

**INFORMATION ON THE PROCESSING OF PERSONAL DATA  
DURING THE OPERATION OF THE FREEPORT LOYALTY APPLICATION**

**1. BASIC INFORMATION**

1.1. The purpose of this document is to provide entities, in accordance with Article 12 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 referred to as the "GDPR"), information on the processing of personal data by the personal data controller during the operation of the application, described in more detail in Section 1.3. hereof.

1.2. The controller of personal data during the operation of the application, described in more detail in Section 1.3. hereof is:

FREEPORT LEISURE (CZECH REPUBLIC) s.r.o.,  
Company ID No.: 26429101,  
with the registered office at Hatě 196, 669 02 Chvalovice,  
incorporated in the Commercial Register kept by the Regional Court in Brno, File No. C 47035  
Phone: +420 731 101 930  
E-mail: informace@freeport.cz

(hereinafter referred to as the "Controller").

1.3. The Controller is the operator of a loyalty mobile application called Freeport loyalty application (hereinafter referred to as the "Application"), which is used mainly by visitors and customers of the shopping center FREEPORT FASHION OUTLET at Hatě 196, 669 02 Chvalovice, where retail full-range sales of goods and services of independent merchants and providers is carried out (hereinafter referred to as the "Data subject").

1.4. The Controller shall observe the following principles when processing personal data of Data subjects within the operation of the Application:

- a. the Controller shall process personal data of Data subjects in a fair and lawful and transparent manner;
- b. the Controller shall process personal data of Data subjects for certain purposes expressly and legitimately stated herein and does not process them in a way incompatible with these purposes;
- c. the Controller shall process, to a reasonable extent, personal data of Data subjects which are relevant and limited to the extent necessary in relation to the purpose for which they are processed;
- d. the Controller shall process accurate and up-to-date personal data of Data subjects; the Controller has taken all reasonable steps to ensure that personal data which are inaccurate, having regard to the purposes for which they are processed, are deleted or rectified without delay;
- e. the Controller shall process personal data of Data subjects for a period not longer than necessary for the purposes for which they are processed;
- f. the Controller shall process personal data of Data subjects in such a way as to ensure their adequate security, including protection by appropriate technical or organizational measures against unauthorized or unlawful processing and against accidental loss, destruction or damage.

1.5. The Controller shall not transfer personal data to third countries or to international organizations within the meaning of Article 44 et seq. of the GDPR.

- 1.6. The supervisory authority is an independent public authority competent for the protection of personal data in the given state. The supervisory authority in the place of the Controller's registered office is the Office for Personal Data Protection with its registered office at Pplk. Sochora 27, 170 00 Prague 7, E-mail: posta@uouu.cz, Phone: +420 234 665 125.

## **2. INFORMATION ON THE PROCESSING OF PERSONAL DATA AND THEIR SECURITY**

- 2.1. During the operation of the Application, the Controller shall process personal data of Data subjects for the fulfillment of the following purposes, to the extent and for the time necessary below:
  - a. in order to fulfill the contractual conditions of the Application (especially access to the user profile, management of the loyalty program, communication with the Data subject, etc.), namely the following personal data of Data subjects: name, surname, date of birth, telephone number; for this purpose, the Controller shall process the above data for the duration of the contractual relationship with the Data subject and subsequently for a maximum of 1 year after the termination of the contractual relationship;
  - b. in order to protect the rights and legally protected interests of the Controller, the authorized recipients or other relevant persons (e.g. debt collection, advertising, market research); namely the following personal data of Data subjects: name, surname, date of birth, address of residence, e-mail, telephone number; for this purpose, the Controller shall process the above data for the time necessary to protect the rights and legally protected interests of the Controller, the authorized recipients or other relevant persons;
  - c. direct electronic marketing (sending of newsletters); namely the following personal data of Data subjects: name, surname, date of birth, e-mail; for this purpose, the Controller shall process the above data for as long as the Data subject is subscribed;
  - d. internal needs of the Controller, especially optimization and further development of the Application (in this case, the Controller anonymizes personal data); the Controller further processes for its internal needs the data obtained from the Data subjects by using the Application (especially for the correct functionality of the Application, ease of access, analysis); namely the following personal data of the Data subjects: IP address, or other online identifiers, for this purpose the Controller processes the above data for the duration of the internal needs of the Controller;
  - e. security (protection of physical property and data), namely the following personal data of Data subjects: name, surname, date of birth, address of residence, e-mail, telephone number; for this purpose, the Controller shall process the above data for the time necessary to exercise these rights;
  - f. use of cookies (for details, see Article 6 hereof).
- 2.2. In the event that the Controller intends to process personal data other than that specified in Section 2.1. hereof, or for other purposes, it may do so only on the basis of the valid consent of the Data subject to the processing of personal data. Consent to the processing of personal data is granted by the Data subject on a separate document. If personal data is processed on the basis of consent, the Controller shall perform the processing only for the period for which the consent is granted.
- 2.3. The Controller shall not process any personal data of Data subjects that can be classified as a special category (so-called sensitive data) within the meaning of Article 9 of the GDPR.
- 2.4. The Controller shall not process personal data of Data subjects concerning criminal convictions and criminal offenses within the meaning of Article 10 of the GDPR.
- 2.5. The Controller obtains personal data directly from Data subjects. In the event that the Controller obtains personal data of the Data subject from a third party, the Controller of this Data subject shall inform the Data subject of the source from which the personal data originates and other facts pursuant to Article 14 of the GDPR at the latest when communication with the Data subject occurs.

