



## INFORMATION ON PERSONAL DATA PROCESSING

**Generali Investments CEE, investiční společnost, a.s.**

Na Pankráci 1720/123, 140 21 Prague 4

Company ID No.: 438 73 766

## 1 Opening Provisions

Generali Investments CEE, investiční společnost, a.s. hereby provides its clients with clear and understandable information concerning the methods where their personal data are processed, categories of such data, scope and purpose of processing, source from which the personal data are collected and any persons to whom the personal data are transferred. The document also presents information regarding the clients' rights in the area of personal data processing. Information on the processing of personal data by Generali Investments CEE, investiční společnost, a.s. are effective from March 1, 2024 and available at <http://www.generali-investments.cz>, under the "About Us" tab; upon request at the register office of Generali Investments CEE, investiční společnost, a.s., Na Pankráci 1720/123, 140 21 Prague 4.

The Company reserves the right to amend or supplement the Information at any time without prior notice. The Client will be notified of any significant amendments. 25 May 2018 is the effective date 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. Act No. 110/2019 Coll., on Personal Data Processing, was adopted on the basis of the Regulation, which entered into force on 24 April 2019.

Capitalized terms used in this document have, for the purposes of this document, the meaning defined in the Business Terms and Conditions Regulating the Provision of the Investment Services of Client Asset Management and Investment Advisory Generali Investments CEE, investiční společnost, a.s., or the Terms and Conditions of Generali Investments CEE, investiční společnost, a. s., for Investments in Funds and Investment Programs, unless stipulated otherwise hereinbelow.

## 2 Overview of Terms and Abbreviations

**ACBCM** – Act No. 256/2004 Coll., on Conducting Business on the Capital Market (Capital Markets Undertakings Act), as amended

**ACC** – Act No. 89/2012 Coll., Civil Code, as amended

**AICIF** – Act No. 240/2013 Coll., on Investment Companies and Investment Funds, as amended

**APDP** – Act No. 110/2019 Coll., on Personal Data Processing

**AML** – Act No. 253/2008 Coll., on selected measures against legitimisation of proceeds of crime and financing of terrorism

**Disposing party** – a person acting as a representative or a grantee, and who, based on legal or contractual authorization, can act on behalf of the Client, and whose personal data are processed by the Company, the so-called data subject according to the Regulation. Unless otherwise specified in this information document, the provisions on the processing of the Client's personal data also apply proportionately to the person of the Authorized person.

**Client** – natural person who has a contractual relationship with the Company with respect to the investment services provided by the Company, and whose personal data are processed by the Company, i.e. a data subject under the Regulation

**Company** – Generali Investments CEE, investiční společnost, a.s., Company ID No.: 438 73 766, with its registered office at Na Pankráci 1720/123, 140 21 Prague 4, entered in the Commercial Register administered by the Municipal Court in Prague, Section B, Dossier No. 1031

**Regulation** – 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

### **3 Information on Personal Data Processing**

The Company processes the Clients' personal data as a data controller. The Clients' personal data may also be processed by data processors, primarily the Company's sales representatives, subject to the requirements of the PDPA. Personal data are processed by automated means and manually.

The Company is subject to supervision exercised by a number of governmental authorities (primarily the Czech National Bank) to which the Company owes a statutory duty to report or provide information.

The Company must also provide any necessary assistance to the competent state administration authorities, such as tax offices or judicial executors, notaries public, the Office of the Financial Arbitrator, law enforcement authorities, authorities conducting minor offences proceedings or administrative proceedings, to the extent of and subject to the requirements stipulated by the applicable generally binding laws and regulations.

#### **Object (Purpose) and Scope of Personal Data Processing**

The Company processes the Clients' personal data only to the extent necessary for the given object (purpose) and for the period of time necessary to accomplish that object. The Company processes the Clients' personal data with the object of providing investment services to the Clients under the ACBCM and the AICIF, i.e. for the following purposes:

- a) Contract negotiations and performance, implementation of measures adopted before a contract is entered into at the Client's request, handling Clients' requests;
- b) Fulfilment of the Company's legal obligations;
- c) Legitimate interests consisting primarily in risks management and making or defending the Company's legal claims;
- d) Support for the sale of the Company's products;
- e) Internal administrative purposes; or
- f) Purposes stipulated in the consent with personal data processing granted by the Client.

