

# **PRIVACY NOTICE (GENERAL INFORMATION)**

In accordance with the Regulation<sup>1</sup> and the Act on Personal Data Protection<sup>2</sup>, the controller SLOVNAFT, a. s., Vlčie hrdlo 1, 824 12 Bratislava, Identification No.: 31 322 832, registered in the Commercial Register of the District Court Bratislava I, Section: Sa, Insert No.: 426/B (hereinafter referred to only as “Company” or “Controller”) processes your personal data within the scope and under the conditions laid down by special regulations.

This Privacy notice provides basic information regarding your rights with regard to the processing of personal data by the Company and information on access to personal data.

## **PURPOSE OF PROCESSING, LEGAL BASIS AND PERIOD FOR STORING PERSONAL DATA**

### **Suggestions, Complaints, Customer Claims and Damage Events**

Based on the pre-contractual and contractual relation to which you are a party in terms of Article 6 (1) (b) of the Regulation, and also on the basis of the Company’s legitimate interest in terms of Article 6 (1) (f) of the Regulation, we process your personal data in order to solve and settle your suggestions, complaints, customer claims and damage events (including insured events) in case you are or have been a customer of any filling (service) station of the Company, or if you have sent the Company any suggestion or complaint (that does not apply to the resolution of suggestions, complaints and claims filed by BONUS Club members). We process your personal data for the course of settlement of such suggestions, complains, customer claims and damage events and thereafter for archiving purposes for a period of 5 years from the end of the calendar year in which the suggestion, complaint, customer claim or damage event was settled.

### **Fuel Cards**

Based on the pre-contractual and contractual relation to which you are a party, if you are a natural person – entrepreneur in terms of Article 6 (1) (b) of the Regulation, and also on the basis of the Company’s legitimate interest, if you are the a person authorized to act on behalf of the company with which we enter into a contractual relationship or a contact person in terms of Article 6 (1) (f) of the Regulation, the Company may process your personal data in in connection with fuel cards (for more details, see also supplier-customer relationships purpose of processing specified below in this Privacy notice)

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<sup>1</sup> 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).

<sup>2</sup> Act No. 18/2018 Coll. on Personal Data Protection and on amendments and supplements to certain acts as amended.

Each MOL Group GOLD fuel cards (hereinafter referred to only as “fuel card) issued by the Company to the customer on the basis of the Contract on the Sale of motor fuels and other goods and services through MOL Group Gold fuel cards of SLOVNAFT, a.s. (hereinafter referred to only as “Contract”) is assigned a unique identification number. When providing services via fuel cards, the Company processes information on transactions performed on individual fuel cards (hereinafter referred to only as “transaction data”), in particular for the purpose of billing, invoicing and where appropriate, the exercise of its claims. If the customer is a natural person – entrepreneur, or if he uses services related to fuel cards through employees or other natural persons to whom he has allocated these fuel cards, transaction data may have the character of personal data. The Company does not take steps to identify the fuel card user; however, the fuel card user may be identifiable directly to the customer who allocated the fuel card.

### **Supplier-Customer Relationships**

Based on the pre-contractual and contractual relation to which you are a party, if you are a natural person – entrepreneur in terms of Article 6 (1) (b) of the Regulation, and also on the basis of the Company’s legitimate interest, if you are the a person authorized to act on behalf of the company with which we enter into a contractual relationship or a contact person in terms of Article 6 (1) (f) of the Regulation, we process your personal data in particular within supplier and customer contracts as data necessary to establish contractual relationships and ensure the fulfilment thereof.

In the context of entering into contract and fulfilment of the contract, the Company may process your personal data based on the legitimate interest in terms of Article 6 (1) (f) of the Regulation for the purposes of insuring receivables/performance provided and of evaluating the credit risk, sending its customers general advertisement messages, information materials about the news and events related to the Company, the Company’s products and services, invitations to events etc. via e-mail.

We obtain your personal data either directly from you, if you are a natural person – entrepreneur, a person authorized to act on behalf of the company with which we enter into a contractual relationship, or from your employer such as data necessary to ensure the contact in connection with performance of the contract, as well as from public registers (e.g. the Trade Register, the Commercial Register, the Land Registry and others). In case that personal data are not provided, the Company may not establish the contractual relationship with you when personal data processing is necessary for the contract to be made or fulfilled.

