

Processing of personal data notice (for event participants)

pursuant to Article 13., REGULATION 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL from April 27th 2016 on the protection of individuals with regard to the processing of personal data and on free movement of such data and Act no. 18/2018 of the Codex on the protection of personal data and on amendments of some previous Acts.

A. Operator identification data:

Operator: BE COOL, Ltd. with its registered office at Krajinská 37, 821 06 Bratislava, IČO (organization ID number): 35 751 452 (hereinafter referred to as the "Operator"),

B. Purpose of the processing of personal data by the controller:

Processing of personal data for the purpose of organizing Events pursuant to Article 6, para. 1 letter b, Regulation 2016/679 (GDPR) of the European Parliament and of the Council and amending certain laws (hereinafter the "Act") for signing in and registration of participation in events, processing the event start list, processing the event results list, creation of runner's account (name and surname, title, street, postal code, state, nationality, date of birth, gender, email address, phone number, race time measurement at events, evaluation of race time as a sport performance at events, publication of race time as sport performance at Events on following websites: www.bratislavamarathon.com, www.sportsoftiming.sk, www.predpredaj.sk, www.facebook.com and other social networks, sending the resulting race time as a sports performance at the Events to the person concerned on the contact details provided (email, phone number), personal data processing in order to provide information on the organization of the Operator's Event before, during and after the Event.

Defined purpose:

Enlistment into the Marketing Information System - in order to provide information about the Operator's activities before, during and after the Event, processing of personal data for the purpose of processing the Operator's documentation materials, for information and documentation purposes of the Operator's partners and for the Operator's and Partner's marketing purposes. List of personal data: name and surname, gender, address, state, email address, phone number

Enlistment into the Newsletter Information System - purpose: sending of visual, audio and audio-visual recordings from participation in the Event, sending informational e-mails about upcoming events, information about offered benefits for runners. List of personal data: name and surname, gender, address, state, email address, phone number, audio or visual record of the person.

Selling products through the E-Shop - purpose: selling the company's products through the E-Shop. List of personal data: name and surname, gender, address, state, email address, phone number,

Providing my personal data to Operator's partners (companies that are the Operator's Partners at the Events) in order to provide benefits in using their services, purchasing their goods, sending information about news, upcoming events and the benefits offered to runners. List of personal data: name and surname, gender, address, state, email address, phone number

Creation, processing and dissemination of visual, print, audio and audio-visual recordings from participation in the Event and its accompanying events (promo, presentation, charity) in public telecommunication channels and social networks for the presentation purposes of the Operator and the Operator's partners. List of personal data: name and surname, gender, address, state, e-mail address, phone number, audio or visual recordings of a person

C. List of personal data:

name, surname, title, street, city, postal code, state, nationality, date of birth, gender, bib number, e-mail address, phone number, best time in the selected event, club, discount coupon (voucher), evidence whether the person concerned is a client of any ČSOB company, product number in mentioned ČSOB company, ČSOB employee identifier, dm club card identifier, VPA identifier, insurance company code and name, ordered product identification, runner's presentation date and time, payment date and payment status, resulting time, EAN number, audio or visual record of concerned person.