After the original purpose is accomplished (e.g. performance of contract), the Company may process the personal data for other purposes (e.g. compliance with the statutory archiving period). Personal data are generally archived for the period of time stipulated by the applicable laws or regulations, by a contract, or on the basis of a legitimate interest (e.g. until the expiration of any periods of limitation).

In order to accomplish the above purposes, the Company processes the following personal data:

- a) Identification and address data: academic degree, name, surname, date of birth, place of birth, birth registration number, data regarding identity cards (including a photocopy, if any, of the identity card made upon the establishment or in the course of the parties' business relationship in compliance with the laws), gender, permanent residence address, correspondence or any other contact (mailing) address, place of business (registered office), Company ID No., National Tax No. (VAT No.) (or any similar identifier with respect to Clients who are not tax residents of the Czech Republic), signature (including a biometric signature, if applicable);
- b) Other data concerning the Client: completed education, marital status, family members;
- c) Electronic contact details: (mobile) phone number, e-mail address;
- d) Other electronic data: IP address (used to connect the computer to the Internet, registration data, browser type and version), certificate or password to access the Company's client system, location data of any used device;



- e) Other personal data necessary for performance of contract: bank account number, Client's number, amount and history of payments;
- f) Information about the Client necessary for fulfilment of legal obligations (e.g. under Act AML), information from client information registers and other publicly available or restricted (private) registers and records or databases;
- g) Other personal data provided by the Client in a contract, amendment, request or other documents, during negotiations or meetings, in a telephone or e-mail communication;
- h) Records of telephone calls and information from such records,
- i) When providing products and services electronically, the Company also uses cookies, which are small text files that are stored on the user's device. Thanks to these files, the Company can more easily identify how the Client works with the content of websites and applications. This helps the Company to better communicate with the Client. At the same time, it enables the Client to work with the website more easily.

The Company collects personal data directly from the Clients (especially during contract negotiations and any other communication with the Client, directly from the Clients and from the Disposing Party or from sales representatives), from third parties (especially from state administration authorities in performance of statutory/legal obligations or on the basis of special laws or regulations), from publicly available sources (especially public registers) or from the Company's own activities (especially on the basis of assessment and analysis of personal data collected from any of the other sources mentioned above).

If, during the performance of the Contract, the Client also provides the Company with personal data concerning other natural persons which are subsequently processed by the Company, the Client assumes liability vis-à-vis such natural persons for the fulfilment of obligations relating to the protection of personal data (especially notifying such individuals about the processing of their personal data).

#### **Processing Necessary to Comply with the Controller's Legal Obligation and to Perform the Contract**

As an investment company under the AICIF, the Company is obliged to conduct its activities in compliance with a number of laws and regulations which set forth obligations to process the Clients' personal data. This primarily involves personal data the processing of which is mandatory for the purpose of identifying the Client under Act AML, always to the extent stipulated for the given purpose. It also involves personal data processed pursuant to the ACBCM and pursuant to the applicable implementing legislation, primarily Decree No. 58/2006 Coll., on the Method of Keeping Separate Records of Investment Instruments and Records Based on Separate Records of Investment Instruments, as amended, the AICIF and other special laws and regulations.

All the above instances entail processing which is necessary to comply with the legal obligations of the Company as a data controller.

Most other instances entail processing of personal data which is necessary to perform a contract entered into with the Client, or to conduct negotiations regarding the entering into or amendment of the contract. The personal data processing in the above instances does not require the Client's consent.

The Company may also process the Clients' personal data on other legal grounds in compliance with the Regulation.

#### **Processing of Personal Data with the Client's Consent**

The Company may also process the Client's personal data with the Client's consent. The Client's consent with the personal data processing is voluntary and may be withdrawn by the



Client at any moment. Processing with the Client's consent applies to the processing of personal data for marketing purposes, as well as biometric personal data, if applicable.

