



# Data Privacy and Personal Data processing

## 1. How does SPP collect personal data?

The company collects personal data in the following ways:

- directly from its customers, when concluding a contract.
- from publicly available sources, such as public registers and records.
- from persons who have voluntarily provided the company with their personal data and have given their consent to its processing (by telephone, e-mail, via the company's website, etc.).
- from persons entering the company's premises (including recordings from the company's camera system).
- from public authorities, service providers or other persons.

The company collects and processes personal data only to the extent that is reasonable for the purpose of the processing. The company pays special attention to the security and protection of personal data and the rights of data subjects.

## 2. What categories of personal data does SPP process?

SPP only processes personal data in order to provide the customer with services and customer care, to comply with various legal requirements and also to protect its legitimate interests. The company collects personal data about customers, including potential customers, who are interested in the company's services or who have given their consent.

The company mainly processes the following categories of customers' personal data:

- Basic identification data, in the extent: title, name, surname, date of birth, signature. If the customer does business as a natural person - entrepreneur, it is also the ID number, tax identification number and place of business, including data necessary for the purposes of prevention and detection of money laundering and terrorist financing.
- Contact details, in the extent: address of permanent residence, correspondence address, address of the delivery point, telephone number, mobile phone number, e-mail, POD code (point of delivery), EIC code (electricity identification code), IP addresses.



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- Data from vulnerable gas customers category, showing that they are severely disabled and will use gas for heating; and data from vulnerable electricity customers category, showing that their vital functions are dependent on electricity consumption or that they are severely disabled and will use electricity for heating.
- Economic and financial data, in the extent: bank account number (IBAN), details of the product or service ordered by the customer, method of payment, discount information.
- Information on the use of products (especially the type of products used, the method of using the products, information on the services provided under the contract).
- Energy consumption information.
- Assigned identifiers (customer number, contract account number).
- Content of telephone calls, reports and ratings based on recorded calls.
- Camera recordings.
- Other data necessary to comply with legal requirements, application, and proof of legal claims of the company.
- Identification and operational data related to the use of the company's information systems and electronic services.
- Data on the use of the company's website and its social media accounts and data on the use of the customers portal Moje SPP.
- Data relating to the exercise of the data subject's rights.
- Video, audio and audio-visual recordings of events organized by the company.

### 3. What is the legal basis and purpose of the processing?

The company processes personal data on the following legal basis established by the Regulation and the Personal Data Protection Act:

#### **Legitimate interest**

The company may process the personal data of data subjects, should this be necessary for the legitimate interests of the company or of third parties, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child. Such legitimate interests of the company are in particular:



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- protection of the rights and legitimate interests that company must fulfil due to the generally binding legal regulations and contracts in relation to contractual partners and other persons; for this purpose, the company retains personal data for as long as is necessary to protect such rights and legitimate interests.
- recovery of receivables and other claims of the company; for this purpose, the company retains personal data for a maximum of the relevant limitation periods.
- the prevention of fraudulent conduct if the company reasonably considers that there is a risk of such conduct; for this purpose, the company retains personal data for a maximum period specified by generally binding legal regulations.
- protection of property, life and health; for this purpose, the company retains the personal data of persons entering the company's premises, including camera recordings, for a maximum of 72 hours from entry.
- marketing activities of the company, which means in particular information about selected news, discounts, price competitions, more advantageous energy offers and related services (e.g. boiler inspection), practical advice (e.g. energy saving), other products that increase life comfort (e.g. doctor's assistance, smart home); the communication may include surveys to improve customer satisfaction, as well as general and specialized tailor-made business offers or the acquisition of discounted products and services of the company's contractual partners; marketing communications are sent occasionally, usually several times a year, at most approximately once a month; and, for this purpose, the company retains personal data for no longer than the company's legitimate interest exists, in particular during the contractual relationship between the company and the data subject and for a reasonable period after its termination.
- improving the services provided to customers, in particular by recording telephone calls made on the SPP Customer Line, the SPP Business Line and the SPP Fair Line for the purpose of concluding, updating and terminating contracts, providing customer care, resolving complaints, grievances and claims.

### **Performance of the contract**

The company processes personal data of the data subjects for purposes related to the fulfillment of contractual obligations of both parties, in particular the conclusion, changes and termination of the contract, granting powers of attorney by the data subjects to the company, conclusion of natural gas and electricity distribution contracts and natural gas and electricity supply contracts, invoicing, etc. The provision of



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personal data by the data subject in the necessary extent is a precondition for concluding such contracts. Failure to provide personal data may prevent the company from delivering the goods and services to the data subject. The company will provide the data subject with information on what personal data is necessary for the conclusion of the contract and which may be provided, for example, in order to increase the efficiency of communication.