D. Additional information

1. For the purpose of getting acquainted with the term "Event" we mean for example the Bratislava Marathon and its events, Winter Series, Women's Run, Relay Run & Fun, Night Run in Bratislava, High Tatras and Donovaly, Triathlon Series, Urban City Race and other events organized or co-organized by the operator or its contractors. The current list of Events is published on the operator's website www.bratislavamarathon.com
2. Personal data within the scope of point C. handled for the purpose of Processing applications of data subjects (Processing applications of data subjects - Registry of applied rights of data subjects pursuant to Act No.18 / 2018 of the Codex) Pursuant to Article 6, par. 1 letter c, Regulation 2016/679 of the European Parliament and of the Council (GDPR) - processing of personal data is necessary according to a special regulation or an international agreement by which the Slovak Republic is bound.
3. Personal data within the scope of point C. for the purpose of organizing Events pursuant to Article 6, para. 1 letter b, Regulation 2016/679 of the European Parliament and of the Council (GDPR) and amending certain laws (hereinafter the "Act") for the signing in and registration of participation in Events, processing of the event start list, processing of event results list, creation of runner's account (name and surname, title, street, postal code, state, nationality, date of birth, gender, email address, phone number), race time measurement at events, evaluation of race time as a sport performance at events, publishing race time as sport performance at Events on www.bratislavamarathon.com, www.sportsoftiming.sk, www.predpredaj.sk, www.facebook.com and other social networks, sending the results of the race time as a sports performance to the affected person on the contact details provided (e-mail, phone number), personal data processing to provide information on the organization of the Operator's Event before, during and after the Event by the Article 6, para. 1 letter b, Regulation of the European Parliament and of the Council (EU) 2016/679 (GDPR) - processing of personal data is inevitable for the contract fulfillment.
4. Personal data to the extent of name and surname, gender, address, state, e-mail address, phone number, audio or visual record of a person processed for Marketing purpose and Newsletter sending, participation in the competition system and Loyalty program pursuant to Article 6, para. 1 letter a, of the Regulation 2016/679 (GDPR) of the European Parliament and of the Council - with the consent of the data subject.
5. Personal data in the extent of name, surname, address, e-mail address, phone number for the purpose of Maintaining the Client Database, the sale of the Company's products via E-Shop pursuant to Article 6, para. 1 letter b of Regulation 2016/679 of the European Parliament and of the Council (GDPR) - processing of personal data is inevitable for the contract fulfillment.
6. Personal data will be provided to third parties and intermediaries, companies (hereinafter referred to as "Intermediaries") under contract: with MADWIRE Ltd., Šoltésvej 14, 811 08 Bratislava, IČO (organization ID number): 47436310 (for the purposes of: signing in and registration of participation in Events, publishing the race time as a sport performance at Events on the website www.predpredaj.sk; END Ltd., Moravecká 22, 951 93 Topoľčany, IČO (organization ID number): 34 120 521 (for the purposes of: processing the event start list, processing the result list of the event, processing the measurement of the race time at the Events, evaluating the race time as a sport performance at the Event on website www.sportsoftiming.sk, sending the resulting race time as a sport performance at the Events to the person concerned on the provided contact details (e-mail, phone number).
7. Personal data will be processed by Google Analytics. Detailed service provider terms are available at <https://policies.google.com/privacy?hl=en>
8. Personal data will not be used for profiling and automated individual decision making.
9. The Operator declares that the selection of intermediaries was determined by their professional, technical, organizational and personnel competence and their ability to guarantee the security of the processed personal data by measures pursuant to Act no. 18/2018 of the Codex on the protection of personal data and Regulation 2016/679 of the European Parliament and of the Council (GDPR).
10. The operator declares taking all measures pursuant to Act no. 18/2018 of the Codex on the protection of personal data and Regulation 2016/679 of the European Parliament and of the Council (GDPR) and hereby undertakes to protect such data from accidental as well as unlawful damage and destruction, accidental loss, alteration, unauthorized access and disclosure as well as any other unacceptable forms of processing under the measures adopted in the personal data protection impact assessment.

11. The Intermediary undertakes to process personal data only to the extent and under the terms and conditions agreed upon by the mandate of Intermediary in processing personal data.
12. The Operator declares not disclosing personal data to any Intermediaries other than those mentioned in this Notice.
13. The Operator declares collecting personal data only to the extent necessary to fulfill the specified purpose and process it only in accordance with the purpose for which it was collected.
14. The Operator is obliged to keep the personal data they process confidential. The duty of confidentiality continues even after the processing of personal data has ended.
15. A responsible person is appointed in the company. Contact details: dpo@amavex.sk, tel.: +421904404638

