
Information Memorandum REPI Register

Dear Madam, dear Sir,

I. REPI Register

The REPI Register is a joint database of data created on the basis of information mutually provided by the users of the REPI Register (hereinafter the “**users**” or individually the “**user**”) on the contractual relationships between users and their clients that may be individuals (entrepreneurs as well as non-entrepreneurs) or legal entities (hereinafter the “**clients**” or individually the “**client**”). The REPI Register is a joint project of users and companies engaged in the development and operation of information systems of information exchange.

The REPI Register includes the Negative REPI Register that contains information on clients’ overdue liabilities and the Positive REPI Register that contains information on liabilities that are not yet overdue and potential liabilities of the client, i.e. the client’s positive payment history.

II. Basic Purpose of the REPI Register

The basic purpose of the REPI Register is the mutual exchange of information between the users concerning matters that give evidence of the payment prospects, payment discipline and creditworthiness of their clients. Users participating in the REPI Register wish, in order to protect the rights and legitimate interests of sellers and consumers consisting in assessing the ability and willingness of consumers to meet their obligations, to regularly obtain the data needed to enable (even repeated) assessment of the payment prospects, payment discipline and creditworthiness of their clients. The basic purpose of the REPI Register is further defined in Act No. 634/1992 Coll., on Consumer Protection, as amended (hereinafter referred to as the “Consumer Protection Act”)

III. REPI Register Operator

The REPI Register operator is CRIF – Registr platebních informací s.r.o., Company Identification No.: 057 75 809, 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 C 268784 (hereinafter “**REPI**”). REPI processes the data of the clients – individuals 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**”).

IV. Users of the REPI Register and Recipients of Personal Data

The REPI Register users are the sellers as defined by the Consumer Protection Act, that have entered into an agreement on participation in the REPI Register with REPI, the list is available here www.repi.cz. In addition to REPI, 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 REPI Register.

V. CRIF S.P.A.

Another entity involved in the data processing in the REPI Register is CRIF S.P.A., established under the laws of Italy, with its registered office at Via M. Fantin 1-3, 40131 Bologna, Italy (hereinafter “**CRIF**”), which, under the relevant contractual documentation, in the case of the REPI Register provides REPI with the final automated technical processing of client information provided to REPI by the individual users.

VI. CRIF – Czech Credit Bureau, a.s.

CRIF – Czech Credit Bureau, a.s., Company Identification 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**”), under the relevant agreements, in the case of the REPI Register provides REPI with services related to the mutual exchange

of information between users about the payment prospects, payment discipline and creditworthiness of their clients and further provides the operation of the Client Centre.

VII. REPI Register and its Content

The REPI Register is a database of information on the contractual relationships between users and their clients. The REPI Register is created on the basis of information (data) provided by the users to REPI, which either separately or in its entirety indicate the payment prospects, payment discipline and creditworthiness of the clients.

The following personal data of clients are processed within the REPI Register:

- Identification personal data (name, surname, date of birth, identification number, nationality, data on identity documents, address of the place of residence, birth certificate number, contact details - e.g. phone number and e-mail address);
- Data indicating whether a contractual relationship has or has not been concluded between the client (or applicant in the cases of guarantors, co-applicants and statutory representatives) and the user;
- Data indicating financial liabilities of the client that arose, will or may arise vis-à-vis the user in connection with the contractual relationship as well as fulfilment of such liabilities by the client;
- Data indicating the securing of the client's liabilities connected with the contractual relationship with the user;
- Data indicating whether a receivable has been assigned with respect to the client under a contractual relationship with the user, and data indicating further fulfilment of liabilities by the client in relation to such an assigned receivable; all this only provided that the user continues to administer the relevant assigned receivable and that other contractual terms are fulfilled;
- Any other data indicating the payment prospects, payment discipline and creditworthiness of the client that the client communicated or will communicate to the user or that the user obtained or will obtain in connection with the performance or non-performance of the relevant contractual relationship.

The **lawful basis** for the processing of personal data of clients in the REPI Register consists in (a) the legitimate interests of users, (b) the consent to the processing of personal data when providing users with information about an individual from the Positive REPI Register, and (c) the consent to the processing of personal data in case of persons representing the clients or in case of owners of clients.

Handling of information (data) within the REPI Register is governed by the following rules:

Information (data) is included in the REPI Register and subsequently processed in the scope in which it may serve to assess the client's payment prospects, payment discipline and creditworthiness, and in which the client provided the information in connection with the contractual relationship, or which may arise from the contractual relationship during its term, or, in the case of an assigned debtor, which may arise from the debtor's obligations towards the client or the user during the term of such liabilities, or which may arise in connection with the administration of the relevant assigned receivables (see the list of data processed in the REPI Register above).

No special categories of personal data of the clients – natural persons within the meaning of the GDPR (e.g. health data, etc.) are processed in the REPI Register.

