

## 1. The information obligation of the Office of the Commissioner for Children, as the controller of the processing of personal data, towards the data subjects

The GDPR Regulation and Law 18/2018 impose an obligation on the controller to inform data subjects of the manner in which it processes their personal data. The controller is to provide data subjects with information in accordance with §19 and §20 of Law 18/2018, including the purpose, legal basis, data retention period, identification of recipients to whom the data is provided, contact (whom the data subject may request, e.g., to erase his or her data), and more.

### Personal data protection in the terms and conditions of the controller

Privacy in relation to the processing of personal data is a fundamental human right. They are protected primarily by European Union law, the Lisbon Treaty and the EU Charter of Fundamental Rights. Protecting the rights of natural persons against unwarranted interference in their private life when processing their personal data is also in line with Article 19 of the Slovak Constitution.

In order to ensure the protection of the fundamental rights and freedoms of natural persons in relation to the processing of personal data and to contribute to the free flow of data between the Member States of the European Union, 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, repealing Directive 95/46, was adopted and applies from 25 May 2018. That regulation is commonly known as the "GDPR" (General Data Protection Regulation).

Pursuant to Article 288 of the Treaty on the Functioning of the European Union ("TFEU"), the Regulation is a generally applicable, directly applicable legal act of the primary law of the Union, regulating the rules relating to the protection of natural persons with regard to the processing of personal data and the free movement of personal data in a uniform manner for all Member States. In order to comply with the Slovak Republic's obligations under the TFEU, a new Act No. 18/2018 Coll. on the Protection of Personal Data and on Amendments and Additions to Certain Acts was adopted. The aim of the new Act is to harmonise the legal regulation of the processing of personal data of natural persons in the legal order of the Slovak Republic with the new Community legal regulation of the processing and protection of personal data contained in the GDPR.

Therefore, the Controller provides the following information regarding the processing of personal data of natural persons in accordance with the above-mentioned legislation to the extent:

1. The purpose of this information obligation is to inform the data subjects of the statutory information that the controller is obliged to provide to the data subject whenever processing personal data concerning that person.
2. the purpose of this information obligation is to demonstrate that the processing of personal data by the controller is carried out in accordance with the legislation currently in force

## 1. identification and contact details of the Data Controller:

The Office of the Commissioner for  
Children

Odborárske nám. 3

811 07 Bratislava 8

ID NO: 50159399

(hereinafter referred to in the text of the documentation as 'the operator' or 'OCCH')

contact details:

delivery address: Odborárske nám. 3, 811 07, Bratislava 8

e-mail address: info@komisarpredeti.sk

telephone contact: +421 2 32 191 691

contact details of the person responsible for GDPR (LDPC):

by email at: ochranaou@komisarpredeti.sk

in writing to: Responsible Person (The Office of the Commissioner for Children)

Odborárske nám. 3, 811 07, Bratislava 8

## 2. Terms related to data protection:

- **Controller** - any natural or legal person who, alone or jointly with others, determines the purpose of the processing and processes personal data on his or her own behalf.
- **Processor** - any natural or legal person who, on the basis of a mandate or a contract concluded with the controller, processes personal data on behalf of the controller.
- **Responsible person** - a person who is authorised by the controller for the purpose of carrying out tasks under the GDPR and the Data Protection Act.
- **Data subject** - any natural person about whom personal data is processed.
- **Personal data** - any data or information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to a generally applicable identifier, to another identifier such as a name, an identification number, location data, an online identifier, or to one or more characteristics or traits which constitute his or her physical, physiological, genetic, mental, economic, cultural or social identity.
- **Recipient** - natural or legal person, public authority, agency or other entity to whom personal data is provided or disclosed, including an intermediary.
- **Purpose of the processing** - a clearly defined in advance or statutory purpose for the processing of personal data which is linked to a specific activity.
- **Processing of personal data** - any operation or set of operations concerning personal data, such as collection, recording, organisation, alteration or correction, retrieval, consultation, use, restriction, disclosure, disclosure, transborder transfer, storage, erasure or destruction, whether or not carried out by automated, semi-automated or non-automated means of processing.
- **Consent of the data subject** - any freely given, specific, informed and unambiguous indication of the data subject's wishes by which, by means of an unambiguous affirmative act, he or she consents to the processing of personal data concerning him or her.