### **Legitimate Interest of the Company**

The Company also processes the Clients' personal data on the basis of its legitimate interest but only if the Company's legitimate interest is not overridden by any interests and fundamental rights and freedoms of the Client. Before such processing is commenced, the Company always thoroughly measures its legitimate interest with the interests of the Clients. If the Client disagrees with the processing, the Client has the right to object and the Company shall make a new assessment.

Processing of personal data by the Company based on legitimate interests involves especially, without limitation, personal data for internal administrative purposes (such as internal records, reporting, etc.), for quality management of the provided services and relations with Clients, for risks management and making or defending the Company's legal claims.

### **Period for Processing of Personal Data**

The Company generally archives personal data for a period of time stipulated by the applicable laws or regulations, provided for in contracts, for the duration of the consent granted by the Client or on the basis of its legitimate interest.

Personal data processed by the Company in order to perform:

- a) **a legal obligation** are stored for a period of time prescribed by the applicable laws and regulations. Unless any applicable laws or regulations provide for a longer period for storing any particular documents which may contain personal data, the Company stores the personal data the processing of which is necessary to fulfil legal obligations for no more than ten years after the processing thereof is commenced.
- b) **a contract** are stored throughout the term of the contract and then for the duration of any legitimate interest (usually for the duration of any periods of limitation where an interest may exist to make or defend legal claims and, in the case of the opening of any judicial, arbitration, execution or any other similar proceedings, for the duration of the proceedings and subsequently until the time periods expire for the filing of any extraordinary remedies and, if any such extraordinary remedies are filed, during the proceedings opened on the basis thereof).

Records of any calls on the customer line are retained by the Company for the period of five years. If the call results in a deal, the Company records the calls for the period of time stipulated in the preceding provisions.

Personal data processed and stored by the Company on the basis of the Client's consent are stored for the period of time specified in the consent with personal data processing or until the withdrawal thereof.

### **Recipients of Personal Data (Processors or Third Parties to Whom Personal Data Are or Could Be Disclosed)**

In order to accomplish the above purposes, the personal data may be transferred to other members of the Generali Group as part of outsourcing.

Personal data may also be transferred, to a limited extent, to the Company's shareholder in the course of reporting.

In order to accomplish the above purposes, the Company has hired especially, without limitation, the following processors:



- Distributors (the Company's sales representatives), banks (esp. when they act as contact banks)
- Providers of IT services,
- Providers of postal services,
- Providers of archiving services.

The Company may also transfer personal data to other entities if the disclosure of personal data is mandatory under any laws or regulations or if it is necessary to protect the Company's legitimate interests (e.g. to courts, executors, criminal justice authorities, etc.);

The Company processes the Clients' personal data in the territory of the Czech Republic and, as the case may be, in other European Union countries which guarantee the same level of data protection as the Czech Republic. The Client's personal data may only be transferred to other countries subject to compliance with the conditions provided by the Regulation.

#### **4 Advice on the Rights of Clients under the Regulation**

The Company processes the Clients' personal data in a fully transparent manner. The Clients may exercise any of the following rights anytime during the processing of their personal data:

- a) Right to access and make copies of their personal data which the Company processes.
- b) Right to have their personal data rectified and completed if the Client discovers that the Company processes any inaccurate or incorrect personal data concerning the Client.
- c) Right to erasure of personal data (or right to be forgotten, as applicable). The Client may request that the Company erase the Client's personal data if:
  - The personal data are not necessary for the purposes for which they were collected or otherwise processed;
  - The consent is withdrawn on the basis of which the personal data have been processed and there is no other legal ground for processing;
  - The Client objects to processing which is based on a legitimate interest if the Company has no overriding legitimate grounds for processing or if the Client objects to processing of personal data for the purposes of direct marketing;
  - The personal data have been unlawfully processed; or
  - The personal data have to be erased for compliance with a legal obligation stipulated by any EU laws or Czech laws.

