



— PRINCIPLES OF PROCESSING AND PROTECTION OF PERSONAL DATA —

The company ESSENS DISTRIBUTION sro, Company ID: 061 67 322, VAT ID: CZ06167322, with its registered office in Brno, Zaoralova 3045/1e, ZIP code: 628 00, registered in the Commercial Register kept by the Regional Court in Brno under file number C 100453 (hereinafter also referred to as "**ESSENS**", "**we**", "**our**" or "**us**"), as the operator of the web application available on the official websites of ESSENS and the ESSENS Club, hereby provides you with information on the principles and procedures for processing your personal data, in accordance with the provisions of Act No. 101/2000 Coll., on the protection of personal data, as amended, 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, of this data and repealing Directive 95/46/EC (hereinafter referred to as the "**GDPR**"), and Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 on the processing of personal data and the protection of privacy in the electronic communications sector. The security of your personal data is a priority for us. We therefore pay due attention to personal data and their protection. In these Principles for the Processing and Protection of Personal Data (hereinafter referred to as the "**Principles**") you will find information about what personal data we collect about you, the methods or activities in which we work with them, on what legal basis and for what purposes we use them, how long we keep them, and to whom we may transfer them. In these Principles, we also inform you about your rights in connection with the processing of your personal data.

1. PERSONAL DATA CONTROLLER

ESSENS is a personal data controller pursuant to Article 4(7) of the GDPR (hereinafter referred to as the "**Controller**"). The Controller has not appointed a Data Protection Officer.

Administrator contact details:

Andre Karel Limberg

Phone: 541 554 554

Email: it@essensworld.com

In the case of camera recordings, the administrator is ESSENS EUROPE SE, ID: 29375819, with its registered office at Zaoralova 3045/1e, Líšeň, 628 00 Brno, entered in the Commercial Register kept by the Regional Court in Brno, Section H, Insert 264 (hereinafter referred to as "**ESSENS EUROPE SE**").

2. DEFINITION

- **Personal data:** means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- **Special personal data:** means data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person and data concerning a natural person's health or sexual life or sexual orientation.
- **Data subject (= you):** means an identified or identifiable natural person.
- **Processing of personal data:** within the meaning of Article 4(2) of the GDPR means any operation or set of operations which is performed upon personal data or upon sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- **Controller:** within the meaning of Article 4(7) of the GDPR means a natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, that law may determine the controller concerned or the specific criteria for its determination; i.e. ESSENS and ESSENS EUROPE SE.
- **Processor:** within the meaning of Article 4(8) of the GDPR means a natural or legal person, public authority, agency or other entity that processes personal data for the controller; including some business partners of the Controller who, on the instructions and according to the requirements of the Controller or the responsible employee of the Controller, act as a personal data processor for the Company.
- **Risky processing:** means processing that is likely to present a risk to the rights and freedoms of data subjects, the processing is not occasional, or involves the processing of special categories of data referred to or personal data relating to criminal convictions and offences referred to in Article 10 of the GDPR.

3. MANAGEMENT OF PERSONAL DATA OF WEBSITE VISITORS

From the moment you visit our website, we may process your personal data. However, please do not assume that we actually know who you are or that we are trying to directly identify you. The only information we know about you is that collected by Statistical Cookies (more about them in our Cookie Policy) and that we subsequently use to provide smart features of our service. In the sense of Art. 4 para.

1 GDPR, we process the following data about you:

- IP addresses of the devices from which you access our services,
- a unique identifier assigned to you by Google Analytics cookies,
- information about the use of our website (how you use the search engine, which regulations you visit most often, etc.),
- information about where you visited our website from, when you visited and left it, or how many times you have already visited our website.

We primarily need the above data to ensure the functionality of our service. We work with the IP address and possibly other network communication data to prevent and resolve incidents that could result in the inoperability or limitation of the provision of our services or could lead to their misuse (e.g. malware, cyberattacks, batch data downloads from services, access from anonymous web browsers, etc.), based on our legitimate interest.

We anonymize, aggregate and use purely statistical data (especially point 3 of Article 2.1) as global indicators of the use of our website upon receipt.

Our application then remembers your IP address and unique identifier along with data about your use of our website so that it can show you personalized recommendations on how to use our services more effectively or create a list of your favorite recipes on repeat visits.