- 2.6. In order to secure personal data against illegal processing, accidental loss, destruction and damage, the Controller applies strict technical and organizational measures, which are continuously updated. The technical measures consist in the deployment of technologies to prevent unauthorized access by third parties to personal data. For maximum protection, the Controller uses data encryption. With regard to the fact that if the Controller's servers are located in a data center operated by a third party, the Controller shall ensure that technical and organizational measures are also implemented at this provider. The Controller places all data only on servers located in the European Union.

### 3. RECIPIENTS OF PERSONAL DATA

- 3.1. The Controller shall not transfer personal data of Data subjects processed by the Controller to any other controllers.
- 3.2. The Controller uses the following processors of personal data of Data subjects:
  - a. application development and servers - Able.cz s.r.o., company ID NO.: 24278815, with its registered office at Tyršova 1251/3, 669 02 Znojmo
- 3.3. The processing of personal data of Data subjects may be performed for the Controller by processors exclusively on the basis of a contract on the processing of personal data, i.e. with guarantees of organizational and technical security of this data with the definition of the purpose of processing, while processors may not use personal data for other purposes.
- 3.4. Processors of personal data of Data subjects with whom the Controller cooperates, as well as its employees or other persons who are in a contractual relationship with the Controller and are entitled to access personal data, are obliged to maintain confidentiality about personal data and security measures, disclosure of which would jeopardize security of personal data of Data subjects.

### 4. RIGHTS OF DATA SUBJECTS IN RELATION TO THE PROTECTION OF THEIR PERSONAL DATA

- 4.1. In connection with the protection of personal data, the personal data subject has in particular the following rights:
  - a. **Right of access to personal data (Article 15 of the GDPR):** The right of the Data subject to obtain from the Controller confirmation as to whether or not his/her personal data are being processed. If personal data are processed by the Controller, the Data subject has the right to access this personal data and the information referred to in Article 15 of the GDPR. At the same time, he/she has the right to obtain a copy of the processed personal data. The Controller may charge a reasonable fee for further copies based on administrative costs.
  - b. **Right to rectification of personal data (Article 16 of the GDPR):** The right of the Data subject to obtain from the Controller without undue delay the rectification of his/her inaccurate personal data, or to have incomplete personal data completed.
  - c. **Right to delete personal data (Article 17 of the GDPR):** The right of the Data subject to have the Controller delete his/her personal data without undue delay in the cases provided for in Article 17 of the GDPR. The right to delete shall not apply where the processing is necessary for the performance of legal obligations, for the determination, exercise or defense of legal claims and in other cases provided for in the GDPR.
  - d. **Right to restriction of processing (Article 18 of GDPR):** The right of the Data subject to obtain from the Controller restriction of processing where one of the following applies:
    - a) the Data subject denies the accuracy of the personal data for the time necessary for 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 defense of legal claims; d) the Data subject has objected to processing until it is verified whether the legitimate grounds of the Controller override those of the Data subject.