Conversely, the Company must not erase any personal data if the processing thereof is necessary:

- For exercising the right to freedom of expression and information;
  - For compliance with a legal obligation which requires processing under the laws of the European Union or the Czech Republic, or for the performance of a task carried out in the public interest or in the exercise of official authority;
  - For reasons of public interest in the area of public health;
  - For archiving purposes in the public interest, scientific or historical research purposes or statistical purposes; or
  - For the establishment, exercise or defence of legal claims.
- d) Right to restriction of personal data processing. The Client may request that the Company restrict the processing of the Client's personal data if:
    - The processed personal data are not accurate;
    - The processing is unlawful;
    - The processed personal data are not necessary for the purposes for which they were collected or otherwise processed; or



- The Client objects to the processing.

If the Client exercises their right to restriction of processing and any of the above conditions is fulfilled, the Company shall make a note in its systems that the said data are subject to a restriction and, as a general rule, such data will no longer be the subject of any active processing (save for instances arising from any laws or regulations).

If the grounds for restriction of processing expire, the restriction of personal data processing will be cancelled; the Company shall inform the Client thereof in advance.

- e) Right to portability. If the Company processes by automated means any personal data received from the Client on the basis of the Client's consent or for the purposes of contract performance, the Client has the right to receive such personal data in a structured, commonly used and machine-readable format and transmit them to another controller.
- f) If the Client believes that any obligations have been breached which are provided for in any data protection laws and regulations (especially the Regulation), the Client may lodge a complaint with the Office for Personal Data Protection (Pplk. Sochora 27, 170 00 Prague 7, <http://www.uoou.cz>) or any other competent supervisory authority of an EU Member State which is authorized to supervise compliance with the obligations prescribed by the Regulation (especially, without limitation, a supervisory authority in the Member State of the Client's habitual residence, place of work or place of the alleged breach) or, as applicable, exercise the Client's rights in the competent court.
- g) The Client may also object to any personal data processing if the personal data are processed:
  - For performance of a task in the public interest or in the exercise of official authority;
  - For any legitimate interests of the controller or a third party; or
  - For direct marketing, which also includes profiling with the aim of adapting the offer to the Client's needs and enhancing the quality of the provided services.

If the Client raises an objection, the Company shall not process the personal data until the Company proves any compelling grounds for processing which override the interests or rights and freedoms of the Client, or for the establishment, exercise and/or defence of legal claims.

If the Client objects to processing performed for direct marketing purposes, the Company shall no longer process the personal data for such purposes.

If any of the above rights is exercised, the Company informs the Client without undue delay and in writing how the Client's request was handled; the Company shall in any case do so within one month of receiving the Client's request. The Company has the right to extend that period by two further months where necessary, taking into account the complexity and number of the requests.

If the Client's request is not granted, the Client may petition the Office for Personal Data Protection or a court.

The Company processes only accurate personal data collected in compliance with the Regulation and is obliged to update the processed personal data. To that end, the Clients whose personal data are being processed are obliged to immediately report to the Company any changes to such personal data and submit documents to the Company proving the change.

## **5 Contact Details**

If this document (Information) or our website fail to answer any of the Clients' queries or if they wish to have any information explained in greater detail, the Clients may contact the Company:

By e-mail: [info@generali-investments.cz](mailto:info@generali-investments.cz)

By phone: +420 281 044 198 (Monday – Friday 8 a.m. – 5 p.m.)

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Company ID No.: 438 73 766



By mail: Generali Investments CEE, investiční společnost, a.s., P.O. BOX 405, 660 05 Brno, Czech Republic

**Requests pursuant to Articles 15 to 21 of the Regulation** can be lodged:

By mail: The mailing form is available on the Company's website <https://www.generali-investments.cz>, "About Us", "Information on Personal Data Processing", "**GDPR Requests**"), mailing address: Generali Investments CEE, investiční společnost, a.s., P.O.BOX 405, 660 05 Brno, Czech Republic

**Data Protection Officer**

Data Protection Officer is a person whom the Client may contact anytime in connection with any question concerning personal data protection issues, using the following contact details:

**Generali Investments CEE, investiční společnost, a.s.**

By e-mail: [DPO\\_GICEE\\_CZ@generali.com](mailto:DPO_GICEE_CZ@generali.com)

By mail: Na Pankráci 1720/123, 140 21 Prague 4