

## **INFORMATION ON THE PROCESSING OF PERSONAL DATA**

provided pursuant to 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, repealing Directive 95/46/EC (General Data Protection Regulation), (hereinafter also the "GDPR Regulation").

Controller: **CORWIN SK a.s.**

registered office: Námestie Mateja Korvína 1, 811 07 Bratislava

IČO: 45 500 126

(hereinafter only the "Controller")

oversees the construction of a development project and, as Controller, processes the personal data of clients and prospective clients (hereinafter the "Data Subject") to the extent and under the conditions set out in this document and is responsible for their protection and processing. Unless otherwise provided, the Controller is also responsible for the processing of personal data by processors it has engaged for this purpose. More detailed information on the projects carried out by the Controller, or by the CORWIN group, is available at: <http://corwin.sk/#portfolio> (hereinafter also the "Projects").

Since you have expressed interest in being contacted for the purpose of obtaining information on the sale/lease of retail units/apartments in our offered Projects, which are overseen by companies within the CORWIN group in the territory of the Slovak Republic, the Czech Republic and Slovenia, the Controller therefore processes your personal data as a Data Subject to the following extent: a) first and last name, b) e-mail address and c) telephone number (hereinafter the data listed in points a) to c) jointly also the "Personal Data").

### **I. Identification of the Controller and contact details**

The Controller, on whose behalf the Personal Data is processed, is CORWIN SK a.s., with its registered office at: Námestie Mateja Korvína 1, 811 07 Bratislava – Staré Mesto district, IČO: 45 500 126, registered in the Commercial Register of the Bratislava III District Court, Section: Sa, File No. 5015/B. Contact details: tel.: +421 2 5441 6009, 5441 6007, fax: +421 2 5441 6011, e-mail: [gdpr@corwin.sk](mailto:gdpr@corwin.sk) or through the appointed data protection officer at [dpo@corwin.sk](mailto:dpo@corwin.sk).

### **II. Definition of the purposes of processing and determination of the legal basis**

The Controller processes Personal Data to the extent set out for the following purposes:

- **the purpose of maintaining records and supporting communication in connection with the sale/lease of retail units/apartments and the purpose of contacting Data Subjects** as potential parties interested in investing in Projects overseen by companies belonging to the CORWIN group; The legal basis for the processing of Personal Data is the legitimate interest of the Controller (Art. 6(1)(f) of the GDPR Regulation);
- **the purpose of pre-contractual and contractual communication** in the event of a potential conclusion of a contract by the Data Subject for the sale/lease of retail units/apartments; The processing of Personal Data is necessary for the performance of a contract to which the Data Subject is a party and/or in order to take steps at the request of the Data Subject prior to entering into a contract, to agree on contractual terms, and to prepare, communicate and subsequently conclude the relevant contracts; The legal basis for the processing of Personal Data necessary for the performance of a contract (Art. 6(1)(b) of the GDPR Regulation);
- **the purpose of contacting Data Subjects** as potential interested parties/clients whom the Controller approaches through a contact form regarding interest in a meeting/contact concerning their interest in housing/retail (retail) units with the Controller or with companies within the CORWIN group. The legal basis for the processing of Personal Data is the legitimate interest of the Controller (Art. 6(1)(f) of the GDPR Regulation);
- **statistical purposes**, for the purpose of combining Personal Data with data of other clients in order to generate reports that help improve the provision of the Controller's services, subject to technical and organisational measures aimed at ensuring compliance with the principle of data minimisation. The legal basis for the processing of Personal Data is further processing of Personal Data (Art. 5(1)(b) in conjunction with Art. 89(1) of the GDPR Regulation) – the result of such processing is never personal data, but aggregated/anonymous information (such as, for example, the number of customers we have or economic statistics);
- **the purpose of establishing, exercising and defending legal claims.** The legal basis for the processing of Personal Data is the legitimate interest of the Controller (Art. 6(1)(f) of the GDPR Regulation);
- **the purpose of maintaining records of, and handling, requests from Data Subjects** by the Controller. The legal basis for the processing of Personal Data is the legitimate interest of the Controller (Art. 6(1)(f) of the GDPR Regulation);

