

PRIVACY POLICY

The protection of personal data of our clients and other natural persons is one of our priorities. This policy explains how we process personal data when providing legal services as the law office NAVIKAP s. r. o., having its registered office at Pod záhradami 3201/64, 841 02 Bratislava, Slovakia, Company Identification No.: 51269881, registered in the Commercial Register of the District Court Bratislava I, Section: Sro, Insert No.: 124596/B (hereinafter referred to as “We”). If you have any questions, you can contact us by phone at +421 902 867 581, by e-mail at office@navikap.com or by post to the address of our registered office.

The processing of personal data by us is governed by the General Data Protection Regulation (“GDPR”), which sets out, among other things, rights of you as the data subject (see articles 12 – 22), by the provisions of the Slovak Act on protection of personal data that relate to us (in particular Section 78), by the Act on Advocacy (Section 18), as well as by other legal norms of the Slovak law. We also comply with the Code of Conduct issued by the Slovak Bar Association (“SBA”), which explains in more detail the processing of personal data by attorneys. You can acquaint yourself with the Code of Conduct at www.sak.sk/gdpr.

Why do we process personal data?

The purpose of the processing of personal data by us is, in particular, to enable us:

- to provide legal services to our clients;
- fulfil various statutory, professional and contractual obligations;
- protect our legitimate interests, legitimate interests of our clients and other persons.

For which purpose and on which legal basis we process personal data?

We process personal data for the following purposes and on the following legal basis:

Purpose (1): Provision of legal services

Legal basis: Compliance with a legal obligation pursuant to Article 6(1)(c) GDPR

Related laws: Act on Advocacy, Advocacy Code, Civil Code and Commercial Code

Purpose (2): Provision of other than legal services

Legal basis: Performance of a contract pursuant to Article 6(1)(b) GDPR or, as the case may be, compliance with a legal obligation pursuant to Article 6(1)(c) GDPR

Related laws: Act on Register of Public Sector Partners, Act on e-Government, Civil Code and Commercial Code, Act on Lease of Non-Residential Premises

Purpose (3): Ensuring the compliance with the laws and regulations of the Slovak Bar Association

Legal basis: Compliance with a legal obligation pursuant to Article 6(1)(c) GDPR, legitimate interests of attorneys or third persons pursuant to Article 6(1)(f) GDPR, the public interest pursuant to Article 6(1)(e) GDPR or defence of legal claims pursuant to Article 9(2)(f) GDPR

Related laws: Act on Advocacy, Advocacy Code, Act on Protection against Legalization of Proceeds from Crime, Act on Whistleblowing, GDPR

Purpose (4): Purposes related to the protection of legitimate interests

Legal basis: Legitimate interests of attorneys or third parties pursuant to Article 6(1)(f) GDPR

Related laws: GDRP, Civil Code and Commercial Code, Criminal Procedural Code, Criminal Code, Code on Adversarial Procedure, Code on Non-Adversarial Procedure, Administrative Judicial Code, Code on Administrative Procedure, Act on Offenses

Purpose (5): Marketing purposes

Legal basis: Consent of the data subject pursuant to 6(1)(a) GDPR or legitimate interests of attorneys or third persons pursuant to Article 6(1)(f) GDPR

Related laws: Act on Advocacy, Act on Electronic Communication, Act on Advertising, Act on Protection of Consumers, Civil Code

Purpose (6): Statistic purposes, Archiving purposes in the public interest and purposes of historical and scientific research

Legal basis: Article 89 GDPR

Related laws: Act on Archives

Purpose (7): Accounting and tax purposes

Legal basis: Compliance with a legal obligation pursuant to Article 6(1)(c) GDPR

Related laws: Special laws in the field of accounting and administration of taxes

Who are the recipients of your personal data?

We make personal data of our clients and other natural persons available only to the necessary extent and always while imposing upon a recipient of the data the confidentiality obligation, for example to our employees, persons authorized by us to carry out individual acts of legal services, to substitute attorneys or cooperating attorneys, to our accountants, to the Slovak Bar Association (for example in the case of disciplinary proceedings) or to providers of software equipment or support for our office including employees of these persons.

Even though, due to the respect to the confidentiality obligation, we are obliged to provide your personal data to the public authorities (who are not regarded as recipients pursuant to Article 4(9) GDPR) only to a limited extent, we are obliged to thwart the commission of a crime and also to notify certain information in the field of prevention of money laundering and financing of terrorism).