Your personal data are stored for the duration of the contractual relationship and thereafter for archiving purposes for 10 years as from the expiry of the contract.

In cases where the Company being the consignor/filling organization acts to transport dangerous goods, pursuant to provisions of generally binding regulations and the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) the Company is obliged to check up a vehicle crew’s documents to verify the crews capacity to

carry out the given transport and for the purpose of doing the check-up, the Company requires data subjects to produce the ADR Document – a driver's training certificate and identification document. The lawfulness of personal data processing results from Article 6 (1) (c) of the Regulation as the processing is required to fulfil the Controller's legal obligation.

### **Inspection Activity**

The Company also process your personal data in connection with fulfilment:

- a) the Company's obligations arising from generally binding legal regulations on occupational health and safety<sup>3</sup> (which includes an orientational breath test via an appointed person to identify the presence of alcohol in an examined person's breath), fire protection, environmental protection, serious industrial accident prevention and waste management, as the obligation to undergo inspection also applies to a natural person who is present at an employer's workplace or on the employer's premises with his knowledge in terms of Article 6 (1) (c) of the Regulation,
- b) supplier's contractual terms and conditions (the Company's contractual partner) by inspecting the observance of working methods, obligations and tasks arising from contractual relationships and the Company's internal regulations based on the Company's legitimate interest to ensure the protection of its property, assets and financial interests and the proper performance of a contract in terms of Article 6 (1) (f) of the Regulation,
- c) rules laid down by the MOL Group Business Partners Code of Ethics, which is available at the Company's website [www.slovnaft.sk](http://www.slovnaft.sk) – About us, the link to Ethics – based on the Company's legitimate interest to ensure its business partners' ethical conduct and revelation of unethical conduct, protection of property, the Company's assets and financial interests in terms of Article 6 (1) (f) of the Regulation.

In case that an incident is identified, and circumstances are being documented, investigated or detected according to individual purposes of processing, records are retained until the acts necessary to achieve the purpose of personal data processing are completed.

### **Call centrum/Dispatching**

An audio record of phone calls is made based on the Company's legitimate interest in terms of Article 6 (1) (f) of the Regulation for the purpose of assessing and enhancing the quality of services provided, keeping records of and dealing with offers, receiving requests, demands, presenting offers, keeping records of and handling warranty claims to received goods or services, keeping records of the Company's clients complaints and damage events, reporting a loss or theft of the fuel card or a forgotten PIN Code (the Company's Call Centre), protecting the Company and the data subject in relation to the information provided, storing the information to solve emergency conditions and situations (the Company's dispatching).

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<sup>3</sup> For example Act No. 124/2006 Coll. on Occupational Health and Safety and on amendments and supplements to certain acts as amended.

An audio record of phone call is kept for 12 consecutive months as from the time it is recorded.

### **Bookkeeping**

We also process your personal information in order to meet the Company's bookkeeping obligations in terms of Article 6 (1) (c) of the Regulation (in particular the obligations imposed by Act on Accounting<sup>4</sup>, Act on Value Added Tax<sup>5</sup>). Your personal data included in accounting records/invoices are stored for 10 years following the year to which the accounting records/invoices pertain.

### **Registry Administration and Postal Records**

We may also process your personal data for the purpose of registry administration and keeping postal records in order to fulfil the statutory obligations of the Company being the Controller which arise from specific legal regulations in terms of Article 6 (1) (c) of the Regulation (in particular obligations imposed by Act on Archives and Registries<sup>6</sup>, Act on e-Government Act<sup>7</sup>). Storage periods are set out by special regulations.

### **Court Proceedings/Out-of-Court Recovery of Receivables**

We may also process your personal data for the purpose of recovering the receivables extrajudicially (out-of-court), resolving the Company's dispute agenda (active and passive disputes), proving, exercising and/or defending the Company's legal claims. The legal basis for processing of personal data for the purpose above is the legitimate interest of the Company (Article 6 (1) (f) of the Regulation). We store your personal data for 10 years as from the valid resolution of given court proceedings, out-of-court recovery. The storage period commences on the first day of the year following the year in which the court proceedings were validly resolved/out-of-court recovery closed.