## 3. The purpose of the processing of personal data for which the personal data are intended:

- Assessment of the complaint of the data subjects (natural persons)- minor children, legal representatives of minor children, parents, siblings, complainants

- Providing the information requested by the data subject to his/her email address (or by telephone)
- Performance of a contract or pre-contract
- Organising training
- The organisation of the event and any related hotel accommodation arrangements
- Taking photographs of the event for the purpose of promoting the OCCH
- Audio-visual recordings of the event for the purpose of promoting the OCCH

#### 4. Scope of processing of personal data

- Personal data will be processed to the extent that they have been provided in connection with the transmission of information requested from the data subject or in connection with the supply of goods or services:

**name, surname, e-mail, telephone, address, company and position, if applicable**

- In the case of a business partner, the professional data of the business partner (e.g. training and certifications attended) and, where applicable, his/her photograph may also be processed.
- In the case of the organisation of corporate events and also in the case of pre-announced photography and/or audiovisual recording, photographs and/or audiovisual recordings showing the relevant event may be taken and published. No photographs and/or audiovisual recordings will be published which would be degrading or show inappropriate details of the persons concerned.

#### 5. Legal basis for the processing of personal data:

- Contractual or pre-contractual relationship.
- The performance of obligations arising from applicable Slovak legislation or EU regulations that are directly enforceable and applicable also in the Slovak Republic or by the processor in the framework of a contractual relationship in accordance with Regulation (EU)

2016/679 of the European Parliament and of the Council and Act No. 18/2018 Coll. on the protection of personal data. These legal provisions are:

- o Act No.18/2018 Coll. on **the Protection of Personal Data** and on Amendments and Additions to Certain Acts.
- o Decree No. 158/2018 Coll. - **on the procedure for the impact assessment on the protection of personal data** (effective from 15.06.2018)
- o Constitutional Act No. 460/1992 (Art. 22, right to a PIA)
- o Act No. 40/1964 Coll. (protection of personality)
- o Act No. 71/1967 Coll. (administrative proceedings)
- o Act No. **300/2005** Coll. (Criminal Law)

## 6. Retention period / criterion for its determination:

- The controller guarantees to process the personal data provided by the data subject for the purposes set out in this information obligation for the duration of the pre-contractual or contractual relationship.
- In case of legal requirements (for example, related to billing), the data will be kept for the period required by the relevant legislation.
- In the event that the personal data is clearly no longer necessary for processing, it will no longer be processed.

## 7. Rights of data subjects :

The controller hereby gives notice to the data subjects and also declares that it grants the data subjects the following rights:

### a. Right of access:

The data subject shall have the right to obtain confirmation from the controller as to whether personal data relating to him or her are being processed. The controller is obliged to provide the data subject with the information pursuant to Article 21(1) and (2) of Act No 18/2018 on the protection of personal data and on the amendment and supplementation of certain acts (hereinafter referred to as 'Act No 18/2018') in the manner requested by the data subject.

**b. Right to rectification:**

The data subject shall have the right to have inaccurate personal data concerning him or her rectified by the controller without undue delay. Having regard to the purpose of the processing of the personal data, the data subject shall have the right to have incomplete personal data completed.

**c. Right to erasure (right to be forgotten):**

The data subject has the right to have the personal data concerning him or her erased by the controller without undue delay if the purpose of the processing has ceased or if one of the conditions in Section 23(2) of Law 18/2018 is met or if the processing is necessary for the reasons in Section 23(4) of Law 18/2018.

**d. Right to restriction of processing:**

The data subject shall have the right to have the controller restrict the processing of personal data if the cases referred to in Section 24(1) of Law 18/2018.

**e. Right to object to the processing of personal data:**

The data subject shall have the right to object to processing of his or her personal data on grounds relating to his or her particular situation carried out pursuant to Section 13(1)(e) or (f), including profiling based on these provisions. The controller shall not further process the personal data unless it demonstrates compelling legitimate interests for the processing of the

personal data which override the rights or interests of the data subject or grounds for exercising a legal claim.

**f. Right to portability:**

The data subject shall have the right to obtain the personal data concerning him or her which he or she has provided to the controller in a structured, commonly used and machine-readable format and shall have the right to transfer those personal data to another controller, where technically feasible and where the personal data are processed pursuant to Article 13(1)(a) of Directive 95/46/EC, to the extent that the personal data are processed pursuant to Article 13(1) of Directive 95/46/EC. 18/2018 and the processing of personal data is carried out by automated means. 18/2018 and the processing of personal data is carried out by automated means.