In such a case, however, we only process them if you give us your voluntary and informed consent within the meaning of Article 6(1)(a) GDPR to store cookies on your device and/or to process the data associated with it. If you do not give us your consent, the application will be “stupider”, but you can still use it without further restrictions. Within one visit to the application, we process your data in this way for the purpose of fulfilling the service contract and granting a license pursuant to Article 1.2 of the Terms. We also process your personal data as a visitor if you contact us via our contact form, by e-mail, by telephone or via the social networks Facebook or Twitter; within the meaning of Article 4(1) GDPR, these will be the following by default:

- electronic mail address (e-mail),
- telephone number,
- first and last name,
- IP addresses of the devices from which the request was made via the contact form,
- network identifiers assigned by us or by Facebook/Twitter,
- your Facebook/Twitter usernames,
- other data provided in the context of communication with customer support (regardless of the type of contact). We then process this personal data on the basis of: your consent pursuant to Article 6(1)(a) of the GDPR, which in this case means storing cookies and processing the data thus obtained by linking it with data on the use of the service so that personalized recommendations can be displayed to you, communication with customer support (before creating a user account or when logging out of the user account), which is our and your legitimate interest pursuant to Article 6(1)(f) of the GDPR.

Information about how you use our service, as well as information obtained from cookies, or their applicability for the above-mentioned purposes, is limited to the duration of the contract, i.e. for the duration of one visit to the application, or the lifespan of specific cookies, which we have described in detail in our Cookie Policy, and for which we have also set the relevant consent, but for a maximum of 2 years or until the consent is withdrawn in accordance with Article 5 of these Principles.

We always store all communication with customer support for 6 months in order to provide better service and to help you immediately and effectively in cases of recurring problems with the application. We store network communication data according to Article 2.2 for 6 months.

4. PERSONAL DATA PROCESSED

We process identification data (name, surname, date of birth, title, ID, VAT number), contact data (address, e-mail, telephone), data contained in job applicants' CVs, accounting data (bank account number), order and delivery history, data on complaints, turnover, points and rewards. We process this data in accordance with the GDPR and other legal regulations relating to the protection of personal data.

5. CATEGORIES OF DATA SUBJECTS

- Suppliers of goods and services
- Members of the ESSENS Club (hereinafter referred to as " **Members** ")
- Job seekers
- Website visitors
- Visitors to the ESSENS EUROPE SE headquarters

6. PURPOSE OF PROCESSING PERSONAL DATA

We process personal data ("PD") for clearly defined purposes, the detailed description of which, broken down by individual categories of data subjects, is further specified in terms of the legal basis, the scope of the PD processed and the period of their processing:

A. Suppliers of goods and services

A.1. ***Fulfillment and implementation of contracts concluded with suppliers, external collaborators and creditors, debt collection***

The legal basis is the *fulfillment of the contract*. Processing of *identification data and accounting personal data of the other contracting parties* is necessary for the fulfillment of mutual contractual obligations. For this purpose, personal data may be processed for the duration of *the contractual relationship*.

A.2. ***Exercising claims arising from contractual relationships after termination of the contract***

The legal basis is our *legitimate interest*. The collection of *identification and accounting data*, including payments made, is necessary for the handling of complaints, the recovery of receivables and other contractual obligations arising from contracts concluded between us and these data subjects. For this purpose, personal data may be processed for a period of five years from the termination of *the contractual relationship*, depending on the legal regulation of the limitation period, in the case of disputed proceedings for the entire duration of the proceedings.

B. ESSENS Club Members

B.1. Maintaining a database of clients for repeated use of services, including maintaining statistics

- The legal basis is **the consent of the data subject**.
- We process identification data (name, surname, date of birth, nationality, loyalty program number, travel document), contact data (e-mail, telephone), order and complaint history, and communication history about customers or contact persons of legal entities.

For this purpose, personal data may be processed **for a period of 5 years, or until consent is revoked**.

Fulfilling our accounting and tax obligations

- The legal basis is **the fulfillment of legal obligations** imposed on us by legal regulations such as the Accounting Act or the Value Added Tax Act.
- We process identification data (name, surname), contact data (delivery address or permanent address, e-mail, telephone), accounting data (bank account number and other information listed on tax documents).

For this purpose, personal data may be processed for up to **ten years** from the end of the tax period in which the transaction took place.

Fulfillment and implementation of contracts concluded with suppliers, external collaborators and creditors, debt collection

The legal basis is the *fulfillment of the contract*. Processing of *identification data and accounting personal data of the other contracting parties* is necessary for the fulfillment of mutual contractual obligations. For this purpose, personal data may be processed for the duration of *the contractual relationship*.

