c) You object to the processing of your personal data and at the same time there are no overriding legitimate grounds for the processing; (d) You object to processing for direct marketing purposes; (e) Your personal data have been unlawfully processed by the Company; or (f) Your personal data must be erased to comply with a legal obligation laid down by the applicable law to which the Company is bound.

### ***Right to restriction of processing***

You have the right to have the Company restricted the processing of Your personal data in the following cases: (a) You contest the accuracy of Your personal data for the time necessary for the Company to verify the accuracy of the personal data; (b) the processing of Your personal data is unlawful and You refuse the erasure of the personal data and instead request the restriction of the use of the personal data; (c) the Company no longer needs Your personal data for processing purposes but You require it for the determination, exercise or defence of Your legal claims; or (d) You object to the processing for a period of time until it can be verified that the Company's legitimate grounds outweigh Your legitimate grounds.

### ***Right to data portability***

You have the right to require the Company to transfer Your personal data (which You have provided to the Company) to another controller (i.e. a person of Your choice), but only if: (a) the processing of Your personal data is based on Your consent or on the performance of a contract between the Company and You; and (b) the processing of Your personal data is carried out by the Company by automated (i.e. not manual) means.

### ***Right to object***

You have the right to object to processing of Your personal data based on a legitimate interest at any time for reasons relating to Your particular situation – if You object, the Company will not further process Your personal data unless (a) the Company demonstrates compelling legitimate grounds for such processing which override Your interests or rights and freedoms, or (b) it is necessary for the determination, exercise or defence of legal claims. You also have the right to object to the processing of Your personal data for direct marketing purposes at any time.

### ***Right to compensation for damages***

You have the right to compensation from the Company for any (material or non-material) damages that You suffer as a result of a breach of the Company's data processing and data protection obligations.

### ***Right to lodge a complaint with a supervisory authority***

In case of doubt about the lawful processing of Your personal data by the Company or if the Company does not comply with Your request concerning Your personal data, You have the right to contact the Office for Personal Data Protection as a supervisory authority in the field of personal data protection. You may contact the Office for Personal Data Protection even without a prior request addressed to the Company.

The Office for Personal Data Protection can be contacted through the following communication channels:

- via e-mail: [info@h-dcm.cz](mailto:info@h-dcm.cz).

### ***Right to judicial protection***

If You are in doubt about the lawful processing of Your personal data or if You discover a violation of Your rights in connection with the processing of Your personal data, You have the right to the effective judicial protection.

## **IX. CONTACT DETAILS**

If You have any questions regarding the processing and protection of Your personal data or if You intend to exercise any of Your rights in connection with the processing of personal data carried out by the Company, You may contact the Company through the following communication channels:

- at the e-mail address [info@h-dcm.cz](mailto:info@h-dcm.cz)