**g. The right to bring proceedings before the Authority- in the event of non-compliance with the statutory obligations by the controller:**

The data subject shall have the right to file a petition for initiation of proceedings pursuant to Article 100 of Law 18/2018 with the Office for Personal Data Protection if he/she is directly affected by his/her rights provided for by Law 18/2018.

**h. Right to ineffectiveness of automated individual decision-making, including profiling**

The right to the non-application of decision-making based on automated individual decision-making, including profiling, does not apply in the conditions of the controller; the controller does not carry out processing based on automated individual decision-making, nor does it carry out profiling.

**i. Right to lodge a complaint with a supervisory authority**

However, when personal data are processed for the purposes set out in this information obligation, the data subject may exercise only those rights which the purposes set out and the legal basis on which the processing of personal data concerning the data subject is based

allow him or her. These rights shall always be decided by the controller after consultation with the responsible person.

**Instructions on the form of the request for the provision of personal data from data subjects:**

In this case, the form used may be in writing or by e-mail to the above-mentioned contacts.

**Information about the absence of automated individual decision-making, including profiling:**

The controller declares that there is no automated individual decision-making or profiling in the processing of the personal data provided.

**Consequences of not providing personal data**

If the data subject does not provide the personal data, the requested purpose cannot be fulfilled:

- it will not be possible to receive a reply to its questions by email or telephone contact
- the delivery of goods or services may not be possible
- the contractual relationship and the performance of the contract cannot take place
- where appropriate, the data subjects will not be published in photographs and/or audiovisual recordings

**Transfer of data to third countries**

Personal data is not transferred to third countries and outside the EU.



## 8. Purposes for which the controller processes your personal data

The agendas that contain your personal data include:

### A. Protection of children's rights

The purpose of this agenda is **to deal with the protection of children's rights, assessment and monitoring of children's rights** pursuant to Act No. 176/2015 Coll. on the Commissioner for Children and the Commissioner for Persons with Disabilities and on the amendment and supplementation of certain Acts.

The legal basis is **the fulfilment of the legal obligation of the operator.**

The retention period is set **in accordance with the register plan.**

Data subjects include natural persons exercising their rights (minor children, legal representatives of minor children, parents, siblings, complainants).

The personal data processed include: surname, first name (academic title and academic degrees, if applicable), permanent address, district, region and other personal data.

**This data is not transferred outside the organisation**, not disclosed within the country, not used for further processing, not processed by third parties, not disclosed to the public and not shared within or outside the EU.

### B. Registry

Under this agenda, personal data is used for **the purpose of maintaining the organisation's registry**, including the archive.

The legal basis is **the fulfilment of a legal obligation of the controller.** In the case of the provision of personal data within the State, the procedure is in accordance with Act No 400/2009 Coll. on the Civil Service and on Amendments and Additions to Certain Acts, as amended, and Act No 9/2010 Coll. on Complaints, as amended by Act No 289/2012 Coll.

The retention period is set **in accordance with the registry plan.**

The persons concerned are natural persons exercising their rights as addressees, including employees of the controller.

The personal data processed by this agenda are: surname, first name (or academic title and scientific degree), permanent address, district, region, e-mail, telephone contact and signature.

The recipients of this data include: State Archives, Court or other authorities in criminal proceedings, as well as the auditor of the accounts (on the basis of Act No. 400/2009 Coll. on the Civil Service and on Amendments and Additions to Certain Acts, as amended, and Act No. 9/2010 Coll. on Complaints, as amended by Act No. 289/2012 Coll. on Complaints).

**This data is not used for further processing**, is not processed by third parties and is not shared within or outside the EU.

### C. Disclosure of information/requests pursuant to the Information Act

The purpose of this agenda is **to deal with requests for access to information**.

The legal basis is **the fulfilment of the legal obligation of the controller**.

The retention period is set in accordance with the register plan.

The data subjects include natural persons- applicants and also persons specified in Section 9 of Act No 211/2000 Coll. on free access to information and on amendment and supplementation of certain acts (Freedom of Information Act), as amended.

The personal data processed include: surname, first name (or academic title and scientific rank), permanent address, district, region and other personal data.

The recipients of this data include: District Office, Court or other authorities in criminal proceedings or other authorized body (based on Act No. 211/2000 Coll. on free access to information and on amendment and supplementation of certain acts (Act on freedom of information), as amended).

**This data is not used for further processing**, is not processed by third parties and is not shared within or outside the EU.

### D. Whistleblower Protection Agenda ('whistle blowing')

Investigation of complaints pursuant to Act No 54/2019 Coll. on certain measures related to whistleblowing and on amending and supplementing certain acts is the main purpose of this agenda.