B.2. ***Exercising claims arising from contractual relationships after termination of the contract***

The legal basis is our *legitimate interest*. The collection of *identification and accounting data*, including payments made, is necessary for the handling of complaints, the recovery of receivables and other contractual obligations arising from contracts concluded between us and these data subjects. For this purpose, personal data may be processed for a period of five years from the *termination of the contractual relationship*, depending on the legal regulation of the limitation period, in the case of disputed proceedings for the entire duration of the proceedings.

C. Job seekers

C.1. ***Assessment of the suitability of a job applicant during a selection procedure and re-approaching in the event of termination of the employment relationship with another selected applicant during the probationary period***

The legal basis is our *legitimate interest*. We collect *identification, contact, educational and work experience data* of job applicants for the purpose of the ongoing selection process and possible re-contact in the event of termination of employment with another selected candidate during the probationary period. Personal data is processed for this purpose for a period of *six months* from the termination of the selection process or from the start of the advertised position as an employee by another selected candidate.

C.2. Possible proof of compliance with the prohibition of discrimination and the obligation of equal treatment under the Employment Act during the employee selection procedure

The legal basis is our legitimate interest. We collect *identification, contact personal data and data on education and work experience* of job applicants in order to prove compliance of the selection procedure for the position of employee with the provisions of the Employment Act, the prohibition of discrimination and the obligation of equal treatment. For this purpose, personal data may be processed for a period of *three years* from the end of the selection procedure, or in the case of an ongoing procedure, for the entire duration of the procedure.

D. Website visitors

D.1. Statistics before data anonymization, displaying advertisements for our services or goods

The legal basis is our *legitimate interest* in improving our services and focusing on what the customer is really interested in and offering similar services or goods that meet the needs of the data subject based on access to our website. We collect *identification data (name, surname), contact details (address, email, phone), IP address and cookies*. For this purpose, personal data may be processed for a period of two years from the date of provision of the data.

D.2. Communication with customer support (before registering for membership in the ESSENS Club)

The legal basis is *our and your legitimate interest*. We process *identification data (name, surname), contact data (address, e-mail, telephone), IP address, cookies, and a request* made to customer support. For this purpose, personal data may be processed until the *inquiry is resolved, but for a maximum of thirty days*.

E. Website visitors

In order to ensure the safety of persons and the protection of property, camera systems with video recording are installed at the headquarters of ESSENS EUROPE SE in Brno, the location of which is informed to visitors entering the premises of ESSENS EUROPE SE by means of information signs. The legal basis is *the legitimate interest of ESSENS EUROPE SE and yours* in ensuring the safety of persons and the protection of property. We process descriptive personal data of visitors in the monitored areas. In this way, personal data of Customers may also be obtained if Customers are in the monitored areas. For this purpose, personal data may be processed for a *maximum period of seven days*.

7. PERIOD OF PROCESSING PERSONAL DATA

We retain personal data only for the period necessary for the purpose of processing (see specifically Article 5 of this Policy). After this period, personal data may be retained only for the purposes of the state statistical service, for scientific purposes and for archival purposes.

8. RECIPIENTS OF PERSONAL DATA AND TRANSFER OF PERSONAL DATA OUTSIDE THE EUROPEAN UNION

In justified cases, we may also transfer your personal data to other entities (hereinafter referred to as the “recipients”). Personal data may be transferred to the following recipients: In providing services, we are assisted by processors whose operations comply with European personal data protection standards. The processing of personal data by third parties is governed by their own terms and conditions of service provision. You acknowledge that we may transfer your personal data to them for the purposes set out below and agree that we may also transfer personal data of data subjects to them pursuant to Article 6 of these Principles. You can always find the current list of processors in the article List of personal data processors. You agree that processors may entrust processing to other processors: Persons managing the software we use, solely for the purpose of managing and technical support of these programs. Persons who provide us with services and goods and within their framework process your personal data of our partners (whose list can be found here [hypertext link]) public authorities and other entities, if required by applicable law; other entities in the event of an unexpected event in which the provision of data is necessary to protect life, health, property or other public interest or if it is necessary to protect our rights, property or safety.

9. PROCESSING AGREEMENT

At the same time as registering a user account, you always conclude a free personal data processing agreement with us, the content of which is determined by the following provisions, pursuant to Article 28(3) of the GDPR.

You, the users, can enter (or provide us with) personal data about third parties (e.g. name and surname, or e-mail) into the web application, especially through comments or notes, but also, for example, in communication with customer support. You are the data controller for such persons. We only provide an interface for adding and publishing comments within the web application, and we only contact persons in connection with your request and according to your instructions within the communication. We handle personal data only in accordance with this purpose and do not carry out any other processing activities that would fall outside these purposes.