### **Bailiff (Execution) Proceedings**

We may also process your personal data for bailiff (execution) proceedings and related demonstration, exercise and/or defence of legal claims of the Company. The legal basis for processing of personal data for the purpose above is the legitimate interest of the Company in case the Company acts as a party with legitimate interests (Article 6 (1) (f) of the Regulation) in such bailiff proceedings. If the Company acts as a liable party or a third person who is obliged to provide assistance in the course of bailiff proceedings, the legal basis for processing of personal data is the performance of a legal obligation of the Company as the

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<sup>4</sup> Act No. 431/2002 Coll. on Accounting as amended.

<sup>5</sup> Act No. 222/2004 Coll. on Value Added Tax as amended.

<sup>6</sup> Act No. 395/2002 Coll. on Archives and Registries and on amendment to certain acts as amended.

<sup>7</sup> Act No. 305/2013 Coll. on the Electronic Form of Governance Conducted by Public Authorities and on amendments and supplements to certain acts (e-Government Act) as amended.

Controller which is imposed on the Company as the Controller by the Bailiff Court Procedure<sup>8</sup> (Article 6 (1) (c) of the Regulation).

We store your personal data for 10 years as from the valid resolution of the bailiff proceedings. The storage period commences on the first day of the year following the year in which the bailiff proceedings were validly resolved.

### **Candidates for the operation of Filling Stations**

We process personal data based on the interest you have shown in our offer to register your data in the Company in order to become a partner of the filling (service) station in the future based on an contract on commercial cooperation with regard to the operation of a filling station (hereinafter also referred to as “contract”), the subject-matter of which consists of ensuring due operation of the filling station and performance of related activities. The purpose is the need to create, maintain and update registry of applicants interested in operation of the filling station (hereinafter referred to only as “candidate”) to ensure the ability to promptly replace an filling station partner in case of termination of cooperation with an existing filling partner and ensure his replacement with an candidate, taking into account its experience, skills, practice and territorial requirement. The legal basis for processing of personal data for the purpose mentioned above is the consent given by the data subject (Article 6 (1) (a) of the Regulation).

Inclusion in such registry does not establish a legal entitlement of the candidate to be invited by the Company to enter into a relevant contract in the future. If such contract is concluded, the Company will process personal data in terms of Article 6 (1) (b) of the Regulation, when the processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

We shall store personal data for 2 years as from receipt thereof. After expiry of this period, the personal data shall be destroyed (deleted), unless there are any additional legal grounds for their processing (conclusion of a contract on commercial cooperation in the course of operation of a filling (service) station).

### **Other**

You can find more detailed information regarding processing of personal data by the Company as the Controller for further purposes not mentioned in this Privacy notice in individual Privacy notices depending on the purposes of processing which are available at the Company’s website [www.slovnaft.sk](http://www.slovnaft.sk), About us, link to Privacy Policy Documents.

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<sup>8</sup> Act No. 233/1995 Coll. on Court Bailiffs and Bailiff Procedures (Bailiff Court Procedure) and on amendments and supplements to certain acts as amended.

After the expiry of periods for storing the personal data specified for individual purposes of processing, the personal data shall be destroyed (deleted) unless there is some other legal grounds to process them (asserting legal claims, litigations, administrative proceedings etc.).

## **RULES ON PERSONAL DATA PROTECTION**

Your personal data are only processed in compliance with statutory requirements stipulated in the Regulation or Act on Personal Data Protection.

You are a **data subject** in the course of processing of personal data by the Controller, which means that you are the person whom the processed personal data concern.

Being the Controller, the Company has the legal obligation to provide your personal data in the course of inspection, supervisory activities or at the request of authorized authorities or institutions of the state if so, prescribed by special regulations<sup>9</sup>.

The Company may also provide your personal data to recipients or third persons such as legal representatives (attorneys), notaries, bailiffs, auditors, tax advisors, insurance companies with which the Company's risks are ensured, banks, Slovenská pošta, a.s., processors if they have been authorized to process personal data on behalf of the Controller (e.g. it concerns occupational health and safety service suppliers, fire protection service suppliers, security service, SLOVNAFT Group Members providing the Company with various services), other entitled subjects in terms of applicable legal regulations. The Company declares that it has duly executed contracts with its processors who ensure an appropriate level of personal data protection in compliance with legal regulations related to personal data protection. The list of processors processing personal data on behalf of the Controller (the Company) is published and updated on the Company's website [www.slovnaft.sk](http://www.slovnaft.sk). About us, a link to Privacy Policy Documents.

