



Centrálny depozitár cenných papierov SR, a. s.

Information on processing of personal data

25.05.2018

Introduction

Purpose of this document is to provide, in compliance with principle of transparency, information related to processing of personal data pursuant to provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter only "GDPR")

Protection of your personal data is very important for us and therefore we thoroughly observe to be compliant with the legal regulation at processing the personal data and up-to-date knowledge to assure security of your personal data.

In case you have any question on processing of your personal data, please contact the data protection officer in our company.

Data protection officer

Contact details: e-mail address: ooou@cdcp.sk
postal address: ul. 29.augusta 1/A, 814 80 Bratislava (you can address the envelope directly person responsible for personal data protection)

Information on the controller

The controller is the company Centrálny depozitár cenných papierov SR, a.s., ID Number: 31 338 976, registered seat: ul. 29.augusta 1/A, 814 80 Bratislava, registered in the Companies Registry of the District Court Bratislava I, Section: Sa, Insert No. 493/B (hereinafter „CDCP“).

e-mail address: info@cdcp.sk web page: www.cdcpsk.sk

Purposes and scope of personal data processing

CDCP is processing your personal data only for defined and legitimate purpose of processing.

The purpose includes primarily:

- identification
- concluding contractual relationships, their maintenance including changes and their termination
- administration of requests for services, including requests for information and regulation
- receiving and administration of notifications, e.g. claims and objections, notifications on conflict of interest, etc.
- fulfilling of information duties pursuant to act No. 566/2001 Coll. on Securities and Investment services and on amendments and supplements to certain acts and pursuant to other legal regulation imposing CDCP with information duties
- protection and enforcement of CDCP rights

- activities related to tasks and duties of CDCP pursuant to valid legal regulations
- fulfilling of CDCP duties in resulting from AML and international sanctions area
- accounting agenda
- wage and personnel agenda
- marketing
- activities related to registry and archiving duties

Scope and list of processed personal data is provided for by generally binding regulation or results from specific contractual/pre-contractual relationship, or is given directly in the consent.

Legal basis for processing of personal data

CDCP can process your personal data based on following legal bases:

1) If you have given consent to process your personal data for specific purpose/purposes pursuant to article 6(1) letter a) of GDPR – e.g. for sending a newsletter.

2) If inevitable for fulfilling the agreement concluded between you and CDCP, including pre-contractual relations, pursuant to article 6(1) letter b) of GDPR

3) If your data are processed in scope necessary for fulfilling legal duties of CDCP pursuant to article 6(1) letter c) of GDPR, whereas in this case the legal bases for processing are primarily following legal regulations:

- Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012, including related implementation regulations, namely Commission Delegated Regulation (EU) 2017/392 of 11 November 2016 supplementing Regulation (EU) No 909/2014 of the European Parliament and of the Council with regard to regulatory technical standards on authorisation, supervisory and operational requirements for central securities depositories.
- Act No. 566/2001 Coll. on Securities and Investment services and on amendments and supplements to certain acts
- Act No. 747/2004 Coll. on Supervision of the Financial Market and on amendments and supplements to certain laws
- Act No. 297/2008 Coll. on Prevention of legalisation of proceeds of criminal activity and terrorist financing
- Act No. 530/1990 Coll. on bonds
- Act No. 513/1991 Coll. Commercial Code
- Act No. 7/2005 Coll. on Bankruptcy and Restructuring and on amendments and supplements to certain acts
- Act No. 233/1995 Coll. on Judicial Executors and Executory Activities (Executory Procedure Code) and on amendments and supplements to certain acts
- Act No. 595/2003 Coll. on Income tax

- Act No. 222/2004 Coll. on Value Added Tax
- Act No. 359/2015 Coll. on Automatic Exchange of financial account information in the field of taxation and on amendment to certain acts
- Act No. 160/2015 Coll. on Civil Dispute Procedure Code
- Act No. 289/2016 Coll. on implementation of International Sanctions and on supplements to Act No. 566/2001 Coll. on Securities and Investment services and on amendments and supplements to certain acts
- Act No. 395/2002 Coll. on Archives and Registries and on supplements of certain acts

4) If necessary for purpose of legitimate interest of CDCP or third party pursuant to article 6(1) letter f) of GDPR – e.g. monitoring of building by video surveillance system, one-off entrance registration.

