

# INFORMATION MEMORANDUM ABOUT PERSONAL DATA PROCESSING FOR NTT EUROPE GDC BUSINESS PARTNERS

according to REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL as 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 (General Data Protection Regulation, referred to as “GDPR”) as amended (hereinafter “Information memorandum”).

We would like to provide you with clear and comprehensible information in this Information Memorandum on how we process your personal data, their categories, the scope and purpose for which they are processed, the source from which the personal data are collected and the persons who are your personal data transferred to. You will also find information about your rights in the area of personal data processing.

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## Who we are and how you can contact us?

NTT Europe GDC s.r.o., located on Piktova 1737/1a, Nusle, 140 00 Prague 4, VATIN: CZ06247377, kept by the Municipal Court in Prague with a file number C 278833 (hereinafter “NTT EU GDC”), is a controller of your personal data, which means that it determines the purpose and means of processing personal data, carries out the processing of personal data and is responsible for it. In some cases, NTT EU GDC may also be in the position of a personal data processor, i.e. it processes personal data for purposes specified by another controller. More information about our activities and our services can be found on the website [ <https://hello.global.ntt/en-us/about-us> ]. If you do not find answers to your questions in this information memorandum or on our website, or would like to explain some of the information in more detail, you can contact us:

By e-mail: [dpo.gdc.cz@global.ntt](mailto:dpo.gdc.cz@global.ntt)

By post: NTT Europe GDC s.r.o.

Piktova 1737/1a

140 00 Prague 4

Czech Republic

You can also contact our Chief Protection Officer Tomas Jecminek by e-mail: [dpo.gdc.cz@global.ntt](mailto:dpo.gdc.cz@global.ntt).

## Personal Data Protection Principles

NTT EU GDC is committed to:

- processing your personal data fairly, lawfully and in a transparent manner;
- only collecting personal data from you or a third party for specified explicit and lawful purposes and not processing your personal data which is in any way incompatible with those purposes;
- telling you how we use your personal data either directly or in this Information Memorandum;
- doing our best to ensure that your personal data is adequate, relevant and not excessive for the purpose for which we collect it;
- keeping your personal data accurate, and where necessary, up to date, and taking reasonable steps to ensure that personal data that is inaccurate is erased or corrected without delay;
- keeping your personal data secure through the use of appropriate physical, technical, and organizational measures and limiting access to individuals who have a legitimate business need to access it;
- processing or keeping your personal data for only as long as it is necessary and consistent with the purpose for which it is processed, subject to applicable law;
- ensuring that you know how to and have access to your personal data (unless we are unable to provide access for legal reasons or because your personal data no longer exists); and
- ensuring that any third parties with whom we share your personal data are contractually obliged to comply with applicable privacy laws and implement appropriate physical, technical, and organizational measures to protect personal data.

## Legal basis on which we rely to process your personal data

When we process your personal data in connection with the purposes set out in this Information Memorandum, we may rely on one or more of the following legal bases, depending on the purpose for which the processing activity is undertaken.

- Our legitimate interests (or those of a third party with whom we share your personal data) for the purpose of managing and operating our business and for other business and administrative

purposes, except where such interests are overridden by your interests or fundamental rights or freedoms which require protection of personal data.

- We will not process your personal data where your fundamental rights or freedoms override our legitimate interests.
- To perform a contract to which you are a party or in order to take steps at your request prior to entering into a contract with you.
- Where this is necessary to comply with a legal obligation on us.
- To protect the vital interests of any individual (for example in a medical emergency).
- Where you have granted a consent.

You can always withdraw your consent. You can withdraw your consent to all processing of for individual purposes of your choice (to which you have given your consent). You can withdraw your consent by sending an e-mail to [dpo.gdc.cz@global.ntt](mailto:dpo.gdc.cz@global.ntt).

## What types of personal data do we collect and process?

We collect personal data from you in order for us to fulfil our contract obligations to you and as required by law. If you do not provide your personal data, we may be unable to do so.

The type of personal data that we collect depends on the purpose for which we collect it, the surrounding circumstances, your position and any legal or regulatory obligations we are subject to.