Your personal data may also be further provided on legitimate interest basis to the company MOL Nyrt., with registered office at Október huszonharmadika ul. 18., Budapest, the Republic of Hungary for internal administrative purposes within the MOL Group.

Your personal data shall be stored in a secure manner, in compliance with the Controller's and processor's security policy and only for the period necessary to fulfil the purpose of processing. Your personal data shall be only accessible to persons entrusted by the Controller with personal data processing who process such data upon instructions issued by the Controller and in compliance with the Controller's security policy.

Your personal data are backed up in compliance with the Controller's retention rules. Your personal data shall be fully deleted from back-up data storage site as soon as possible in accordance with the retention rules. The purpose of personal data stored at back-up data storage sites is to prevent security incidents, in particular, impaired data availability due to a

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<sup>9</sup> For example Act No. 171/1993 Coll. on the Police Force as amended; Act No. 18/2018 Coll. on Personal Data Protection and on amendment and supplementation of certain acts as amended.

security incident. The Company is obliged to ensure data back-up in compliance with the security requirements in the Regulation and the Act on Personal Data Protection.

Your personal data processed for purposes described in this Privacy notice are not subject to automated decision-making, including profiling, and we do not publish your personal data or transfer them to third countries or international organizations.

## **DATA PROTECTION OFFICER**

Safe processing of personal data and compliance of processing with the Regulation and the Act on Personal Data Protection are supervised by the Data Protection Officer whom you can contact in order to exercise your rights.

Contact details of the Data Protection Officer:

E-mail: [zodpovednaosobagdpr@slovnaft.sk](mailto:zodpovednaosobagdpr@slovnaft.sk)

Address for correspondence: GDPR Data Protection Officer, SLOVNAFT, a.s., Vlčie hrdlo 1, 824 12 Bratislava

## **YOUR RIGHTS PURSUANT TO THE REGULATION AND THE ACT ON PERSONAL DATA PROTECTION**

Regulation respectively Act on Personal Data Protection contains in detail your data protection rights, your possibilities of seeking a legal remedy and the restrictions thereof (especially Articles 15 - 22, 77, 79 and 82 of the Regulation, § 21-28, § 38 of the Act on Personal Data Protection). You can request at any time information about your personal data processed, you can request the rectification and erasure of your personal data or the restriction of their processing, furthermore you can object to the data processing based on a legitimate interest and to the sending of direct marketing messages, and you have the right to data portability. We summarize the most important provisions below.

### **Right to information**

If the data Controller processes your personal data, it must provide you with the information concerning the data concerning you – even without your special request thereof – including the main characteristics of the data processing such as the purpose, legal basis for the processing and the time period for which the personal data will be stored, the identity and the contact details of the Controller and its representative (where applicable), the recipients of the personal data (in case of data transfer to third countries indicating also the adequate and appropriate guarantees), the legitimate interests of the data Controller and/or third parties in case of data processing based on a legitimate interest, furthermore your data protection rights and your possibilities of seeking a legal remedy (including the right of lodging a complaint with the supervisory authority). In case of automated decision-making or profiling, the data subject must be informed about the logic involved as well as the significance and the envisaged consequences of such processing for the data subject in an understandable way. The Controller will provide you with the above-mentioned information

by making the Privacy notice available to you. The above-mentioned does not apply in the scope in which the data subject already has the information.

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

You have the right to obtain from the Controller confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to the personal data and certain information related to the data processing such as the purpose of the data processing, the categories of the personal data concerned, the recipients of the personal data, the envisaged period for which the personal data will be stored, the data subject's data protection rights and possibilities of seeking a legal remedy (including the right of lodging a complaint with the supervisory authority), furthermore information on the source of the data where the personal data are not collected from the data subject. Upon your request, the Controller shall provide a copy of your personal data undergoing processing. For any further copies requested by you, the Controller may charge a reasonable fee based on administrative costs. The right to obtain a copy shall not adversely affect the rights and freedoms of others. The Controller gives you information on the possibility, the procedure, the potential costs and other details of providing the copy after receiving your request.

Where you make the request by electronic means, and unless otherwise requested by you, the information shall be provided to you in a commonly used electronic form.

In case of automated decision-making and profiling, the data subject has access to the following information: the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

### **Right to rectification**

You have the right to obtain from the Controller without undue delay the rectification of inaccurate personal data concerning you. With regard to the purposes of the processing, you have the right to have incomplete personal data completed, including by providing a supplementary statement.

