

# Information on the Protection of Personal Data

## IH21 — Digitálny ombudsman, n. o.

### I.

#### Basic Provisions

1. The controller of personal data within the meaning of Article 4(7) of Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (hereinafter referred to as the “**General Data Protection Regulation**” or “**GDPR**”) is IH21 — Digitálny ombudsman, n. o., IČO 57273855, Kupeckého 2, 902 01 Pezinok (hereinafter referred to as the “**controller**”).
2. The controller’s contact details are:  
address: Kupeckého 2, 902 01 Pezinok  
e-mail: info@digitalniombudsman.cz
3. “**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.
4. “**Services**” means the controller’s activities consisting of out-of-court dispute resolution pursuant to Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act).
5. “**Other activities**” means scientific and research activities aimed at supporting the quality of out-of-court dispute resolution, the organisation of training and conferences aimed at supporting the quality of out-of-court dispute resolution, the popularisation of out-of-court dispute resolution options, and obtaining financial and other support for the fulfilment of the above objectives.
6. “**Marketing**” means sending newsletters and other information about the controller’s activities to which you have given your consent, or sending invitations and registrations for events and social occasions organised or co-organised by the controller, as well as informing about any related matters and carrying out marketing activities associated

with the above-mentioned activities, including taking photographic and audiovisual documentation and further using it by the controller for the purpose of informing about its activities and other marketing activities.

7. **“Other personal data”** means communication and documents received by the controller that cannot be classified into any of the above categories.
8. The controller has not appointed a Data Protection Officer, as it does not meet the conditions set out in Article 37 GDPR and is therefore not obliged to do so.

## **II.**

### **Sources and Categories of Processed Personal Data**

1. The controller processes personal data that you have provided to it or that the controller has obtained in connection with the provision of services as defined in Article I(4), (5) and (7), or for marketing activities as specified in Article I(6).

## **III.**

### **Legal Basis and Purpose of Processing Personal Data**

1. The legal basis for processing personal data is:
  - performance of a contract for the provision of Services between you and the controller pursuant to Article 6(1)(b) GDPR;
  - the legitimate interest of the controller in marketing (in particular, but not limited to, sending commercial communications and newsletters) pursuant to Article 6(1)(f) GDPR. The legitimate interest of the controller pursuant to Article 6(1)(f) GDPR also includes informing existing recipients of the controller’s services about the services provided, news, and events by means of commercial communications, if you have already used the controller’s services. In each such case, you have the right to object at any time to the processing for these purposes (Article 21 GDPR), and the controller will subsequently cease processing the data for this purpose. If you have not yet used the controller’s services, commercial communications will only be sent to you on the basis of your consent pursuant to Article 6(1)(a) GDPR, which you may withdraw at any time, see the following point.
  - your consent to the processing for the purposes of direct marketing (in particular, but not limited to, sending commercial communications and

newsletters) pursuant to Article 6(1)(a) GDPR in cases where no order for services has been placed; this consent may be withdrawn at any time.

2. The purposes of the processing of personal data are:
  - provision of services and other activities defined in Article I(4), (5) and (7) by the controller; in providing the services, personal data necessary for their successful provision are required (necessary personal data, in particular name and address, contact details — usually e-mail and telephone number, etc.); provision of personal data is a necessary requirement for the provision of services; without providing personal data it is not possible to use the services or for them to be provided by the controller;
  - sending of commercial communications and other marketing activities specified in Article I(6).
3. The parties to the dispute also acknowledge that all information provided by them to the controller in the context of the out-of-court dispute resolution process will, in order to preserve the right to a fair trial and the principle of equality of arms, be made available to the other party to the dispute for comment by allowing access to the digital case file relating to the case in question.

#### **IV.**

##### **Data Retention Period**

1. The controller retains personal data:
  - for the period necessary to exercise the rights and obligations arising from the contractual relationship between you and the controller and to assert claims arising from such contractual relationships (no longer than 15 years from the termination of the contractual relationship or from the termination of the assertion of claims arising from such contractual relationships);
  - for the period until the consent to the processing of personal data for marketing purposes is withdrawn, where the personal data are processed on the basis of such consent..
2. Upon expiry of the retention period, the controller will delete the personal data unless they are subject to mandatory archiving.
3. The controller will also delete personal data and any other documents obtained in connection with the Services in the event that the purpose of their processing ceases to exist (storage limitation pursuant to Article 5(1)(e) GDPR), in particular when it

concludes that they are no longer needed for the provision of services, including the contents of the file and documents received from the parties to the dispute or their representatives. However, such deletion will not take place before a decision terminating the out-of-court dispute resolution process has been issued.

4. The controller will retain appropriate personal data obtained in connection with the Services referred to in the preceding paragraph even after the aforementioned time limits solely for archiving purposes in the public interest, for scientific or historical research purposes, or for statistical purposes pursuant to Article 89(1) GDPR, in which case the controller will implement appropriate technical and organisational measures to safeguard the data.

## V.

### **Recipients of Personal Data (Controller's Subcontractors)**

1. The recipients of personal data are persons
  - involved in the delivery of services or the execution of payments under the contract,
  - involved in ensuring the operation of services,
  - providing marketing services.
2. The controller intends to transfer personal data to a third country (a country outside the EU) or to an international organisation. The recipients of personal data in third countries are, in particular (but not exclusively), providers of mailing, cloud, or similar services that the controller uses or has used in its activities.

## VI.

### **Your Rights under the GDPR**

1. Under the conditions set out in the GDPR, you have:
  - the right of access to your personal data under Article 15 GDPR;
  - the right to rectification of personal data under Article 16 GDPR, or restriction of processing under Article 18 GDPR;
  - the right to erasure of personal data under Article 17 GDPR;
  - the right to object to processing under Article 21 GDPR;
  - the right to data portability under Article 20 GDPR;
  - the right to withdraw consent to processing in writing or electronically to the address or e-mail of the controller specified in Article I of these conditions.

2. You also have the right to lodge a complaint with the Office for Personal Data Protection if you believe that your right to the protection of personal data has been infringed.

## **VII.**

### **Personal Data Security Measures**

1. The controller declares that it has taken all appropriate technical and organisational measures to secure personal data.
2. The controller has taken technical measures to secure data storage and storage of personal data in paper form, in particular regular software updates, use of antivirus programs, use of trusted storage and software providers, and appropriate technical security of the controller's registered office.
3. The controller declares that only persons authorised by it have access to personal data.

## **VIII.**

### **Final Provisions**

1. You will be informed of this Information on the Protection of Personal Data in an appropriate manner at the time of lodging a complaint or without undue delay after its submission (depending on the method chosen for lodging the complaint). The current version of the Information on the Protection of Personal Data is always available on the controller's website.
2. The controller is entitled to amend these conditions at any time. The controller will publish the new version of the personal data protection conditions on its website and will inform you of this change in an appropriate manner

This information shall enter into force on 29. 5. 2026.