Personal data we collect may include the following:

- Identification and address data:** mainly academic title, name, surname, date of birth, place of birth, birth number, identity documents (incl. scans of identity documents when or during a business relationship as required by law), gender, permanent address, delivery or other contact address, business address, CRN, VAT ID (or similar identifier for clients/suppliers who are not tax residents of the Czech Republic);
- Other information about the business partner (client/supplier):** qualifications and education attainment, marital status;
- Electronic contact data:** phone/mobile number, fax, e-mail address, data mailbox ID;
- Other electronic contact data:** IP address, client logs in Genesys WDE / ITSM;
- Other personal data necessary for the performance of the contract:** bank account number, payment amounts and their history;
- Information on the financial situation (creditworthiness, payment discipline and credibility):** transaction history and payment obligations, data from client information registers and other publicly available and non-public registers and records;
- Other personal data provided by the business partner** in the contract, amendment, request or other documents, during negotiations, phone or e-mail communication;
- Camera recordings** from cameras located in NTT EU GDC headquarters.

### Sensitive Personal Data

We may collect sensitive personal data such as your birth number for any of the following purposes (as applicable):

- where we are required to do so by applicable law;
- necessary to establish, exercise or defend legal claims;
- with your explicit consent.

Access to your sensitive personal data is strictly limited to those employees and external processors with a legitimate business reason for accessing it.

## How do we collect your personal data?

We collect your personal data, either directly from you, third parties (service providers), via applications (mainly from ITSM, Genesys WDE) in case of clients or from publicly available sources.

We collect your personal data when you contact us, order our products and services or enter into a contract with us for the supply of goods and services.

We also collect and use personal data about you and your role in your company that is published in publicly accessible trade registers, websites, blogs, print media and data that is published by competent authorities and trade associations.

Furthermore, we process data that is provided to us by service providers under a contract or competent authorities (rating agencies, financial solvency and risk information, financial service institutions, government or supranational agencies, in particular tender authorities or procurement agencies).

When we collect personal data from you, we always inform you whether the provision of personal data is a legal or contractual requirement or a requirement to be entered into the contract. We also inform you whether you are obliged to provide personal data to us and the possible consequences of not providing them.

## For what purposes do we process your personal data?

We process your personal data only to the extent necessary for the given purpose and for the time necessary to fulfill the purpose. After fulfilling the original purpose (such as fulfilling the contract), we may process personal data for other purposes (such as fulfilling the legal archiving period). The processing purposes are given later in this section. In general, we store your personal information for a period determined by law, contract, or based on our legitimate interest (for example, for the duration of the statute of limitations when we may be interested in claiming or defending our legal claims).

We collect and use these data for the purposes of assessing a potential business relationship or maintaining our business relationship with you, this general purpose in particular includes:

- the manufacturing, provision and delivery of products and services;
- the exchange of information related to existing contracts or possible contracts with you;
- the procurement of products and services from you;
- the management of our relationship with you or the company you are working for (e.g. customer relationship management, supplier management);
- the fulfilment of compliance requirements related to a business transaction (e.g., conflict checks, business partner due diligence, sanction list screening, anti-money laundering laws, secure supply chain requirements, customs and export law requirements, tracing requirements for products);
- vendor assessment and qualification, e.g. whether you and your organization meets certain quality and certification requirements;
- the assessment whether you are a suitable contact for specific business needs, e.g., when we look for an expert in a certain field or specific products;
- the assessment of your company's financial solvency and credit risk;
- Gather information on knowledge management related to internal processes, products and services;
- Development, optimization and improvement of our products and services;
- Administration purposes (e.g. reporting);
- Organizational management;
- Risk Management: safeguarding against e.g. financial / reputational risks;
- Maintenance of the IT infrastructure, IT security, guarantee of IT support and the detection and correction of errors;
- Complying with legal requirements inside and outside the EEA.

Based on the titles, we process your personal data using non-complicated methods (no profiling).

## **Security purposes: CCTV monitoring**

At NTT EU GDC facility we use CCTV to monitor and enhance the security of our premises and property to deter theft, vandalism, damage or destruction, and to protect our people and third parties.