- **the purpose of fulfilling the Controller's obligations** under applicable legal regulations, for example tax obligations or obligations relating to consumer protection in the internal market, or obligations under legal regulations relating to protection against the legalisation of proceeds of criminal activity, in particular pursuant to Act No. 297/2008 Coll. on Protection against the Legalisation of Proceeds of Criminal Activity and on Protection against the Financing of Terrorism and on Amendments to Certain Acts, as amended. The legal basis for the processing of Personal Data is compliance with a legal obligation (Art. 6(1)(c) of the GDPR Regulation);

### **III. Categories of Data Subjects**

The Controller processes personal data for the purposes referred to in Article II in relation to Data Subjects whom the Controller records as persons who have expressed interest in the Project.

### **IV. Legal bases relied on by the Controller**

The Controller processes personal data on the following legal basis: a) where the processing of personal data is necessary for the conclusion and performance of a contract, or within the framework of pre-contractual relations, b) where the use of personal data is required by law, c) where it is necessary to protect the legitimate interests of the Controller, or where it is necessary to comply with a legal obligation to which the Controller is subject, d) where valid consent has been given to the Controller, e) where valid consent has been given to the Controller for the purposes of creating a user account in the client zone (client portal) located on the internet and for providing services through the client portal.

#### **Re a)**

The processing of personal data for the purposes of performing a contract and pre-contractual relations is a contractual requirement. If the Data Subject does not provide personal data to the necessary extent (in particular for identity verification and obtaining the data necessary for the performance of the contract, etc.), the Controller is unable to conclude the contract. The Controller processes personal data within pre-contractual relations (e.g. to send a contract), for the conclusion, amendment and termination of a contract in accordance with the law, for invoicing, and for handling complaints. The period of processing of personal data is limited by the duration of the contractual relationship. After termination of the contract, certain personal data may continue to be processed if another legal basis exists (e.g. a legitimate interest in asserting or proving legal claims).

#### **Re b)**

The Controller may process and disclose the personal data of Data Subjects to other entities where required by law. In fulfilling obligations laid down by legal regulations, personal data is processed (including the disclosure of personal data to other entities), in particular for the following purposes: (i) tax processing and accounting, (ii) providing information within criminal, administrative offence and administrative proceedings or in the enforcement of legal claims, (iii) obligations in the area of consumer protection, and the like.

#### **Re c)**

In carrying out its activities, the Controller appropriately protects its interests, which are important for the proper conduct of its business activity (consisting in the possibility of informing clients and potential clients about offers relating to the Projects, the enforcement of legal claims, and the like). In this case, the Data Subject provides their personal data voluntarily, on the grounds that they are requesting information/services from the Controller in which they are interested. In carrying out its business activity, the Controller does not undertake any further independent activity in order to obtain the Personal Data of the Data Subject; rather, the Data Subject themselves contacts the Controller in order to obtain additional information regarding the purchase/lease of retail (retail) units/apartments from the Controller and its current offer. The Controller does not actively seek anything out; it merely responds to the request of the Data Subject and subsequently, where necessary, develops communication regarding the given request of that Data Subject, which is necessary for carrying out its core business activity. Without the processing of the aforementioned personal data (voluntarily provided by the Data Subject) for the purpose of maintaining records of, and supporting communication in connection with, the sale and lease of retail (retail) units/apartments, the Controller would not be able to accept and record requests from Data Subjects and subsequently respond to them, which would significantly limit its ability to sell premises in its properties; this is not in its interest, nor in the interest of the basic framework for carrying out its main business activity and operations. The legitimate interest of the Controller, within the framework of its interest in the proper conduct of its business activity, is also considered to include the establishment, exercise and defence of the company's legal claims that may arise from any legal relationships (e.g. a sale) between the Controller and the Data Subject, and in connection with which it may become necessary, for the purposes of establishing, exercising and/or defending a right, to use the data and information that the Data Subject provided to the Controller precisely within the pre-contractual communication and the negotiation of the specific terms of the contractual relationship.