- e. **Right to information regarding rectification or erasure of personal data or restriction of processing (Article 19 of the GDPR):** The Controller shall communicate any rectification or erasure of personal data or restrictions of processing to each recipient to whom the personal data have been disclosed, except in cases where this proves impossible or involves disproportionate effort. The Controller shall inform the Data subject about those recipients if the Data subject requests it.
  - f. **Right to data portability (Article 20 of the GDPR):** If technically feasible, the Data subject has the right to receive his/her personal data and to transmit those data to another controller.
  - g. **Right to object to processing (Article 21 (1) of the GDPR):** The Data subject has the right to object at any time to processing of his/her personal data, which the Controller processes for reasons of legitimate interest. In such a case, the Controller shall no longer process the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the Data subject or for the establishment, exercise or defence of legal claims.
  - h. **Right to object to processing for direct marketing purposes (Article 21 (2) of the GDPR):** If the Controller processes the personal data of the Data subject for direct marketing purposes, the Data subject has the right to object at any time to processing of his/her personal data. In this case, the Controller shall no longer process the personal data.
  - i. **Right not to be subject to automated individual decision-making, including profiling (Article 22 of the GDPR):** When processing personal data, the Controller shall not perform automated individual decision-making or profiling in the sense of Article 22 of the GDPR.
  - j. **Right to be informed in the case of breach of personal data security (Article 33 of the GDPR):** If a particular breach of personal data security is likely to result in a high risk to the rights and freedoms of the Data subject, the Controller shall without undue delay notify the Data subject of this breach.
  - k. **Right to lodge a complaint with the supervisory authority:** If the Data subject deems that the Controller does not process his/her personal data in a lawful manner, he/she has the right to lodge a complaint with the supervisory authority (Section 1.6. hereof).
  - l. **Right to withdraw consent to the processing of personal data:** In the event that the Controller processes any of the personal data on the basis of consent, the Data subject has the right to withdraw his/her consent to the processing of personal data at any time in writing by sending disagreement with the processing of personal data to the contact e-mail address specified in Section 1.2. hereof. Withdrawal of consent does not affect the processing of personal data in cases where consent is not required.
- 4.2. The above rights can be exercised at the Controller by post or electronically at the addresses specified in Section 1.2. hereof.
- 4.3. The exercise of the above rights may in certain cases be subject to certain exceptions and therefore may not be applicable in all situations.
- 4.4. If the Data subject's request for the exercise of any of the above rights is found to be justified, the Controller shall take the required measures without undue delay, at the latest within one month of the request (however, in justified cases the Controller may extend this period by up to two more months).

## **5. SENDING COMMERCIAL MESSAGES**

- 5.1. When sending commercial messages, the Controller proceeds in accordance with Act No. 480/2004 Coll., on certain information society services, as amended.
- 5.2. Commercial messages are sent by the Controller due to its legitimate interest (advertising).
- 5.3. Sending a commercial message to a person other than the user of the application is possible only with his/her consent.
- 5.4. The recipient can cancel the sending of commercial messages by using the unsubscribe link in each sent e-mail.

## **6. FINAL STATEMENT**

- 6.1 The Controller reserves the right to change this personal data protection information from time to time so that it always complies with current legislation or due to a change in its services, e.g. when introducing new services.
- 6.2 The change of this information is valid upon its publication on the Controller's website ([www.freeoutlet.cz](http://www.freeoutlet.cz) and [www.freeoutlet.at](http://www.freeoutlet.at)), regardless of whether the Data subject has become acquainted with this information or not.
- 6.3 It is the responsibility of Data subjects to be regularly informed of changes to this information.
- 6.4 In case of any question, please contact the Controller at its contact addresses provided in Sections 1.2. hereof.
- 6.5 Information on the processing of personal data by the Controller when processing personal data: i) during the performance of contracts with business partners; ii) of potential business partners, iii) the provision of mediation services for the conclusion of a purchase contract for goods with a specific seller to users of the websites [www.freeoutlet.cz](http://www.freeoutlet.cz) and [www.freeoutlet.at](http://www.freeoutlet.at), operated by the Controller (hereinafter referred to as the "website"), iv) of employment and cooperation applicants; v) for the purpose of sending commercial communications to non-users and targeting advertising; vi) of website visitors; is provided in a separate document, which is available [here](#).