

INFORMING ON LEGAL PROCESSING AND PROVISION OF PERSONAL DATA

Under Art. 13 of Regulation (EU) 2016/679 of the European Parliament and of the Council (GDPR) on personal data protection

Information on purposes and legal basis of processing

Performance of our activities includes processing of your personal data. Proper processing of your personal data is important for our company **OFTUM Bohemia, s.r.o.** as is your data protection, therefore we would like to provide you with information related to personal data processing in compliance with the EU Parliament and EU Council Directive No. 2016/679 (GDPR) dated April 27, 2016 on Physical Persons Protection During Personal Data Processing and Free Movement of Personal Data (hereinafter the „Directive“) and Act No. 101/2000 Coll. Personal Data Protection and Free Movement of Personal Data, and on cancellation of Directive No. 95/46/E (general Directive on Personal Data Processing. Operator has appointed a person responsible for personal data protection that shall supervise the observance of legal duties and principles of personal data protection. You can contact the responsible person on the address: gdpr@oftum.pl

If you still find something unclear after having read this document, we will be glad to explain you any term or part of this document. Don't hesitate to contact us at any time on gdpr@oftum.co.pl or in writing on the Operator's address below.

Who processes your personal data?

Commercial name: **OFTUM Bohemia s.r.o. (Private ophthalmology clinic)**
Registered office: Na Strži 1702/65, 140 00 Prague - Nusle
Company ID: 24 211 419
Contact data: [+48223071277](tel:+48223071277), gdpr@oftum.pl
(hereinafter the „Operator“)

PURPOSE OF PERSONAL DATA PROCESSING:

- a) Within the information system in question there is processing of personal data while providing complete health care related to all interventions of eye clinics *Private ophthalmology clinic OFTUM Bohemia s.r.o.*
- b) **Camera system processing** – legitimate interest of the Operator for purposes of company assets protection, company security and security of affected persons inside and outside of the *Private Ophthalmological Clinic*. Affected persons are informed on the camera system installation on the boards situated in visible places at the entrances in the Operator's premises.
- c) **Based on your consent** – conferred for purposes of marketing and company promotion, promotion of services, bonuses, discounts, contests and customer satisfaction surveys related to our services, distribution of newsletter and publishing your photos on our website www.oftum.pl and on social network Facebook.

Consent conferred for the above enlisted purposes is fully voluntary, but it is necessary so as we can contact you with our service offers and various events. Any free consent conferred and confirmed by your signature can be revoked at any time in person or in written form sent to the Operator's office or via e-mail to gdpr@oftum.pl. Revoked consent shall not affect the legitimate nature of personal data processing based on the consent conferred before.

LEGAL BASIS OF PERSONAL DATA PROCESSING:

The processing of personal data is permitted by the Act no. 372/2011 Coll. on the provision of health care, services related to the provision of health care and on the amendment of several laws, as amended, the Act no. 201/2017 Coll., the Act amending the Act no. 96/2004 Coll. on the conditions for obtaining and recognizing professional competence for the execution of non-medical sanitary occupations and for the activities of health care provisions, and on amendments to certain related Acts (the Act on non-medical sanitary occupations), as amended, the Act no. 378/2007 Coll. on the pharmaceuticals, the Act no. 268/2014 Coll. on medical devices and equipment and on amendments to certain Acts, as amended, the Act no. 48/1997 Coll. on the Public health insurance and on the amendment of the Act, the Act no. 277/2009 Coll. on the insurance and on amendments to certain Acts, as amended, the Act no. 280/1992 Coll. of the Czech National Council on the resort, field, business and the other health insurance companies.

CATEGORIES OF BENEFICIARIES:

Public authorities according to relevant legislation, health insurance companies, other healthcare providers, third parties to whom the specific rule grants power to decide on rights and obligations of natural persons – patients (e.g. Health Surveillance Authority, courts).

Personal data of data subjects shall not be published nor transferred to third countries. Automated decision-making including profiling shall not take place.

Will your personal data be provided to other recipients?

- We shall provide you with the list of mediators upon request.

TIME LIMITS FOR ERASURE OF PERSONAL DATA:

20 years from last provision of health care

RIGHTS OF DATA SUBJECT:

Data subjects the personal data of which are processed in our information systems for specific defined purposes can apply following rights in written or electronic form:

Based on written request form available on our website www.oftum.pl you have right to exercise at the Operator:

- **Right for access to personal data**

Pursuant to § 12 Act No. 101/2000 Coll. on Personal Data Protection, Affected Person is entitled to confirmation from the Operator on his/her personal data processing. If the Operator processes such personal data, Affected Person is entitled to access to and information on such personal data.

- **Right for personal data correction**

Pursuant to § 12 Act No. 101/2000 Coll. on Personal Data Protection, Affected Person is entitled to correction of incorrect personal data by the Operator without unnecessary delay. Considering the purpose of personal data processing, Affected Person is entitled to completion of incomplete personal data.

- **Right for personal data deleting**

Pursuant to Act No. 101/2000 Coll. on Personal Data Protection, Affected Person is entitled to deleting of related personal data without unnecessary delay.