E. Archivation period:

1. contracts - 10 years
2. registry of the applied rights of the persons concerned under Act No. 18/2018 of the Codex on protection of personal data and on amendments of some previous Acts - 3 years
3. sale of the company's products through the e-Shop - 2 years
4. Accounting documents - 10 years
5. client registration - 2 years
6. Marketing - 2 years
7. NEWSLetter - 2 years

F. Information on the rights of the data subject:

Right of access

1. The data subject shall have the right to obtain confirmation from the Operator that personal data concerning him are being processed and, if so, he shall have the right to access the following personal data and the following information:
 - a) processing purposes;
 - b) the categories of personal data concerned;
 - c) recipients or categories of recipients to whom personal data have been or will be provided, in particular recipients in third countries or international organizations;
 - d) where possible, the expected period of personal data archiving or, failing that, the criteria for determining it;
 - e) the existence of the right to demand correction of the personal data related to concerned data subject or its erasure or limitation of processing such data from Operator or the right to object to such processing
 - f) the right to lodge a complaint with the supervising authority;
 - g) if personal data have not been obtained from the data subject, any available information as to their source;
 - h) the existence of automated decision-making, including the profiling referred to in Article 22 para. 1 and 4 of Regulation and in these cases at least meaningful information on the procedure used, as well as the significance and anticipated consequences of such processing for the data subject.
2. Where personal data is transferred to a third country or to an international organization, the data subject shall have the right to be informed of the appropriate guarantee under Article 46 of the Regulation concerning transmission.
3. The Operator shall provide a copy of the processed personal data. For any additional copies requested by the data subject, the operator may charge a reasonable fee corresponding to the administrative costs. Where the person concerned has made a request by electronic means, the information shall be provided in the commonly used electronic form, unless the person concerned has requested otherwise.
4. The right to obtain the copy referred to in paragraph 3 shall not adversely affect the rights and freedoms of others.

Right of correction

The data subject shall have the right to have the operator rectify without undue delay any erroneous personal data concerning her/him. For the purposes of processing, the data subject shall have the right to complete incomplete personal data, including by means of a supplementary declaration.

Right of deletion ("forgetting")

1. The data subject shall also have the right to have the personal data concerning him or her deleted without undue delay, and the Operator shall be obliged to delete personal data without undue delay if any of the following reasons is applied:
 - a) personal data are no longer necessary for the purposes for which they were obtained or otherwise processed;
 - b) the person concerned withdraws the consent under which the processing is carried out, pursuant to Article 6 para. 1 letter a) of the Regulation or Article 9 para. 2 letter a) of Regulation and if there is no other legal basis for processing;
 - c) the data subject objects to processing under Article 21 para. 1 and there are no legitimate grounds for processing, or the data subject objects to processing under Article 21 para. 2 of the Regulation
 - d) personal data were processed illegally;
 - e) personal data must be deleted in order to fulfill a legal obligation under Union law or the law of the Member State to which the Operator is subject;
 - f) personal data have been collected in connection with the offer of information society services under Article 8 para. 1 of the Regulation
2. Where the controller has disclosed personal data and is obliged to erase personal data pursuant to paragraph 1, taking appropriate technology and cost to implement the measures, it shall take appropriate measures, including technical measures, to inform the data processing operators that the data subject is requesting them: to delete any references to such personal information, a copy thereof, or replicas.
3. Paragraphs 1 and 2 shall not apply where processing is necessary:
 - a) to apply the right to freedom of expression and the right for information;
 - b) to fulfill a legal obligation requiring processing under Union law or the law of the Member State to which the Operator is subject, or to carry out a task carried out in the public interest or in the exercise of official authority vested in the Operator;
 - c) on grounds of public interest in the field of public health in accordance with Article 9 para. 2 letter (h) and (i) of the Regulation as well as Article 9 para.3 of the Regulation;
 - d) for the purposes of archiving in the public interest, for scientific or historical research or for statistical purposes pursuant to Article 89 para. 1 of the Regulation, where the law referred to in paragraph 1 is likely to prevent or seriously impede the attainment of the objectives of such processing; or
 - e) to establish, assert or defend legal claims.