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

You have the right to obtain from the Controller the erasure of personal data concerning you without undue delay, and the Controller has the obligation to erase personal data without undue delay where certain grounds or conditions are given. Among other grounds the data Controller is obliged to erase your personal data upon your request for example if the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; if you withdraw your consent on which the processing is based, and where there is no other legal ground for the processing; if the personal data have been unlawfully processed; or if you object to the processing and there are no overriding



legitimate grounds for the processing; if the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the Controller is subject; or if the personal data have been collected in relation to the offer of information society services.

The Controller shall not be able in some cases to satisfy your request; for example that processing is necessary for exercising the right of freedom of expression and information; for compliance with a legal obligation which requires processing by Union or Member State law to which the Controller is subject or for the performance of a task carried out in the public interest; for reasons of public interest in the area of public health; for archiving purposes in the public interest, for the establishment, exercise or defence of legal claims.

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

You have the right to obtain from the Controller restriction of processing where one of the following applies:

- a) the accuracy of the personal data is contested by you, for a period enabling the Controller to verify the accuracy of the personal data;
- b) the processing is unlawful, and you oppose the erasure of the personal data and request the restriction of their use instead;
- c) the Controller no longer needs the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims;
- d) you have objected to processing, pending the verification whether the legitimate grounds of the Controller override your legitimate ground.

Where the processing has been restricted for the above-mentioned reasons, with the exception of storage, the personal data shall only be processed with your consent or to establish, exercise or defend legal claims or to protect the rights of another natural or legal person or due to an important public interest of the Union or a Member State.

You shall be informed by the Controller before the restriction of processing is lifted.

### **Right to data portability**

You have the right to receive the personal data concerning you, which you provided to the Controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another Controller without hindrance from the Controller to which the personal data have been provided, where:

- a) the processing is based on your consent or on the performance of a contract (to which you are a party); and
- b) the processing is carried out by automated means.

In exercising your right to data portability, you have the right to have the personal data transmitted directly from one Controller to another, where technically feasible.

The right to data portability shall be without prejudice to the provisions governing the right to erasure. The right to data portability shall not adversely affect the rights and freedoms of others.

### **Right to object**

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on the legitimate interests of the Controller, including profiling based on those provisions. The Controller shall no longer process the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

Where personal data are processed for direct marketing purposes, you have the right to object at any time to processing of personal data concerning you for such marketing purposes, including profiling to the extent that it is related to such direct marketing. Where you object to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

### **Right to withdraw your consent at any time**

Where processing is based on your consent, you have right to withdraw your consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on the consent prior to its withdrawal. It shall be as easy to withdraw as to give consent.

You may deliver your withdrawal of consent to the address of registered seat of the Controller or to the Data Protection Officer's e-mail or in the manner indicated in the granted consent.

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

If you consider that the processing of personal data relating to you infringes the Regulation or Act on Personal Data Protection, you have the right to lodge a complaint with a supervisory authority which is the Office for Personal Data Protection of the Slovak Republic, Hraničná 12, 820 07 Bratislava 27, telephone No.: +421 /2/ 3231 3214, E-mail: [statny.dozor@pdp.gov.sk](mailto:statny.dozor@pdp.gov.sk), <https://dataprotection.gov.sk>.

### **Right to an effective judicial remedy**

You shall have the right to an effective judicial remedy where you consider that your rights have been infringed as a result of the processing of your personal data in contradiction to the Regulation/Act on Personal Data Protection. Proceedings against a Controller shall be brought before the courts of the Member State where the Controller has an establishment or where you have your habitual residence (domicile).

### **Right to compensation and liability**

Any person who has suffered material or non-material damage as a result of an infringement of the Regulation or Act on Personal Data Protection shall have the right to receive compensation from the Controller for the damage suffered.

The Controller involved in processing shall be liable for the damage caused by the processing which infringes the Regulation respectively the Act on Personal Data Protection (for a damage caused by unlawful processing). The Controller shall be exempt from liability for the damage caused by the unlawful processing if it proves that it is not in any way responsible for the event giving rise to the damage (if the Controller has not caused the damage).

In case of any questions concerning the processing of your personal data, you may contact us via our Data Protection Officer.

All changes in the conditions of processing and protection of personal data are published at our website in the form of an update of this Privacy notice. This way, we will ensure that you always have current information about the terms and conditions under which your personal data are processed.