The company retains personal data for the purposes of performing the contract for the duration of the contractual relationship between the company and the data subject and the necessary time after its termination. Upon termination of the contractual relationship and settlement of all obligations arising from or related to the contract, the company retains personal data for the necessary time, especially during the expiration of possible claims from the termination of the contractual relationship and settlement of all obligations (including litigation), or for a longer period, if the running of the limitation period is interrupted.

### **Fulfillment of legal obligation**

The company may process personal data, including their provision to state authorities and other persons, if such an obligation arises from the law. Due to the legal obligation, the company may, for example, provide personal data to the Office for Regulation of Network Industries, the Office for Personal Data Protection of the Slovak Republic, the Slovak Trade Inspection, the Ministry of the Interior of the Slovak Republic, law enforcement agencies, the tax administrator, district offices or other institutions.

The company processes the customer's personal data for the purposes of payment, invoicing and bookkeeping, according to the legal obligations arising from the following laws and legal acts:

- Act no. 431/2002 Coll. on accounting,
- Act no. 563/2009 Coll. on tax administration (tax code),
- Act no. 595/2003 Coll. on income tax,
- Act no. 222/2004 Coll. on value added tax,
- Act no. 609/2007 Coll. on excise duty on electricity, coal and natural gas,
- Act no. 98/2004 Coll. on excise duty on mineral oil,
- Act no. 483/2001 Coll. about banks,
- Act no. 492/2009 Coll. on payment services,



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- Act no. 566/2001 Coll. on securities and investment services,
- Regulation (EU) No 600/2014 on markets in financial instruments,
- Regulation (EU) No 596/2014 on market abuse,
- Regulation (EU) No 648/2012 on OTC derivatives, central counterparties and trade repositories.

The company processes the customer's personal data for the purpose of selling energy and providing services to customers, including providing customer care, resolving complaints, grievances and complaints, and performing the activities of a tied financial agent in accordance with legal obligations arising from the following laws:

- Act no. 251/2012 Coll. on energy,
- Act no. 250/2012 Coll. on regulation in network industries,
- Act no. 250/2007 Coll. on consumer protection,
- Act no. 391/2015 Coll. on alternative dispute resolution for consumer disputes,
- Act no. 186/2009 Coll. on financial intermediation and financial advice.

The company processes the customer's personal data for the purposes of the internal system of verification of notifications of serious anti-social activities and keeping the relevant records, according to the legal obligations arising from the following law:

- Act no. 54/2019 Coll. on the protection of whistleblowers.

The company processes personal data for the purpose of fulfilling obligations related to the prevention and detection of money laundering and terrorist financing:

- Act no. 297/2008 Coll. on protection against money laundering and on terrorist financing and on the amendment of certain laws.

The company retains personal data for the purposes of fulfilling a legal obligation for a maximum period necessary to fulfill the relevant legal obligation stipulated by generally binding legal regulations.

### **Consent given by the data subject**

The company processes the personal data of the data subjects on the basis of the consent expressly granted by the data subject, if none of the other legal bases can be applied.



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The company retains personal data processed with the consent of the data subject for no longer than the duration of such consent, or until revoked, whichever is the earlier. The data subject has the right to freely withdraw his or her consent to the processing of personal data at any time. If the consent is revoked, the personal data may not be further processed, provided that there is no other purpose of processing based on a different legal basis. Withdrawal of consent shall not affect the lawfulness of the processing resulting from the consent prior to its withdrawal.

### 4. Who are the recipients of personal data?

The company can entrust the processing of personal data to a third party, the so-called processors. Processors of the company are, for example, persons who ensure the execution of some marketing activities for the company, external sellers, consulting companies or security services companies. Processors process personal data for the company exclusively on the basis of a personal data processing contract, which must meet the requirements set by the Regulation and the Personal Data Protection Act, and in such cases the company strictly ensures the protection of the personal data it provides to the processors.

#### [List of Processors](#)

### 5. SPP as joint controller

The company, as the founder of the SPP Foundation, with its registered office at Mlynské nivy 44/a, 825 11 Bratislava, ID no.: 31 818 625 (the “**Foundation**”), processes some personal data of grant applicants, grant recipients and other persons involved in grant implementation, for the purpose of promoting the Foundation, its activities and the SPP brand. For this purpose, the company processes the name, surname, address and video and audio-visual records on which the data subjects are captured. The company and the Foundation have designated the following contact point for the data subjects: [osobneudaje@nadaciaspp.sk](mailto:osobneudaje@nadaciaspp.sk), but the data subjects can also contact the company directly with their requests.