For how long do we store your personal data?

We store your personal data only for a period during which it is necessary for purposes for which personal data are processed. When storing the personal data, we comply with recommended periods for which the personal data are to be stored pursuant to the resolution of the presidency of the Slovak Bar Association No. 29/11/2011:

- the attorney shall store the book of incoming mail and the book of outgoing mail for a period of ten years from the day of receipt or dispatch in the book of the last registered consignment;
- the attorney shall archive the inventory list during ten years from its compilation;

- if the attorney maintains a list of clients' names and a protocol of the client's file electronically, at the end of a calendar year he or she shall make its printed form for the calendar year and store it in the office for an indefinite period;
- the shredding period for a client's file is ten years and shall start running from a day on which all conditions for saving the file in the archive have been fulfilled.

The attorneys are subject to professional rules imposing upon them obligations pursuant to the Act on Advocacy, pursuant to which there are certain circumstances that prolong the relevant periods for storing of personal data or, as the case may be, prevent us from shredding some documents for understandable reasons, for example:

- it is not possible to shred a client's file that contains original of documents that the client submitted to the attorney;
- it is not possible to shred protocols of clients' files and a list of clients' names;
- it is not possible to shred a client's file or its part which the attorney is obliged to submit to a state archive;
- it is not possible to shred a client's file in the case of a pending proceeding before a court, public authority, law enforcement authority or the Slovak Bar Association that relates to the substance of the client's file or the subject of which is an act or failure to act by the attorney when providing legal aid in the matter at issue to the client.

How do we collect your personal data?

If you are our client, in most cases we collect your personal data directly from you. In such a case the provision of your personal data is voluntary. Depending on an individual case, failure by a client to provide personal data may have impact on our ability to provide quality legal advice or, in exceptional cases, also on our obligation to refuse to provide legal advice. Moreover, we may collect personal data of our clients from publicly available sources, from public authorities or from other persons.

If you are not our client, we mostly collect your personal data from our clients or other public or legal sources, for example on the basis of requests addressed to public authorities, extracts from public registers, by obtaining evidence for the benefit of our client etc. In such a case we may collect your personal data without informing you and also against your will on the basis of our statutory right and obligation to carry out our profession in line with the Act on Advocacy.

Which rights do you have as the data subject?

If we process your personal data based on your consent with the processing of personal data, you have a *right to withdraw consent* anytime.

Irrespective of the above, you have a *right to object to processing* of personal data anytime on the basis of a legitimate or public interest as well as for the purpose of direct marketing including profiling.

As a client you have a *right to request access to your personal data* as well as *to have it rectified*. If we process personal data when providing legal services, you as a client or as another natural person (for example a counterparty) do not have a right to object to such processing pursuant to Article 22 GDPR. If the personal data concerns a client (regardless of whether the client is a legal entity or a natural

person), the right to access to data or the right to data portability do not have other persons due to our legal obligation of professional secrecy and with reference to Article 15(4) GDPR and Article 20(4) GDPR and Section 18(8) of the Act on Advocacy: *“The attorney does not have an obligation to provide information about processing of personal data, to enable access to or portability of personal data, if it can lead to a breach of the attorney’s obligation of professional secrecy pursuant to this Act.”*

In addition, you have a right to file a complaint with the Office for Personal Data Protection of the Slovak Republic or the Slovak Bar Association.

Processing of cookies

Cookies are small text files that improve the use of the website, for example, by allowing the recognition of previous visitors when logging in to a user environment, remembering a visitor’s choice when opening a new window and measuring site traffic or a manner if its use in order to improve user experience. We use cookies to customize the content of our website, to provide social media features, and to analyse traffic. You can always prevent storing these files on your device by changing settings in your web browser, which is recognized, within the meaning of Section 55(5) of the Slovak Electronic Communications Act, as your consent with the use of cookies on our site.

Changes to the Privacy Policy

We protect your personal data on a permanent basis. Information that we are obliged to provide to you in connection with the processing of personal data by us may be changed or become out-of-date. For this reason, we reserve a right to change and modify this Policy anytime and to any extent. In the case we change this Policy in a substantial manner, we will inform you about this change, for example, by a general notification on this website or by a special notification sent via e-mail.