#### **Re d)**

The Controller processes personal data on the basis of consent. The Data Subject is entitled to withdraw their consent at any time. In such a case, the processing of personal data will cease and the data will, without undue delay,

be destroyed, unless another legal basis exists for their use or retention. The withdrawal of consent does not affect the lawfulness of processing carried out prior to its withdrawal. Personal data is processed for the duration of the consent granted by the Data Subject.

## **Re e)**

The Controller processes personal data on the basis of consent for the purposes of providing services through the client portal, which include in particular electronic access to contractual documentation and invoices, as well as access to documentation relating to the use of properties within the Project, complaints regarding hidden defects in properties within the Project, and the booking of meetings. The Data Subject is entitled to withdraw their consent at any time. In such a case, the processing of personal data will cease and, unless another legal basis exists for their use or retention, the data will be destroyed without undue delay. The withdrawal of consent has no effect on the lawfulness of processing carried out prior to its withdrawal. Personal data is processed for the duration of the consent granted by the Data Subject.

## **The Data Subject's right to object to the processing of personal data**

The Data Subject has the right, on grounds relating to their particular situation, to object at any time to the processing of personal data concerning them which is carried out on the legal basis of the Controller's legitimate interest. The Controller may not continue to process the personal data unless it demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the Data Subject, or grounds for the establishment, exercise or defence of legal claims.

## **V. Notice on the voluntary or obligatory nature of providing personal data**

Where the Data Subject wishes the Controller to contact them for the purpose of arranging a meeting and presenting available housing/retail (retail) units within the Controller's Projects, for the purposes of related communication and the potential conclusion of a contract for the purchase/lease of retail (retail) units/apartments, the Data Subject is required to provide the Controller with their Personal Data (at least first name, last name and e-mail address, telephone number) for the purpose of further communication. Otherwise, the Controller has no means of contacting the Data Subject, and the Data Subject will not receive the requested information regarding the offer of apartments/retail (retail) units. Naturally, whether the Data Subject decides to provide their Personal Data for the purpose of arranging a meeting or another form of communication regarding apartments/retail (retail) premises is their voluntary decision, and any failure to provide such data should have no material consequences for them.

## **VI. Recipients or categories of recipients of Personal Data**

It is anticipated that Personal Data processed on behalf of the Controller for the purposes set out in Article II will also be disclosed to the following recipients:

- a) processors who have been engaged in writing by the Controller to process Personal Data. These are, in particular, companies within the CORWIN group, IT service providers, delivery companies, courier companies, consulting companies and agencies, and other persons whose services we use in carrying out our activities. We select processors carefully so as to ensure that all data protection requirements are met,
- b) authorised persons of the Controller,
- c) authorised persons of CORWIN SK a.s., with its registered office at: Námesť Mateja Korvína 1, 811 07 Bratislava – Staré Mesto district, IČO: 45 500 126, registered in the Commercial Register of the Bratislava III District Court, Section: Sa, File No. 5015/B,
- d) entities financing the construction of the Project, mortgage loan intermediaries,
- d) authorised persons belonging to the CORWIN group and companies belonging to the CORWIN group which may enter into a contractual relationship with the Data Subject, whereby such entities become recipients upon entering into negotiations regarding the relevant contracts.

(hereinafter also the “recipients”).

