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## INFORMATION MEMORANDUM ELIXIR Services

Dear Sir/Madam,

### I. ELIXIR Services

The "ELIXIR Services" project is a joint project of financial service brokers, financial service providers and other entities (hereinafter referred to as "**the users**" or individually "**the user**") and companies involved in the development and operation of information systems for the exchange of information. In order to reduce the risks and improve the quality of the services offered and provided, the users are interested in obtaining data that indicate the reliability and fulfilment of the financial obligations of the persons through whom they offer or provide their services (hereinafter referred to as "**the cooperating persons**").

For this reason, the users should be provided with information services that can assist them in assessing the reliability and fulfilment of financial obligations by their cooperating persons (these information services are hereinafter referred to as "**the ELIXIR Services**").

### II. Provider of the ELIXIR Services

CRIF – Czech Credit Bureau, a.s., Company ID No.: 262 12 242, with its registered office at Štětkova 1638/18, Nusle, 140 00 Prague 4, incorporated in the Commercial Register kept by the Municipal Court in Prague, file number B 6853 (hereinafter "**CRIF CZ**"), is a company which:

- processes the data of the cooperating persons, i.e. natural persons operating in accordance with 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, and repealing Directive 95/46/EC (hereinafter the "**General Data Protection Regulation**" or "**GDPR**").
- provides the ELIXIR Service to the users;
- manages data and is a data controller as defined in the General Data Protection Regulation in connection with the data provided to CRIF CZ by the users and in connection with the information (data) provided to the users by CRIF CZ in connection with the provision of the ELIXIR Services (these data are listed below as "**the ELIXIR Data**");
- manages data and is a data controller as defined by the General Data Protection Regulation in connection with the common database created from the ELIXIR Data collectively provided by users (hereinafter referred to as the "**ELIXIR Register**");
- operates the Client Centre.

### III. Users and Recipients of Personal Data

The users have an agreement signed with CRIF CZ concerning participation in the ELIXIR Register. The identities of the individual users and their contact details are provided at [www.registrporadcu.cz](http://www.registrporadcu.cz).

In addition to CRIF S.P.A. and CRIF – Czech Credit Bureau, a.s., the Users are the only possible recipients of the personal data entered in the ELIXIR Register.

### IV. Cooperating Entities

Cooperating entities shall mean the persons through whom the users offer or provide their services to clients. These entities include persons with whom the user has a direct contractual relationship with as well as persons who have a relevant contractual relationship with any other cooperating entity (this contractual relationship with the user or any other cooperating entity is hereinafter referred to as the "**Contractual Relationship**").

## V. CRIF S.P.A.

Another entity involved in the processing of data in the ELIXIR Register is the Italian company CRIF S.P.A. with its registered office at Via M. Fantin 1-3, 40131 Bologna, Italy (hereinafter “CRIF”), which, under the relevant contractual documentation, provides CRIF CZ with the final automated technical processing of information on the cooperating entities provided to CRIF CZ by the individual users.

## VI. ELIXIR Register and its Contents

The ELIXIR Register is a database of data that the users provide to CRIF CZ and which individually or collectively indicate the reliability and fulfilment of the financial obligations of the Cooperating persons.

The following personal data about the cooperating persons are processed within the ELIXIR Register:

- personal identification data (particularly title, name, surname, date of birth, address, identification number, registration number in the Register of insurance brokers and adjusters maintained by the Czech National Bank);
- personal data indicating whether or not a Contractual Relationship has been established or terminated;
- Data indicating financial liabilities of the cooperating persons that arose, will or may arise vis-à-vis the user/other cooperating persons in connection with the Contractual Relationship as well as fulfilment of such liabilities by the cooperating person;

measurthe cooperating person communicated by the cooperating person or received by the user in connection with the fulfilment, non-fulfilment or termination of the relevant Contractual Relationship by the respective cooperating person, or data obtained by the user or CRIF CZ in other legal manner.

The **lawful basis** for processing the personal data of the cooperating persons is the legitimate interests of the users, in particular the interest in assessing the reliability and fulfilment of financial obligations by their cooperating persons.

In the context of the provision of the ELIXIR Services, no data on the users' clients or the cooperating persons' clients are processed.

The handling of information (data) within the ELIXIR Register is governed by the following rules:

The ELIXIR Data are processed to the extent to which they can be used for the assessment of reliability and fulfilment of financial obligations of the cooperating person and to which the cooperating person has provided such data in connection with the Contractual Relationship, or to which such information may arise from the Contractual Relationship for the duration thereof (see the above-mentioned list of the personal data processed in the Register).

No special categories of personal data of the cooperating persons – natural persons within the meaning of the GDPR (e.g. health data) – are processed in the ELIXIR Register.

The information (data) contained in the ELIXIR Register is regularly updated on a monthly basis and is maintained for the purpose of processing for the duration of the Contractual Relationship and for another five years after the fulfilment of all financial obligations of the cooperating person arising from such a Contractual Relationship, if these obligations expire through the fulfilment or in a manner that replaces the fulfilment, or from the termination of such a Contractual Relationship, if such obligations otherwise expire. If the requested Contractual Relationship has not been concluded, the data shall be stored for a period of two months from the request for the conclusion of the Contractual Relationship. Upon expiration of the relevant period, the processing of such data is limited which means that the information is in a state in which it is inaccessible and cannot be processed and are not provided under any circumstances for the purpose of the provision of the ELIXIR Services; these data may only be used to check the accuracy of the ELIXIR Data processing (including resolving any complaints by the cooperating persons) and for the purposes of processing by CRIF CZ, but only in anonymised form. The data will automatically be deleted after five years.