CCTV records may be shared with third parties, including law enforcement or other appropriate government or legal agency or authority where a suspected crime or serious disciplinary offence has been committed or such disclosure is otherwise necessary to comply with applicable law.

## **How do we process your personal data and how are they secured?**

We are fully aware of the importance of protecting personal data and privacy of our business partners. When processing personal data, we always proceed in such a way that your personal data is well secured and cannot be misused.

We process your personal data only for specified lawful purposes. We keep your personal data secure through the use of appropriate physical, technical, and organizational measures and limit access to individuals who have a legitimate business need to access it.

We took all measures that all processors of your personal data will maintain the confidentiality of all facts, information and data (personal or other) that they have learned in the course of their work. We have concluded a written agreement on the processing of personal data with all processors, where we emphasize the security of your personal data.

### **Sharing your personal data**

We will only share your personal data when we have a legitimate business need or legal obligation to do so. Where we need to do this, we will do so in line with this Information Memorandum and applicable law.

We may share your personal data for the purposes stated in this Information Memorandum (as applicable) with:

- NTT Ltd. ("NTT") affiliates and subsidiaries (if such a transfer of personal data is required for the specific purpose). A list of our affiliates is available [here](#).  
NTT is the party responsible for the management of jointly-used personal data;
- service providers to provide operational services or facilitate transactions on our behalf, including but not limited to providing us with P&C, finance and administrative services, IT support and data analytics;
- any court, tribunal, governmental or regulatory authority or law enforcement agency with jurisdiction over NTT EU GDC or to comply with applicable laws and regulations;
- agents and professional advisers of NTT including legal advisers in connection with legal proceedings, to obtain legal advice, or to protect NTT's legal rights;
- auditors and investigators in connection with NTT internal and external audits and investigations;

We may share your personal data in the following situations:

- in response to a request for information by a competent authority in accordance with, or required by any applicable law, regulation or legal process;
- where necessary to comply with judicial proceedings, court orders or government orders;
- to protect the rights, property or safety of NTT, its business partners, you, or others, or as otherwise required by applicable law;
- in connection with any joint venture, merger, sale of company assets, consolidation or restructuring, financing, or acquisition of all or a portion of our business by or to another company;
- where you consent to the sharing of your personal data.

Any third parties with whom we share personal data are contractually required to comply with applicable privacy laws, to implement appropriate data protection and security measures to protect personal data and are only permitted to use personal data for the purpose for which they are provided with or given access to personal data.

### Security

NTT EU GDC is committed to protecting your personal data from accidental or unlawful destruction, loss, alteration, unauthorized access or disclosure by using a combination of physical, administrative and technical safeguards and contractually requiring that third parties to whom we disclose your personal data do the same.

We also limit access to your personal data to only those people with a legitimate reason to access it.

### Cross-border transfers

NTT EU GDC is a subsidiary of NTT which is a global company. We may transfer your personal data to countries where we do business in connection with the purposes identified above and in accordance with this Information Memorandum.

For individuals in the EEA or Switzerland, where we transfer your personal data from a location within the European Economic Area (the "EEA") or Switzerland to a country outside the EEA or Switzerland and that country does not provide a level of protection for personal data which the European Commission ("Commission") deems adequate, we use and adhere to the standard contractual clauses ("SCCs") approved by the Commission, to legitimately transfer personal data. You may obtain a copy of these measures by contacting us as set out in the ["Who we are and how you can contact us?"](#) section above.

## Retaining your personal data

We will retain your personal data for as long as it is necessary to fulfil the purpose for which they were collected unless a longer retention period is required to comply with legal obligations, resolve disputes, protect our assets, or enforce agreements. The criteria we use to determine retention periods include whether:

- we are under a legal, contractual or other obligation to retain personal data, or as part of an investigation or for litigation purposes;
- personal data is needed to maintain accurate business and financial records;
- we have a legitimate interest to process your personal data outside of such a contractual relationship, we process it for as long as we still have a legitimate interest in processing this data. The exact period depends on the company you are working for and your position in the company;
- there are automated means to enable you to access and delete your personal data at any time;
- the personal data is sensitive personal data in which event we will generally retain this for a shorter period of time;
- you have consented to us retaining your personal data for a longer retention period, in which case, we will retain personal data in line with your consent.

