

PERSONAL DATA PROTECTION for the MyWay by ND online store

I. PERSONAL DATA PROTECTION

- 1.1. MyWay by ND s. r. o., with its registered office at Ivanská cesta 30/B, Bratislava – Ružinov District, 821 04, registered in the Commercial Register of the Municipal Court Bratislava III, Section: Sro, Insert No.: 183016/B (*hereinafter also referred to as the “Controller”*), processes, for the purposes of providing services related to the use of the E-shop, on the basis of which the Controller enables its customers to order the Controller's Goods under the conditions set out in the relevant documents, in particular the GTC (*hereinafter also referred to as the “E-shop”*), in particular the following personal data concerning the data subject who uses or intends to use the services of the E-shop (*hereinafter also referred to as the “customer”*):
- (i) title;
 - (ii) name and surname;
 - (iii) address (in particular the delivery or billing address);
 - (iv) date of birth;
 - (v) e-mail address;
 - (vi) name, surname and position, where acting on behalf of an Entrepreneur;
 - (vii) telephone number.
- 1.2. Where the personal data required for registration and/or for the provision of the E-shop services (in particular for placing an Order) are not provided to the extent of name and surname (or position), address, e-mail address and telephone number, the E-shop services, in particular the delivery of the Goods, cannot be provided to the customer.
- 1.3. The Controller declares that it processes the personal data provided by customers exclusively in accordance with Act No. 18/2018 Coll. on Personal Data Protection. The Seller handles the Buyer's personal data in accordance with the provisions of Regulation (EU) No. 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data (*hereinafter referred to as the “GDPR Regulation”*) and of Act No. 18/2018 Coll. on Personal Data Protection and on amendments to certain acts.

II. SCOPE, PURPOSE, METHOD AND PERIOD OF PERSONAL DATA PROCESSING

- 2.1. The Controller processes personal data to the extent of name and surname, permanent residence address, date of birth, e-mail address and telephone number for the purposes of providing the E-shop services, in particular:
- (i) registration of the customer on the internet domain of the E-shop;
 - (ii) provision of the E-shop services;
 - (iii) issuance of an invoice for the provision of the E-shop services and fulfilment of other accounting, payment and tax obligations in relation to the customer's payment for the service;
 - (iv) receipt, processing and handling of complaints submitted by customers within the provision of the E-shop services, or the processing of a withdrawal from a contract concluded with the relevant customer.
- 2.2. The customer acknowledges that the above personal data may, to the extent necessary, also be provided and made available to the Controller's subcontractors, in particular to its carriers and distributors with whom the Controller has concluded separate agreements, for the purposes of providing the E-shop services – the delivery and distribution of Orders, or the handling of a complaint submitted by the customer and relating to the part of the E-shop services provided by such subcontractor or carrier.
- 2.3. The above personal data are processed and retained in accordance with special regulations for a maximum period of 10 years from the date of termination of the contractual relationship, but at most for the period laid down by the relevant legal regulations as necessary for retaining the data for the proper handling of any complaint and for the purposes of fulfilling accounting and tax obligations, or for the period necessary for the exercise of legal claims arising from the E-shop services. Upon expiry of the said period, the customer's personal data are deleted.
- 2.4. The Controller processes the above personal data for the above purpose on the legal basis of the processing of personal data being necessary for the performance of a contract concluded pursuant to the GTC, to which

this Personal Data Protection document constitutes Annex No. 2 and to which the customer is a contracting party.