The company processes the personal data of its customers, gas customers or electricity customers, in the extent of identification data and address, for the purpose of providing courier delivery services, in particular the transport and delivery of mail and the record keeping of mail delivery, with the joint controller, the company IN TIME,



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s.r.o., with its registered office at Senecká cesta 1, 900 28 Ivanka pri Dunaji, ID no.: 31 342 621.

The company processes the personal data of its customers in the extent of name, surname, address, academic degree, birth number, date of birth, billing address, delivery address, telephone number, e-mail, ID number of national ID or other identity document, codes related to the delivery point and voice recordings, for the purposes of advisory and consulting services, with joint controllers, KPMG Slovensko Advisory, k.s., with its registered office at Dvořákovo nábrežie 10, 811 02 Bratislava, ID no.: 31 403 417 and KPMG Slovensko spol. s.r.o., with its registered office at Dvořákovo nábrežie 10, 811 02 Bratislava, ID no.: 31 348 238.

### 6. What are the rights of data subjects?

The data subject has the right:

- to require from the company:
- the confirmation of whether or not its personal data is being processed; if the personal data has not been obtained from the data subject, the data subject may request the provision of any available information as to its source ("**right of access to personal data**").
- if its personal data is processed, the access to the personal data and other information and to receive a copy of the personal data that the company processes ("**the right to be informed about the processing**"); the company is entitled to charge the data subject a reasonable administrative fee in connection with the request for a copy of personal data.
- the correction of inaccurate/incomplete personal data processed by the company ("**right to rectification**").
- the erasure of personal data if any of the reasons listed in the Regulation or Personal Data Protection Act are met; especially if the personal data are no longer necessary for the purposes for which the company acquired or processed them, if the data subject withdraws consent and the company has no other legal basis for processing, if the data subject objects to the processing, or if the company processed personal data illegally; if official documents containing personal data are being processed, the data subject may request their return ("**right to erasure**").



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- the restriction of personal data processing if any of the reasons listed in the Regulation or the Personal Data Protection Act are met; for example, if the data subject reports that the company is processing inaccurate personal data about it, the data subject can request that this personal data is not processed until it is corrected ("**right to restriction**").
- the provision of personal data relating to the data subject and that the data subject has provided to the company, in a structured, commonly used and machine-readable format; the data subject has the right to transfer this personal data to another controller, if it is technically possible and if the conditions specified in the Regulation and the personal Data Protection Act are met ("**right to portability**").
- to object, on grounds relating to the data subject's particular situation, to the processing of its personal data and that are necessary to fulfill a task carried out in the public interest, including objecting to profiling; to object to the processing of its personal data for the purposes of direct marketing without its consent, including profiling, to the extent that it is related to such direct marketing ("**right to object**").
- to object to being subjected to a company decision that is based solely on automated processing, including profiling, which has legal effects that concern or similarly significantly affect the data subject, unless the Regulation or the Personal Data Protection Act provide otherwise ("**automated decision-making including profiling**").
- at any time to withdraw the consent to the processing of personal data granted to the company with effects from the moment of withdrawal of consent ("**right to withdraw consent**").
- in case of suspicion that its personal data is being processed without authorization, to submit a motion to initiate personal data protection proceedings at the Office for Personal Data Protection of the Slovak Republic, with its registered office at Hraničná 4826/12, 820 07 Bratislava, Slovak Republic, phone number: + 421 2 3231 3220, [www.dataprotection.gov.sk](http://www.dataprotection.gov.sk).

If the data subject does not have full legal capacity, its rights, in accordance with the Regulation and the Personal Data Protection Act, can be exercised by a legal representative. The rights of the deceased data subject pursuant to the Regulation and the Personal Data Protection Act can be exercised by its close living relative.

### 7. How can data subjects exercise their rights?





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With regard to the possible risks of misuse and ensuring the protection of the personal data of the data subjects, the company establishes means of communication by which it is possible to receive and respond to the request of the data subject in relation to its personal data that the company processes. The company also takes into account the technical aspects of some rights of the data subject and adapts the means of communication to ensure these rights of the data subject. In case of doubt about the identity of the data subject, the company is entitled to request an additional verification of the identity.