## **VII. Retention period for Personal Data**

Personal data processed for the purpose of maintaining records of, and supporting communication in connection with, the sale/lease of a retail unit (retail)/apartment will be processed for the period during which communication takes place concerning the interest of a client or potential client/interested party in premises within the CORWIN group's Projects, as well as for the period of communication relating to negotiations on the conclusion of contracts and any related communication – provided that, in the event of conclusion of the relevant contract (sale contract, etc.), such data will be retained in connection with the implementation of the relevant transaction for at least the period arising from the relevant legal regulations for the enforcement and/or defence of rights arising from the relevant contractual relationship. Personal data processed for the purpose of establishing, exercising and defending the legal claims of Data Subjects will be processed for at least the period arising from the relevant legal regulations, or will be processed for the duration of the Controller's rights and claims, in particular for the duration of the limitation periods laid down by legal regulations, generally for a maximum period of 10 years after the termination of the contractual relationship (if one arose), or until the conclusion of disputes and other proceedings relating to the Controller's claims or the defence of the Controller's rights. Personal data processed for the purpose of fulfilling the Controller's obligations will be processed for as

long as, under the relevant legal regulations (regulations governing accounting, archiving, and consumer protection), obligations exist whose fulfilment also requires the processing of Personal Data. Personal data processed for statistical purposes will be processed for the duration of the retention periods set out above for other purposes.

## **VIII. Information concerning automated individual decision-making**

In processing Personal Data, the Controller does not employ any automated individual decision-making procedures, nor profiling.

## **IX. Information on other rights of the Data Subject**

Provided that the conditions laid down by the legal regulations governing the protection of personal data are met, you, as a Data Subject, have the following rights:

### **□ Right to request access to personal data from the Controller concerning you:**

The Data Subject has the right to obtain confirmation from the Controller as to whether personal data concerning them is being processed and, if so, the right to obtain access to that personal data and to the following information: the purposes of processing; the categories of personal data concerned; the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations; where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period; the existence of the right to request from the Controller rectification of personal data concerning the Data Subject, or erasure or restriction of processing, or the right to object to such processing; the right to lodge a complaint with a supervisory authority; where the personal data were not collected from the Data Subject, any available information as to their source; the existence of automated decision-making, including profiling referred to in Art. 22(1) and (4) of the GDPR Regulation, and, in such cases, at least meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the Data Subject. The Controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the Data Subject, the Controller may charge a reasonable fee based on administrative costs.

### **□ Right to rectification of personal data:**

The Data Subject has the right to have the Controller rectify, without undue delay, any inaccurate personal data concerning them. Having regard to the purposes of the processing, the Data Subject has the right to have incomplete personal data completed, including by means of providing a supplementary statement.

### **□ Right to erasure (“right to be forgotten”):**

The Data Subject also has the right to have the Controller erase, without undue delay, personal data concerning them, and the Controller is obliged to erase personal data without undue delay where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) the Data Subject withdraws the consent on which the processing is based pursuant to Art. 6(1)(a) or Art. 9(2)(a) of the GDPR Regulation, and where there is no other legal basis for the processing;
- c) the Data Subject objects to the processing pursuant to Art. 21(1) of the GDPR Regulation and there are no overriding legitimate grounds for the processing, or the Data Subject objects to the processing pursuant to Art. 21(2) of the GDPR Regulation;
- d) the personal data have been unlawfully processed;
- e) the personal data must be erased for compliance with a legal obligation under Union or Member State law to which the Controller is subject;
- f) the personal data have been collected in relation to the offer of information society services referred to in Art. 8(1) of the GDPR Regulation.

Where the Controller has made the personal data public and is obliged to erase it, the Controller shall, taking into account available technology and the cost of implementation, take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the Data Subject has requested the erasure of any links to, or copies or replications of, that personal data.

The right to erasure does not apply to the extent that processing is necessary:

- a) for exercising the right of freedom of expression and information;
- b) for compliance with a legal obligation which requires processing under Union or Member State law to which the Controller is subject, or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller;
- c) for reasons of public interest in the area of public health in accordance with Art. 9(2)(h) and (i), as well as Art. 9(3) of the GDPR Regulation;
- d) for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes pursuant to Art. 89(1) of the GDPR Regulation, insofar as the right referred to above is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- e) for the establishment, exercise or defence of legal claims.