III. PROCESSING OF PERSONAL DATA FOR THE PURPOSES OF SENDING INFORMATIONAL E-MAILS (NEWSLETTERS)

- 3.1. The Controller processes data about the customer to the extent of the data required for registration in the E-shop – at the internet domain: www.mywaynd.com – for the purposes of sending informational e-mails.
- 3.2. The customer's registration in the E-shop, as well as the ticking of the box expressing consent to the sending of the Controller's information and materials in the order form, is voluntary.
- 3.3. If a registered customer, or a person authorised by the customer, i.e. for example its statutory body, its employee, its authorised representative, etc., ticks the box consenting to the sending of the Controller's information and materials in the E-shop, at the internet domain: www.mywaynd.com, upon registration, they thereby grant the Controller consent within the meaning of Section 3(3) of Act No. 147/2001 Coll. on advertising and on amendments to certain acts, as amended, to the processing and retention of their personal data to the extent provided upon registration for marketing purposes, in particular for the purpose of disseminating information about new offers of Goods, discounts, benefits, advertising of Goods and other marketing activities of the Controller.
- 3.4. The processing of personal data for these purposes is therefore carried out on the legal basis of the consent granted.
- 3.5. The consent to the automated dissemination of advertising granted by the customer under this Article of the GTC is granted by the customer to the Controller for the period of validity of the registration or for the period for which the consent is granted.
- 3.6. The customer may withdraw the consent at any time in the same manner in which it was granted, or by sending a request to the e-mail address help@mywaynd.com. The consent shall expire without undue delay upon delivery of the customer's withdrawal of consent to the Controller.
- 3.7. The customer may unsubscribe at any time by sending a request for the termination of the sending of informational e-mails (newsletters) to the following e-mail address: help@mywaynd.com.
- 3.8. Where the customer has voluntarily subscribed to informational e-mails (newsletters), the customer's personal data processed for this purpose are deleted without undue delay after the customer's request for the termination of the sending of informational e-mails (newsletters) has been processed, or after the withdrawal of consent to the processing of the customer's personal data for these purposes.
- 3.9. Personal data processed for this purpose are processed and retained only for the period during which informational e-mails (newsletters) are sent to the customer.
- 3.10. Where the customer withdraws their consent to the sending of informational e-mails (newsletters), this has no effect on the provision of the E-shop services under the GTC and the purchase contract.

IV. INFORMATION FOR THE USER CONCERNING THE PROCESSING OF PERSONAL DATA

- 4.1. In connection with the processing of their personal data, each customer may exercise the following rights vis-à-vis the Company:
- 4.2. **Right to withdraw the consent granted to processing**
 - 4.2.1. The customer has the right to withdraw at any time the consent to the processing of personal data which they granted to the company for the processing of their personal data for the purpose of sending informational e-mails.
 - 4.2.2. Where the customer withdraws their consent, this does not affect the lawfulness of the processing of personal data carried out before the withdrawal of consent.
 - 4.2.3. The customer may withdraw the consent in the same manner in which the consent was granted, or by sending a notification of the withdrawal of consent to the e-mail address: help@mywaynd.com.
- 4.3. **Right of access to personal data**
 - 4.3.1. The customer has the right to obtain from the Controller confirmation as to whether personal data concerning them are being processed. In such case, the customer has the right to obtain access to their personal data and to information about:
 - (i) the purpose of the processing of personal data;

- (ii) the category of personal data processed;
- (iii) the envisaged period for which the personal data will be retained; if that is not possible, information about the criteria for determining it;
- (iv) the source from which the personal data originate, if they were not provided by the customer;
- (v) the right to request from the controller the rectification of personal data concerning the data subject, their erasure or the restriction of their processing, or the right to object to the processing of personal data;
- (vi) the right to file a motion to initiate proceedings with the Office for Personal Data Protection of the Slovak Republic if the customer claims that their rights laid down by Act No. 18/2018 Coll. on Personal Data Protection are directly affected;
- (vii) the Controller is obliged to provide the customer with their personal data which it processes. For a repeated provision of personal data requested by the customer, the Controller may charge a reasonable fee corresponding to the administrative costs. The Controller is obliged to provide the personal data to the customer in the manner requested by them (e.g. by e-mail);
- (viii) the range of persons who, in addition to the controller, process the customer's personal data in accordance with this consent;
- (ix) the right to obtain personal data under the above point must not adversely affect the rights of other natural persons.

4.4. Right to rectification of personal data

- 4.4.1. The customer has the right to have the Controller rectify, without undue delay, inaccurate personal data concerning the customer. Where the customer considers that a wider range of personal data needs to be provided in order to fulfil a particular purpose of the processing of personal data, the data subject has the right to have incomplete personal data completed.