Operator is obliged to delete personal data without unnecessary delay if the Affected Person required it in the following cases:

- a) Personal data is not required anymore for the purpose that they were obtained to or otherwise processed,

- b) Affected Person withdraws consent pursuant to § 13 clause 1 item a) or § 16 clause 2 item a) based on which the personal data have been processed and no other legal basis exists for personal data processing,
- c) Affected Person raised objection against personal data processing pursuant to § 27 clause 1 and no other legitimate reasons of personal data processing exist/ prevail, or the Affected Person raised objection against personal data processing pursuant to § 27 clause 2,
- d) personal data have been processed illegally,
- e) deleting is allowed upon fulfillment of duty pursuant to this Act, special regulation or international treaty that Slovak Republic is bound by, or
- f) personal data have been obtained in relation to information company service offers pursuant to § 15 clause 1.

- **Right for restricted personal data processing**

Pursuant to Act No. 101/2000 Coll. on Personal Data Processing, Affected Person is entitled to restricted personal data processing by the Operator, if:

- a) Affected Person raised objection against correctness of personal data during period enabling the Operator to review personal data correctness,
- b) personal data processing is illegal and the Affected Person raised objection against personal data deleting, asking for restricted personal data use instead,
- c) the Operator doesn't need personal data for purpose of personal data processing but they are required by the Affected Person for exercising legal right, or
- d) Affected Person raised objection against personal data processing pursuant to § 27 clause 1, namely until examination whether the Operator's legitimate interests prevail over the legitimate interests of the Affected Person.

- **Right for personal data transferability**

Pursuant to Act No. 101/2000 Coll. on Personal Data Protection Affected Person is entitled to his/ her personal data that he/she provided to the Operator in structured, commonly used and readable format, and to transfer them to other Operator if technically feasible and if:

- a) personal data has been processed pursuant to § 13 clause 1 item a), § 16 clause 2 item a) or § 13 clause 1 item
- b) personal data processing is performed by automated means.

Exercising the above mentioned right shall not affect the right pursuant to § 23. Transferability right shall not apply to personal data processing required for fulfillment of task in the public interest or discharge of public power entrusted to the Operator.

Right of affected persons shall not affect other person's rights.

- **Right to raise objection against personal data processing**

Pursuant to Act No. 101/2000 Coll. on Personal Data Processing:

- (1) Affected Person has right for raising objection against personal data processing related to particular situation and performed pursuant to § 13 clause 1 item e) or item f) including profiling based on these provisions. The Operator shall not continue to process personal data if urgent legitimate interests in personal data processing are confirmed that prevail the interests of the Affected Person, or reasons for application of legal claim.

(2) Affected Person has right for raising objection against his/ her personal data processing for purpose of direct marketing including profiling within extent in which it relates to such direct marketing. If the Affected Person raised objection against personal data processing for purpose of direct marketing, the Operator shall not continue to process personal data for purpose of direct marketing.

(3) The Operator is obliged to expressly notify the Affected Person on his/ her rights pursuant to clauses 1 and 2 during initial communication with him/ her at the latest and information on such right must be clearly stated and separated from other information.

(4) In relation to information company service use, the Affected Person can exercise his/her right to raise objection against it by automated means using technical specifications.

(5) Affected Person has right to raise objection against his/her personal data processing in particular situation except if personal data processing is necessary for fulfillment of task for public interest, if personal data is processed for scientific purpose, historical research or statistical purpose pursuant to § 78 clause 8.

- **Right for withdrawal of consent**

Affected Person has right to withdraw his/her consent at any time.

- **Right for initiation of the proceedings**

Affected Person has right to initiate the proceedings pursuant to Act No. 101/2000 Coll. on Personal Data Processing.

- **Right for automated individual decision making including profiling.**

Pursuant to Act No. 101/2000 Coll. on Personal Data Processing Affected Person is entitled to:

(1) Affected Person has right for being excluded from the decision resulting exclusively from automated personal data processing including profiling, having legal effects related to or significantly affecting him/ her.

(2) Clause 1 shall not apply if the decision

a) is necessary for conclusion or fulfillment of contract between the Affected Person and the Operator,

b) has been made on basis of special regulation or or international treaty that Czech Republic is bound by, and that contain also suitable measures ensuring protection of rights and legitimate interests of the Affected Person, or

c) based on express consent of the Affected Person.

(3) In the cases pursuant to clause 2 item a) and c), the Operator shall adopt suitable measures for protection of rights and legitimate interests of the Affected Person, mainly the right for verification of the decision by the Operator in other than automated manner, the right for expressing the standpoint and appeal the decision.

(4) Decisions pursuant to clause 2 shall not be based on special categories of personal data pursuant to § 16 clause 1 except the cases to which § 16 clause 2 item a) or item g) apply and concurrently suitable measures for protection of rights and legitimate interests of the Affected Person have been adopted.

The Operator shall provide information to the Affected Person within a month from the request delivery on measures adopted on basis of his/ her request.

Is automated decision-making made during your personal data processing including profiling?

Automated decision-making is not made during your personal data processing including profiling.