**□ Right to restriction of processing:**

The Data Subject has the right to obtain from the Controller restriction of processing in any of the following cases:

- a) the Data Subject contests the accuracy of the personal data, for a period enabling the Controller to verify the accuracy of the personal data;
- b) the processing is unlawful and the Data Subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) the Controller no longer needs the personal data for the purposes of processing, but they are required by the Data Subject for the establishment, exercise or defence of legal claims;
- d) the Data Subject has objected to processing pursuant to Art. 21(1) of the GDPR Regulation, pending verification as to whether the Controller's legitimate grounds override those of the Data Subject.

Where processing has been restricted in accordance with the foregoing, such personal data shall, with the exception of storage, be processed only with the Data Subject's consent or for the establishment, exercise or defence of legal claims, or 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. The Controller shall inform the Data Subject who has obtained a restriction of processing in accordance with the foregoing before the restriction of processing is lifted.

**□ Right to data portability:**

The Data Subject has the right to receive the personal data concerning them, which they have provided to the Controller, in a structured, commonly used and machine-readable format, and has 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 consent pursuant to Art. 6(1)(a) or Art. 9(2)(a) of the GDPR Regulation, or on a contract pursuant to Art. 6(1)(b) of the GDPR Regulation, and b) the processing is carried out by automated means. In exercising their right to data portability, the Data Subject has the right to have the personal data transmitted directly from one controller to another, where technically feasible. The exercise of this right shall be without prejudice to Art. 17 of the GDPR Regulation. This right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller. The right to data portability shall not adversely affect the rights of others.

**□ Right to object to processing, including objection to profiling (where carried out):**

The Data Subject has the right to object at any time, on grounds relating to their particular situation, to the processing of personal data carried out on the basis of Art. 6(1)(e) or (f) of the GDPR Regulation, including profiling based on those provisions. The Controller may not continue to process the personal data unless it demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the Data Subject, or grounds for the establishment, exercise or defence of legal claims. Where personal data are processed for direct marketing purposes, the Data

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

**□ Right to lodge a complaint with a supervisory authority:**

The supervisory authority to which the Data Subject may, in justified cases, address their complaint is the Office for Personal Data Protection of the Slovak Republic, <https://dataprotection.gov.sk/sk/>.

**□ Right to withdraw consent to processing (where personal data are processed on the basis of consent):**

Where the legal basis for the processing of personal data is the Data Subject's consent, the Data Subject is entitled to withdraw their consent at any time, without affecting the lawfulness of processing based on consent given before its withdrawal.

The Data Subject may exercise the right to withdraw consent at any time, even before the expiry of the period for which such consent was given, in particular by the following means:

- a) by post, to the address of the Controller's registered office,
- b) at any time and free of charge by clicking on the relevant link contained in every newsletter received;
- c) by e-mail to the Controller;
- d) by telephone.

The Controller is obliged to take appropriate measures and to provide the Data Subject with the information referred to in [Articles 13 and 14 of the GDPR Regulation](#) and the communications referred to in [Articles 15 to 22 of the GDPR Regulation](#) concerning the processing of their personal data, in a concise, transparent, intelligible and easily accessible form. The Controller shall assist the Data Subject in exercising their rights under [Articles 15 to 22 of the GDPR Regulation](#).

The Controller is obliged to provide the Data Subject with information on the measures taken pursuant to their request under [Articles 15 to 22 of the GDPR Regulation](#) within one month of receipt of the Data Subject's request. In justified cases, taking into account the complexity and number of requests, the Controller may extend this period by a further two months, and may do so more than once. However, the Controller is obliged to inform the Data Subject of any such extension within one month of receipt of the request, together with the reasons for the delay. If the Controller does not take action on the Data Subject's request, it is obliged, within one month of receipt of the request, to inform the Data Subject of the reasons for not taking action and of the possibility of lodging a complaint pursuant to Art. 77 of the GDPR Regulation with the Office for Personal Data Protection of the Slovak Republic.

The Controller does not intend to transfer Personal Data to third countries outside the EU.