For processing activities under this contract, you also agree to the involvement of subprocessors within the meaning of paragraph 1.3 of the Principles.

At the same time, we undertake to ensure that other processors or persons participating in processing on our behalf always meet a high standard of trust, for example, primarily by concluding a confidentiality agreement.

We are of course also committed to securing personal data in accordance with Article 32 of the GDPR, i.e. to take such

technical, personnel and other measures as to prevent unauthorized or accidental access to personal data, their alteration, destruction or loss, unauthorized transfers, their other unauthorized processing, or any other misuse of personal data. We are also committed to maintaining these measures even after the end of the provision of services at least for the period for which we will have the data available.

You, on the other hand, acknowledge that you have full control and responsibility for the data that you enter into the application or that you communicate to us. The requirements of accuracy, adequacy, time limitation and minimization of stored data must be met by you. In the event that you delete the data, it is deleted by us.

We are also mutually obliged to provide cooperation in the event of suspected misuse of personal data of data subjects, to make every effort and to take such measures as to prevent the risk of misuse of personal data.

Upon termination of this processing agreement, i.e. termination of your user account, all data entered in this way will be destroyed. Neither we nor our authorized processors are liable for any damage resulting from the loss of data entered into the application after the termination of your user account.

This processing agreement also includes the provisions of the Privacy Policy, which follow:

FURTHER PROVISIONS ON THE PROCESSING AND PROTECTION OF PERSONAL DATA

The following provisions apply to the processing of personal data within our services from the position of both controller and processor and are part of the personal data processing agreement.

We do not process children's personal data or special categories of personal data, so-called sensitive personal data, within the meaning of Article 9 of the GDPR. The processors we entrust with processing must meet a high standard of protection and will always handle the data within the limits of this Policy.

Through the Website, we may collect and use technical data and related information, including but not limited to technical information about users' devices, system and application software, and peripherals, which is collected periodically to facilitate the provision of services. We may use this information, as long as it is in a form that does not personally identify the user, to improve the application or to provide services or technologies, even for an indefinite period of time.

We will destroy personal data after the provision of services has ended or the reason for processing the data has ceased. We will always make every effort to prevent unauthorized processing of personal data by other persons, however, we are not liable to you or other data subjects for any damage caused by unauthorized processing of personal data by a third party. All data from the application is stored in the European Union or in third countries if the conditions for transferring data to third countries are met within the meaning of Art. 44 et seq. GDPR.

Neither we nor you consider the e-mails we will send you to be unsolicited commercial communications within the meaning of Act No. 40/1995 Coll., on advertising, and Act No. 480/2004 Coll., on certain information society services.

If we become aware of a security risk associated with personal data, we will notify you without undue delay. We undertake to provide you with cooperation and legal assistance in recovering compensation from the responsible processors in the event of damage arising from a personal data breach or other event leading to damage. However, we are not liable for the errors of the authorized processors.

Through our website, cookies other than those listed above may also be stored on your device in accordance with our Cookie Policy.

You confirm to us that the personal data provided is true, accurate and that it relates exclusively to you or that you have entered data whose use does not infringe the rights of third parties. Please always inform us of changes in personal data so that only current and complete data is processed, either at our request or without a request. If we request it, you undertake to always provide us with current and true data.

Personal data will be processed in electronic form. This data will never be used for automated individual decision-making or profiling within the meaning of Article 22 of the GDPR.

10. YOUR RIGHTS AS A DATA SUBJECT

Right to access personal data

You have the right to request from us access to the personal data concerning you. In particular, you have the right to obtain from us confirmation as to whether or not personal data concerning you are being processed by us, and to be provided with further information on the data processed and the manner of processing in accordance with the relevant provisions of the GDPR (purpose of processing, categories of personal data, recipients, planned storage period, existence of your right to request rectification, erasure, restriction of processing or right to object, source of personal data and right to lodge a complaint). If you request this, we will provide you with a copy of the personal data we process about you, free of charge. In the event of a repeated request, we may charge a reasonable fee for providing a copy, corresponding to the administrative costs of processing.

To access your personal data, please use the contact information provided in this policy.

The right to withdraw consent to the processing of personal data if the processing is based on consent

You have the right to withdraw your consent to the processing of personal data that we process on the basis of this consent at any time.

You can withdraw your consent through the contact information provided in this policy.

Right to rectification, restriction or erasure

If you find that the personal data we hold about you is inaccurate, you may request that we correct this data without undue delay. If this is appropriate in the specific circumstances of the case, you may also request that the data we hold about you be supplemented.