The legal basis is **the fulfilment of the legal obligation of the operator**.

The retention period is set in accordance with the register plan.

The data subjects include- natural persons who have lodged a complaint and those who are being investigated in connection with the notification of anti-social activities and on the amendment of certain laws.

The personal data processed include: surname, first name, address of permanent residence, district

and region.

The recipients of this data include: Ministry of Justice of the Slovak Republic or other authorized entity.

**This data is not used for further processing**, is not processed by third parties, is not disclosed or shared within or outside the EU.

## E. Agenda Record of contracts

The purpose is defined by the Civil Code No. 40/1964 Coll. **The personal data processed are used to conclude a contract.**

The legal basis is the fulfilment of **the legal obligation of the controller.**

The retention period is set in accordance with the register plan.

The data subjects are citizens of the Slovak Republic, natural persons.

The processed personal data include: birth number, surname, first name, maiden name, date of birth, nationality, permanent address, district, region.

**These data are not transferred outside the organisation**, are not provided within the country, are not used for further processing, are not processed by third parties, **are published anonymously** (on the basis of Act No. 211/2000 Coll. - on free access to information), nor are they shared within or outside the EU countries.

## F. Video recordings

The purpose of this agenda is **to keep records of meetings and personal proceedings.**

The legal basis is **the fulfilment of a legal obligation on the part of the controller.**

The retention period is set in accordance with the register plan.

Data subjects include natural persons- applicants, beneficiaries of proceedings, minor children and employees of the controller.

The personal data processed include: video and audio recordings.

The recipients of this data are: the Police Force of the Slovak Republic and the Courts of the Slovak Republic (on the basis of Article 26(1) and (4) of the Constitution of the Slovak

Republic, on the basis of Act 211/2000Z.z. 211 211/2000Z.z. on free access to information as well as in accordance with Article 83(3) of the Constitution of the Slovak Republic, Act No. 171/1993Z.z. §76 (2) and §128 of the Civil Procedure Code).

**These data are not used for further processing**, are not processed by third parties, are not published and are not shared within or outside the EU.

## G. Media agenda

The purpose of this agenda is **to serve the public by providing information** through the organisation's website, social media website, public and media communications.

The legal basis is **the performance of a task in the public interest or the exercise of public authority**.

The retention period shall be set in accordance with the register plan.

The persons concerned are citizens of the Slovak Republic.

The personal data processed include: surname, first name, dependent children, nationality, photograph or video recording.

In the case of photography of events, this is a legitimate interest within the meaning of Act No. 18/2018 Coll., §13(1)(f).

For the publication of photographs of underage data subjects for the purpose of promotion of the activities of the CCPD or as part of publications, the informed consent of the legal representative is required within the meaning of Article 8 of the GDPR Regulation.

**This data is not transferred outside the organisation**, not disclosed within the country, not used for further processing, not processed by third parties, not published and not shared within or outside the EU.

## H. Children's Participation Agenda

The purposes of this agenda include **events with children, organisation of conferences, workshops and events**.

The legal basis is the **fulfilment of the legal obligation of the controller**.

The retention period is set in accordance with the register plan.

The data subjects include natural persons- children, parents and relatives of children, citizens of the Slovak Republic, employees of the Office (the Office of the Children's Administration).

The personal data processed include: surname, first name, date of birth and permanent home address.

**This data is not transferred outside the organisation**, is not disclosed within the country, is not used for further processing, is not processed by third parties, is not disclosed to the public and is not shared within or outside the EU.

## I. Complaints

The purpose of this agenda is **to deal with complaints** pursuant to Act No 9/2010 Coll. on complaints, as amended by Act No 289/2012 Coll.

The legal basis is **the fulfilment of the legal obligation of the controller**.

The retention period is set in accordance with the registry plan.

By the persons concerned, in the meaning of this agenda, we understand (take) natural persons- complainants, natural persons- the complainant's representative and other natural persons whose personal data are necessary for the handling of complaints.

The following personal data are processed for these persons: surname, first name, maiden name, permanent home address, temporary home address, district, county and e-mail.

The recipients of this data include: Public administration authorities and other persons, within the framework of the provided cooperation (on the basis of Act No 9/2010 Coll. on complaints, as amended by Act No. 289/2012 Coll.).

**This data is not used for further processing**, is not processed by third parties, is not published or shared within or outside the EU.

In Bratislava, on 01. 02. 2024