4.5. Right to erasure of personal data

- 4.5.1. The customer has the right to have the Controller erase the customer's personal data without undue delay where:
 - (i) the personal data are no longer necessary for the purpose for which they were obtained or otherwise processed;
 - (ii) the customer withdraws the consent they provided for the processing of personal data and there is no other legal basis for the processing of personal data, i.e. the Controller processes the personal data solely on the basis of the customer's consent;
 - (iii) in the case of the sending of informational e-mails (newsletters), where the customer objects to the processing of their personal data, the Controller shall cease to process the personal data for that purpose and shall erase the personal data in connection with that purpose;
 - (iv) it is demonstrated that the customer's personal data are being processed unlawfully;
 - (v) the reason for erasure is the fulfilment of an obligation under Act No. 18/2018 Coll. on Personal Data Protection, a special regulation or an international treaty by which the Slovak Republic is bound.

4.6. Right to restriction of the processing of personal data

- 4.6.1. The customer has the right to have the Controller restrict the processing of personal data where:
 - (i) the customer contests/objects to the accuracy of the personal data, for a period enabling the Controller to verify the accuracy of the personal data;
 - (ii) the processing of personal data is unlawful and the customer objects to the erasure of the personal data and requests instead the restriction of their use;
 - (iii) the Controller no longer needs the personal data for the purpose of the processing of personal data, but the customer needs them for the exercise of a legal claim.
- 4.6.2. Where the processing of personal data has been restricted on the basis of the above, the Controller may, apart from retaining them, process the personal data only with the customer's consent or for the purpose of exercising a legal claim, for the protection of persons or on grounds of public interest. The Controller is obliged to inform a customer whose processing of personal data is restricted on the basis of the above before the restriction of the processing of personal data is lifted.

4.7. Right to portability of personal data

4.7.1. The data subject has the right to obtain the personal data concerning them which they provided to the controller, in a structured, commonly used and machine-readable format, and has the right to transmit those personal data to another controller, where this is technically feasible and where this operation does not require disproportionate effort, provided that the exercise of this right must not adversely affect the rights of other persons.

4.8. Right to lodge a complaint with the supervisory authority

4.8.1. Where the customer claims that their rights laid down by Act No. 18/2018 Coll. on Personal Data Protection are directly affected, they have the right to file a motion to initiate personal data protection proceedings with the Office for Personal Data Protection of the Slovak Republic.

4.9. Right to object to the processing of personal data

4.9.1. The customer has the right to object to the processing of their personal data in the cases in which their personal data are processed by the Controller, specifically where their personal data are processed for the purposes of sending informational e-mails (newsletters).

4.9.2. The Controller may not further process the personal data unless it demonstrates compelling legitimate grounds for the processing of personal data which override the rights or interests of the customer, or grounds for the exercise of a legal claim.

4.9.3. The customer has the right to object to the processing of personal data concerning them for the purpose of direct marketing (the sending of informational e-mails – newsletters), including profiling to the extent that it is related to direct marketing. Where the customer objects to the processing of personal data for the purpose of direct marketing, the Controller may no longer process the personal data for the purpose of direct marketing.

V. EXPRESSION OF CONSENT TO THE PROCESSING OF PERSONAL DATA

5.1. By ticking the box designated for that purpose in the E-shop (primarily upon an Order or upon registration), the customer grants their express consent to the processing of their personal data to the extent of e-mail address, name and surname, for the purpose of sending informational e-mails (newsletters) to the customer by e-mail, for the period necessary to fulfil the purpose of the processing or until the moment of the withdrawal of their consent. (The provision of the data and of the consent is voluntary, and the failure to provide them merely means that the supplementary service of sending newsletters cannot be provided to the customer.)

5.2. By ticking the box designated for that purpose in the E-shop, the customer declares that they have duly read the entire "Personal Data Protection" document and have been acquainted with it, in particular but not exclusively with the scope, purpose, legal basis and period of the processing of their personal data, and that they have at the same time been informed of their rights in connection with the protection of personal data and have fully understood them.

5.3. Unless expressly stated otherwise in this Annex No. 2, terms with an initial capital letter have the meaning assigned to them in the GTC.