You can request correction, restriction of processing or deletion of data through the contact information provided in this policy.

Right to erasure of personal data

You have the right to request that we erase the personal data we process concerning you without undue delay in the following cases: if you withdraw your consent to the processing of your personal data and there is no other legitimate reason for our processing that overrides your right to erasure; if you object to the processing of your personal data (see below);

Your personal data are no longer necessary for the purposes for which we collected or otherwise processed them; the personal data have been processed by us unlawfully;

the personal data were collected by us in connection with the offer of information society services to a person under the age of 18; the personal data must be erased to comply with a legal obligation set out in European Union law or in Czech law to which we are subject.

You can request erasure in these cases through the contact information provided in this policy. The right to request erasure of personal data does not apply in situations where processing is necessary for the exercise of the right to freedom of expression and information;

to comply with our legal obligations;

for reasons of public interest in the field of public health;

for archiving purposes in the public interest, for scientific or historical research purposes or for statistical purposes, where erasure of the data is likely to render impossible or seriously jeopardise the achievement of the purposes of the said processing; for the establishment, exercise or defence of legal claims.

You can find out whether there are reasons for not being able to exercise the right to erasure through the contact information provided above.

Right to restriction of processing of personal data

You have the right to restrict the processing of your personal data where: you contest the accuracy of the personal data. In this case, the restriction applies for the period necessary to verify the accuracy of the personal data. the processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead.

We no longer need your personal data for the purposes for which we processed them, but you require them for the establishment, exercise or defence of legal claims; you object to the processing (see below). In this case, the restriction applies for a period of time until it is verified whether our legitimate reasons outweigh your legitimate reasons.

During the period of restriction of processing of personal data, we may process your personal data (except for storage) only with your consent, or for the establishment, exercise or defence of our legal claims, for the protection of the rights of another natural or legal person, or for reasons of important public interest of the Union or of a Member State. As stated above, you may request the restriction of processing through the contact details provided in this policy.

Right to object to processing

You have the right to object to the processing of your personal data in the following cases:

If personal data are processed on the grounds that the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us, or for the purposes of our legitimate interests, and you object to the processing, we may not further process the personal data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defence of our legal claims.

If personal data is processed for direct marketing purposes and you object to the processing, we will no longer process the personal data for these purposes.

If your personal data are processed for scientific or historical research purposes or for statistical purposes, we will not process them further unless the processing is necessary for the performance of a task carried out for reasons of public interest. You can lodge an objection via the contact details provided in this policy.

Right to data portability

Where we process your personal data based on your consent or because it is necessary for the performance of a contract between us, you have the right to receive from us the personal data concerning you which you have provided to us, in a structured, commonly used and machine-readable format, where the personal data are processed by us. You have the right to transmit this data to another data controller or to request that we provide this data directly to another data controller, where technically feasible. To obtain your personal data, please contact the contact person specified in this policy.

Right not to be subject to any decision based solely on automated processing, including profiling We do not currently use personal data for automated decision-making. Otherwise, you have the right not to be subject to any decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

This does not apply if:

automated decision-making is permitted by law; automated decision-making is necessary for the conclusion or performance of a contract concluded between us; your explicit consent to automated decision-making has been given.

The right to obtain information about a breach of your personal data security

If a breach of our security is likely to result in a high risk to your rights and freedoms, we will notify you of the breach without undue delay. If appropriate technical or organizational measures have been used to process your personal data,

for example to ensure that it is unintelligible to an unauthorized person, or if we have taken additional measures to ensure that the high risk does not materialize, we do not have to provide you with information about the breach.

Right to lodge a complaint with a supervisory authority

If you believe that the processing of your personal data violates the obligations set out in the GDPR, you have the right to file a complaint with the supervisory authority. The supervisory authority in the Czech Republic is the Office for Personal Data Protection.

Office for Personal Data Protection

Lt. Col. Sochora 27

27 170 00 Prague 7

phone: 234 665 111

Email: posta@uouu.cz

Data box: qkbaa2n

www.uouu.cz

The Administrator declares that it has taken all appropriate technical and organizational measures to secure personal data. The Administrator has taken technical measures to secure data storage and storage of personal data in paper form, in particular in the form of secure (encrypted) access to the web application available on the official ESSENS website, encryption of Member passwords in the Member database, regular system updates, regular system backups. The Administrator declares that only persons authorized by him have access to personal data.

The Administrator is authorized to change these Policies. The new version of the Policies will be published on the official ESSENS website and simultaneously separately in the user account of each ESSENS Club Member.