The data subject can exercise its rights in the following ways:

- in person at any SPP Customer Center.
- by mail (the signature of the data subject must usually be officially certified) sent to the address of the registered office of the company.
- by e-mail to the company's address [osobneudaje@spp.sk](mailto:osobneudaje@spp.sk).
- by phone to the SPP Customer Line (only the right to rectification and the right to withdraw consent).

### **8. What is automated decision making and profiling?**

In some cases, the company carries out automated processing of personal data in the form of personal data profiling of the data subject, which consists of using personal data to analyze and evaluate certain personal aspects related to the data subject, for the purposes of energy sales, direct marketing and satisfaction surveys. In such cases, the company will notify the data subject of such processing in an appropriate manner.

For this purpose, the company can inform the data subject about the most suitable business and marketing offers.

The company analyzes and evaluates the personal data of the data subject, which it has provided to the company and/or which the company has obtained in the course of selling products and providing services to the data subject. Such analyzes are carried out by the company on the basis of legitimate interests aimed at individualized offers of the company's products and services and the overall improvement of its products and services.

The consequence of such processing for the data subject is the customization of the company's offers and services as closely as possible to the data subject's needs.



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## 9. Cookies

In order to provide transparent, clear and comprehensible information about the usage of information and personal data of users of its website, the company provides visitors of the website [www.spp.sk](http://www.spp.sk), in accordance with the provisions of § 109 Section 8 of Act No. 452/2021 Coll. on electronic communications, the following information on the use of data stored in the user's end device, the so-called cookies ("**Cookies**"). We can store or gain access to Cookies on your device only on the basis of your verifiable granted consent. Consent is not required for Cookies, which are absolutely necessary to ensure the functioning of the website [www.spp.sk](http://www.spp.sk).

### What are Cookies?

Cookies are small data packages or small text files that are stored on your device, which you use to browse the website [www.spp.sk](http://www.spp.sk). Cookies are used to improve the user experience on the website and to ensure some website functionality, for example, they allow us to identify that you visit our website repeatedly from your device, which allows us to offer you content that corresponds to your previous visits. Cookies also allow us to ensure the proper functioning of the website [www.spp.sk](http://www.spp.sk) and thanks to them we can improve its functionality and our services for you.

### What types and for what purpose do we use Cookies?

Cookies can be divided according to the time during which they are stored on your device or according to the purpose for which they are stored.

Depending on the time for which Cookies are stored in your device, we divide Cookies into two basic categories, namely temporary and permanent. Temporary Cookies are used only for the purpose of one specific visit to our website. They mainly serve to identify the type of your device (computer, tablet, mobile phone) when repeatedly loading parts of our website within one visit. This improves your browsing experience. After the website browser is closed, temporary Cookies are removed from your device. Permanent Cookies help us recognize you as a unique user of our website and remain stored on your device until their predetermined validity period expires or until you delete them. In addition, permanent Cookies will enable us to provide you with personalized content of our website on your next visit.



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In terms of purpose, we use Cookies in several ways, based on which these Cookies are divided as follows:

- **Necessary cookies** ensure the basic usability of the website and without their use the website would not function properly. These are, for example, functions such as website navigation and so on.
- **Preferential cookies** enable information about the user's preferred use of the website to be stored. This is, for example, the choice of preferred language, etc.
- **Analytic cookies** help us better understand the behavior of visitors and users of the website and thereby improve the functionality of this website. Analytical cookies can create anonymous statistics.
- **Marketing cookies** enable the personalization of marketing content on this website. They are primarily used to display relevant advertising for the user or website visitor.
- **Unclassified cookies** are those that we are currently implementing on the website and therefore we are only selecting appropriate category for them.

Our website also uses the Google Analytics service in connection with cookies. If you are interested in more detailed information about the use of Cookies by this service, visit the Google Analytics webpage.

### **When do we use Cookies and what to do if you do not agree to their use?**

We use Cookies only if you have given your explicit consent to their use through the so-called cookies banner. We do not use Cookies until you give such consent. However, consent is not required for Cookies, which are absolutely necessary to ensure the functioning of the website [www.spp.sk](http://www.spp.sk).

You can grant, change or revoke your consent to the use of individual categories of Cookies at any time in the Cookies settings window (the so-called cookies banner) in the "Details" section. You can reopen this window at any time using the button located in the lower corner of the website.

Please note that due to the settings of our website, the rejection to grant consent to the use of some categories of Cookies may affect its functionality and prevent you from using some functions.



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