Right to restrict processing

1. The data subject shall have the right to have the Operator restrict processing as regards one of the following:
 - a) the data subject contests the accuracy of the personal data during the period allowing the Operator to verify the accuracy of such data;
 - b) the processing is unlawful and the data subject objects to the deletion of the personal data and asks restriction of its use instead;
 - c) the Operator no longer needs personal data for the purpose of processing, but the data subject needs it to prove, assert or defend legal claims;
 - d) the data subject has objected to the processing referred to in Article 21 para. 1 of the Regulation, pending verification of justified reasons on the part of the operator over the justified grounds of the data subject.
2. Where processing has been restricted pursuant to paragraph 1, such personal data shall, except for retention, be processed only with the consent of the data subject or to establish, assert or defend legal claims, or to protect the rights of another natural or legal person, or on grounds of important public interest of the Union or of the Member State.
3. The data subject who has reached the processing restriction referred to in paragraph 1 shall be informed by the Operator before the processing restriction is lifted.

Right of portability

1. The data subject shall have the right to obtain personal data relating to him/her which he/she has provided to the Operator in a structured, commonly used and machine-readable format and shall have the right to transfer such data to another operator without the Operator to whom such personal data have been provided; prevented it if:
 - a) the processing is based on the consent referred to in Article 6 para. 1 letter a of the Regulation or Article 9 para 1 letter a of the Regulation or contracts referred to in Article 6 para. 1 letter b of the Regulations, and
 - b) if processing is carried out by automated means.
2. The data subject shall have the right, as far as it is technically possible, to transfer personal data directly from one operator to another in exercising his right to data transfer, pursuant to paragraph 1.
3. The application of the right referred to in paragraph 1 of this Article shall be without prejudice to Article 17 of the Regulation. That mentioned right shall not apply to the processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the operator.
4. The right referred to in paragraph 1 shall not adversely affect the rights and freedoms of others.

Right of objection

1. The data subject shall have the right to object at any time to the processing of personal data concerning him/her which is carried out pursuant to Article 6 para. 1 letter e or f of the Regulation including an objection to profiling based on those provisions. The Operator may not further process personal data unless it demonstrates the necessary legitimate reasons for processing that outweigh the interests, rights and freedoms of the data subject, or the reasons for establishing, asserting or defending legal claims.
2. Where personal data is processed for the purposes of direct marketing, the data subject shall have the right to oppose the processing of personal data concerning him/her for the purposes of such marketing, including profiling to the extent that is related to such direct marketing at any time.
3. If the data subject objects to processing of data for the purposes of direct marketing, personal data may no longer be processed for such purposes.
4. The person concerned shall be expressly notified of the right referred to in paragraph 1 and 2 at the latest on the first communication with him/her, this right being presented clearly and separately from any other information.
5. In relation to the use of information society services and notwithstanding Directive 2002/58/ EC, the data subject may demand his/her right to object by automated means using technical specifications.
6. Where personal data are processed for the purposes of scientific or historical research or for statistical purposes pursuant to Art. 89 para. 1 of the Regulation, the data subject has the right to object to the processing of personal data concerning him, on grounds relating to his particular situation, except where processing is necessary for the performance of the task for reasons of public interest.

Notification to third parties

The Operator shall notify any beneficiary to whom personal data have been provided of any rectification or deletion of personal data or processing restrictions made pursuant to Article 16, Article 17 para. 1 and Article 18 of the Regulation, unless this proves impossible or requires excessive effort. The operator shall inform the data subject of these beneficiaries if the data subject requests so.

Initiation of proceedings at the request of the person concerned

Pursuant to §100 of Act 18/2018 of the Codex, the data subject shall have a right to make a proposal to initiate action if his/her rights established by this Act are directly affected. The authority shall assess the complaint within 30 days of the date of its arrival. The authority shall inform the complainant about the manner of handling the complaint within 30 days from the date of its arrival.