5) If processing is necessary to demonstrate, enforcement or vindication of legal claims pursuant to article 9(2) letter f) of GDPR.

Source of personal data

CDCP obtains personal data directly from the clients / contractual parties, third parties who provides data on client / contractual party (e.g. statutory agent, authorised person, other entitled person, administrative body), from relevant registries opened in compliance with valid legal regulations, from public sources if pursuing legitimate interests of CDCP or if the data are required to fulfil an agreement or to establish pre-contractual relations.

Disclosure, making available and dissemination of personal data

CDCP does not disclose your personal data to other entities unless you granted CDCP your consent to disclose the data or disclosure of data was agreed in the agreement, whereas such consent/agreement includes list of recipients of your personal data.

CDCP is entitled to disclose your personal data to third parties also in case of existence of legal basis to disclose your personal data to the third party, e.g. fulfilling of legal duty of CDCP or in connection with enforcement or protection of rights or legitimate interests of CDCP. The list of recipients of personal data is stated in relevant legal regulation which imposes CDCP to disclose the personal data (it concerns for example courts, bodies responsible for penal proceedings, executors, bankruptcy administrators, state authorities, the National Bank of Slovakia, the Bratislava Stock Exchange a.s., etc.).

CDCP does not make the disclosed data public, except when fulfilling CDCP obligation to publish.

Processors

In specific cases CDCP can process your personal data through a processor. The Processor is an entity delegated by CDCP to process the personal data in compliance with the article 28 of GDPR. Your consent or other legal basis is not required to delegate the processor to process your personal data, as the processor is processing your personal data on behalf of CDCP as the controller.

CDCP utilises only the processors who provide for adequate technical, organisational and other measures so the processing is compliant with GDPR requirements and protection of your rights is fully ensured.

For processing of your personal data CDCP uses following categories of processors:

- Companies providing for human resources services
- Companies providing for print services and bulk mailing
- Companies providing for and perform maintenance of CDCP information systems
- Companies providing for recovery and administration of receivables
- Companies providing for protection of health and assets
- Companies providing for audit and consulting services
- CDCP participants

Transfer of personal data to the third countries

The personal data are not subject to cross-border transfer to third countries not providing for appropriate security of personal data, except cases specified by valid legal regulations or special events when the data subject must be informed on the transfer in advance.

Period for storing the personal data

CDCP stores your data in form allowing your identification for period necessary to achieve the purpose for which the data was processed.

If your personal data are processed on basis of your consent, CDCP will store your personal data after withdrawal of the consent or after termination of validity of the consent only for period necessary to declare, enforce or vindicate legal claims of CDCP. This equally applies to processing based on the agreement.

If your personal data are processed in the context of CDCP legal duty, the period for which CDCP is obliged to store your personal data and relating documents is specified in respective legal regulations and the CDCP Registry Rules.

Your rights related to processing of your personal data

With regard to processing of personal data you are entitled to place a claim to the Office for Personal Data Protection of the Slovak Republic.

If conditions stipulated by the legal regulations in connection with your personal data are met, you are entitled:

- to correction of inaccurate personal data and to have the incomplete data completed,
- access to your personal data in form of printout,
- to limit processing of your personal data,

- to transferability of your personal data,
- to deletion of your personal data.

If your personal data are processed based on written consent, you are entitled to withdraw such consent anytime. Nevertheless, withdrawal of the consent has no impact on lawfulness of processing resulting from the consent before it was withdrawn.

As the data subject you are entitled to object processing of personal data in case the processing is based on legitimate interests of CDCP.

Consequences of non-provision of personal data

If provision of your personal data is a legal or contractual requirement or is necessary for conclusion of an agreement, consequences of non-provision of your personal data will be that CDCP shall not provide service, rejects trade.

Monitoring of CDCP premises

CDCP is entitled to monitor its premises and adjoining public area by the video surveillance system to assure safety, criminality detection, protection of assets and health. CDCP stores the tape recording for 14 days.