The information (data) contained in the REPI Register is regularly updated and kept for the purposes of the mutual information exchange between users during the term of all obligations of the client towards the user or of the obligations of the assigned debtor towards the client or the user (including situations where the user administers the relevant assigned receivable – see the list of personal data processed in the REPI Register above) and for the period of another three years after the fulfilment of all liabilities of the client or assigned debtor. If the requested agreement is not made with the client, information (data) concerning the client including the assigned debtor is stored in the REPI Register for three months from the date of submission of the client's request for the conclusion of the relevant agreement. Upon expiration of the relevant period, the processing of such information (data) is restricted (which means that the information is in a state in which it is inaccessible and cannot be processed) and such information is not provided in any way for the purposes of mutual information exchange between users; REPI is authorised to store anonymised data for statistical purposes and to retain the documents that it

has obtained or procured in connection with the data in the REPI Register, if this is necessary to protect its rights and legitimate interests.

Information (data) on the contractual relationships with clients are provided by users to REPI, which further processes the data in the REPI Register, also using the system for final automated technical data processing of the Italian company CRIF. In Italy, information is also finally technically processed in an automated manner in accordance with the General Data Protection Regulation. In the course of this processing, there is also the profiling of the clients, the result of which may become one of the underlying documents in the user's decision-making about whether or not to conclude the requested agreement with the client. However, the decision-making about whether or not the user concludes the agreement with the client does not take place in the REPI Register by automated means.

Information (data) together with other information obtained from public and private data sources, which may be relevant for the assessment of clients' payment prospects, payment discipline and creditworthiness, is made available by REPI in the form of reports on the basis of the REPI Services users' requests, solely for the purpose of the mutual information exchange between the users of their clients' payment prospects, payment discipline and creditworthiness.

REPI further provides or may provide users with the following REPI Services:

- The so-called score, which is a synthetic value used to assess the client's payment prospects, payment discipline and creditworthiness;
- A report on the verification of the client's document or the information given in the client's document, which is part of the client's creditworthiness check also in connection with Act No. 253/2008 Coll., on Selected Measures against Legitimation of Proceeds of Crime and Financing of Terrorism, as amended, which shall be prepared, inter alia, using public databases and the REPI Register;
- Information (data) in the form of aggregate statistical reports on the clients' portfolios' payment prospects, payment discipline and creditworthiness in the relevant product market; such aggregate statistical reports constitute aggregate and anonymous information that cannot be associated with any identified or identifiable data subject;
- Information in relation to clients concerning which the user requesting information will assign or has assigned receivables arising from an agreement with the client.

Information (data) relating to persons representing clients - individuals is provided by REPI to users with the prior consent of these persons with the processing of their personal data in the REPI Register.

VIII. 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 REPI Register. The Client Centre provides the clients especially with the following services:

- Informs clients of the data that are processed in the REPI Register (in accordance with the requirements of the GDPR);
- Serves as a point at which clients are able to submit requests for information about what data are being processed on them in the REPI Register;
- Serves as a point for the submission of complaints or comments by clients relating to any inaccurate data processed in the REPI Register;
- Serves as a place for the exercise of other rights of clients under the GDPR.

IX. Technical and Organisational Guarantees of Information (Data) Security in the REPI Register

As regards the operation of the REPI Register, we would like to inform you that all the parties involved have taken due steps to prevent any unauthorised or accidental access to the information (data) in the REPI Register, its modification, destruction, loss, unauthorised transfer, unauthorised processing or other misuse of the information contained in the REPI Register.

Such steps shall include in particular:

- Regular changes of individual access codes and access names to the REPI Register;
- Encryption of data during transmission;
- Storing and processing data in secure data centres.

X. Transfers of Personal Data to Third Countries

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

XI. Special Protection of the Rights of Clients – Individuals

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

You may exercise these rights in the Client Centre:

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

Right to rectification: you have the right to have any inaccurate personal data processed in the REPI Register rectified without undue delay. You also have the right to supplement incomplete personal data, including by providing an additional statement.

Right to erasure (“right to be forgotten”): you have the right to have your personal data erased without undue delay if any of the reasons set forth in the GDPR arises (e.g. due to the lack of necessity of the personal data processed for the specified purposes or the unlawfulness of their processing).

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 arises (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 REPI Register, and therefore we cannot comply with any data portability requests. However, this right shall apply if your personal data are processed based on your consent (providing information from the Positive REPI Register, the person representing the client).

Right to Object: you have the right at any time to object to the processing of personal data that concern you and that are processed on the basis of a legitimate interest. REPI will no longer process your personal data unless we prove to you serious legitimate reasons for processing that prevail over your interests or rights and freedoms or for the determination, exercise or defence of legal claims

Right to lodge a complaint: if you believe that the processing of your personal data in the REPI 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

The requested information and documents and/or information on the measures taken will be provided to you without undue delay, but 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 an advice on your further 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 refuse to grant your request.

XII. 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 REPI Register via poverenec@repi.cz.

CLIENT CENTRE

CRIF – Czech Credit Bureau, a.s.
Štětкова 1638/18
140 00 Prague 4 – Nusle
Phone: +420 844 111 777
E-mail: info@repi.cz
Web: www.repi.cz

The current opening hours of the Client Centre as well as more information you can also get at www.repi.cz. On the website, you can always find the current version of this Information Memorandum.

Version as of 10 January 2019