## What rights do you have?

We process your data in a transparent way. You may use the following rights at any time during the processing of your personal data:

- i. The **right to access** your personal data and to have a copy of the personal data we process.
- ii. The **right to rectify** inaccurate personal data we hold about you without undue delay, and taking into account the purposes of the processing, to have incomplete personal data about you completed. We do our best to ensure that the personal data we hold about you is kept accurate

and up to date. We ask that you assist us to do this by correcting or updating your personal data, (as applicable) through Workday.

- iii. **Right to be forgotten.** You may require us to erase your personal data, and we will do so if:
- personal data are not necessary for the purposes for which they were collected or otherwise processed;
  - you withdraw your consent to the processing of personal data and there is no other legal reason for the processing;
  - you object to a processing based on a legitimate interest and there are no overriding legitimate reasons for processing, or if you object to the processing of personal data for direct marketing purposes;
  - personal data are processed unlawfully;
  - personal data must be erased in order to fulfill a legal obligation established in the law of the European Union or Czech Republic; or
  - it is the child's personal data collected in connection with the offer of the information society service.

Please note that your personal data cannot be erased if processing is necessary:

- for the exercise of the right to freedom of expression and information;
  - to fulfill a legal obligation requiring processing under the law of the European Union or the Czech Republic, or to carry out a task carried out in the public interest or in the exercise of official authority;
  - for public interest reasons in the field of public health;
  - for archiving purposes in the public interest, for scientific or historical research purposes or for statistical purposes; or
  - for the determination, exercise or defense of legal claims.
- iv. **Right to restrict** the processing of your personal data. You may also require us to restrict the processing of your personal data, if:
- the personal data processed are inaccurate;
  - the processing is unlawful;
  - the personal data processed are not needed for the purposes for which they were collected or otherwise processed; or
  - you object to processing.

If you exercise your right to restrict processing and any of the above conditions are met, we will record this fact in our systems, and we will not process such data actively.

If the reasons concerning the restriction of the processing cease to exist, we will remove the restrictions. We will inform you in advance about this situation.

- v. **Right to data portability.** Right to receive your personal data from us in a structured, commonly used and machine-readable format and to transmit your personal data to a third party without obstruction.
- vi. If you believe that there is a breach of the obligations under data protection laws (especially GDPR), you have the **right to file a complaint** at the supervisory authority (It is Úřad pro ochranu osobních údajů - "ÚOOÚ" in the Czech Republic) or another competent supervisory authority of a Member State of the European Union responsible for overseeing compliance obligations imposed by GDPR (in particular, the supervisory authority in the Member State of your usual residence, place of employment or the place where the alleged infringement occurred).

A list of data protection authorities is available at [http://ec.europa.eu/newsroom/article29/item-detail.cfm?item\\_id=612080](http://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612080).

You may contact us with requests, complaints or questions regarding these rights as set forth in the ["Who we are and how you can contact us?"](#) section above.

Similarly, individuals in countries outside of the EEA and Switzerland may exercise their rights under any applicable data protection laws by contacting us in accordance with the ["Who we are and how you can contact us?"](#) section above.

**There is no automated decision-making in NTT EU GDC**, i.e. a decision based solely on automated processing (including profiling) that would have legal effects for you or would otherwise affect you in a similarly significant way.

- vii. You also have the **right to object** to the processing of your personal data if the personal data is processed:
- for the purpose of carrying out a task carried out in the public interest or in the exercise of public authority;
  - for the legitimate interests of the controller or a third party; or
  - for direct marketing purposes, which includes profiling to tailor the offer to your needs and improve the service we provide.

In the event that you object, we will not process your personal data until we have established serious reasons for processing that outweigh your interests or rights and freedoms, or to determine, exercise and / or defend our legal claims.

If you object to direct marketing processing, we will no longer process your personal data for that purpose.

If any of the above rights are exercised, we will inform you in writing without undue delay of the manner of processing your request.

***NTT Europe GDC s.r.o.***