The ELIXIR Data are provided by the users to CRIF CZ, which further processes the data in the ELIXIR Register for the purpose of providing the ELIXIR Services, including the use of the system for the final automated technical processing of the data of the Italian company CRIF. The final technical processing of the information in Italy is also performed in accordance with the General Data Protection Regulation.

The ELIXIR Data processed in such a manner are made available by CRIF CZ to the users, along with other ELIXIR Services (if applicable), for the purpose of assessing the reliability and fulfilment of financial

obligations of the cooperating persons. The ELIXIR Services include the following ELIXIR Data processing outputs: information reports, scoring reports, statistical and aggregated information. These forms of processing ELIXIR Data can be changed or extended in the future.

CRIF CZ, as the operator and administrator of the ELIXIR Services, provides further development of the ELIXIR Services for users and for this purpose it also processes the data of the cooperating persons. CRIF CZ will also provide the development of the ELIXIR Services different from the provision of ELIXIR Data on the basis of or through the ELIXIR Register.

## **VII. Client Centre**

The Client Centre operated by CRIF CZ serves as a contact point where you can address your requests related to the processing of your personal data in the ELIXIR Register. The Client Centre especially provides the following services to cooperating persons:

- Informs the cooperating persons of the data that are processed in the ELIXIR Register (in accordance with the requirements of the GDPR);
- Serves as a point where cooperating persons can submit requests for information about what data are being processed on them in the ELIXIR Register;
- Serves as a point for the submission of complaints or comments by the cooperating persons relating to any inaccurate data processed in the ELIXIR Register;
- Serves as a point where the cooperating persons can exercise their other rights under the GDPR.

## **VIII. Technical and Organisational Guarantees of Information (Data) Security in the ELIXIR Register**

As regards the provision of the ELIXIR Services, we would like to inform you that all the parties involved have taken due measures to prevent any unauthorised or accidental access to the processed information (data), its modification, destruction, loss, unauthorised transfer, unauthorised processing, or other misuse of the information.

Such steps include in particular:

- Regular changes of the individual access codes and access names to the ELIXIR Services;
- Data encryption during information transmission.

## **IX. Transfers of Personal Data to Third Countries**

The processing of information in the ELIXIR Register does not involve the transfer of personal data outside the territory of the European Union.

## **X. Special Protection of the Rights of the Cooperating Persons - Natural Persons**

We hereby inform you of your rights under the relevant provisions of the General Data Protection Regulation relating to the processing of your personal data in the ELIXIR Register.

You may exercise these rights at the Client Centre:

Right to access your personal data: you have the right to request CRIF CZ to confirm whether your personal data are actually processed in the ELIXIR Register and, if so, you have the right to access these personal data and the specified information. In that case, CRIF CZ will provide you with a copy of the personal data that are being processed in the form of an extract from the ELIXIR database free of charge once a year and otherwise against the payment of the material costs.

Right to correction: you have the right to have any inaccurate personal data processed in the ELIXIR Register corrected without undue delay. You are also entitled to have incomplete personal data completed, including by providing an additional statement.

Right to deletion ("right to be forgotten"): you have the right to have your personal data deleted without undue delay if any of the reasons set forth in the GDPR arise (e.g. the data are no longer needed for processing or their processing is unlawful).

Right to restrict processing: you have the right to have the processing of your personal data restricted if any of the reasons set forth in the GDPR arise (e.g. due to the inaccuracy of the personal data processed or the unlawfulness of their processing).

Please note that the *right to data portability*, i.e. the right to obtain personal data (which concern you and which you have provided to the user) in a structured, commonly used and machine-readable format, and the right to pass these data to another data controller without the user preventing this, are not relevant to the nature of the processing of your personal data in the ELIXIR Register, and therefore we cannot comply with any data portability requests.

*Right to object:* For reasons related to your particular circumstances, you have the right at any time to object to the processing of the personal data that concern you. CRIF CZ will no longer process your personal data unless it can demonstrate to you compelling legitimate interests for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

As regards the procedure for exercising the right to object, the rules set out above for the exercise of other rights apply accordingly.

*Right to lodge a complaint:* if you believe that the processing of your personal data in the ELIXIR Register constitutes a violation of applicable laws, in particular the General Data Protection Regulation, you may lodge a complaint with the Office for Personal Data Protection, Pplk. Sochora 27, 170 00 Prague 7, [www.uoou.cz](http://www.uoou.cz)

The requested information and documents and/or information on the measures taken will be provided to you without undue delay, no later than one month after the date of receipt of your request. In some cases, however, this period may be extended, of which we will notify you. If it is not possible to comply with your request, we will inform you of this fact and of the reasons, including advice on your other rights (the right to lodge a complaint and the right to judicial protection).

If necessary, we may ask you to provide additional information to confirm your identity in connection with your request. If we cannot establish your identity, we cannot usually satisfy your request.

You may exercise your rights free of charge. If the submitted requests are clearly unjustified or unreasonable, especially because they are repeated, we may request reasonable compensation from you or we may reject your request.

## **XI. Data Protection Officer**

If you are unable to resolve your issue through the Client Centre, you can also contact the Data Protection Officer of the CRIF CZ at [poverenec.ELIXIR@crif.com](mailto:poverenec.ELIXIR@crif.com).

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### **CLIENT CENTRE**

CRIF – Czech Credit Bureau, a.s.  
Štětkova 1638/18  
140 00 Prague 4 – Nusle  
Phone: +420 844 111 777  
E-mail: [dotaz@registrporadcu.cz](mailto:dotaz@registrporadcu.cz)  
Internet: [www.registrporadcu.cz](http://www.registrporadcu.cz)

The current opening hours of the Client Centre as well as more information you can also get at [www.registrporadcu.cz](http://www.registrporadcu.cz). On this website you can always find the current version of this Information Memorandum.

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