

Personal Data Protection Policy

The purpose of the personal data protection policy is to inform clients, partners, associates, employees and other users (hereinafter: individuals) collaborating with the company SMART AD d.o.o. (hereinafter: the Company) on the purposes and legal bases, security measures and rights of individuals regarding the personal data processing performed by our Company.

We value your privacy, that's why we always take great care to protect your data.

This privacy policy may be modified or amended at any time without prior warning or notice. By using the provider's website after any modifications or amendments have been made, the individual confirms that he/she agrees with the modifications and amendments.

Your personal data are processed in accordance with European legislation (Regulation (EU) 2016/697 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (hereinafter: General Regulation)), applicable legislation on the protection of personal data (Personal Data Protection Act (ZVOP-1, Official Gazette of the Republic of Slovenia, no. 94/07)), and other legislation providing a legal basis for the processing of personal data.

The personal data protection policy provides information to individuals on the manner in which our company, as the controller, processes personal data obtained from an individual according to the legal bases described below.

Controller

The controller of personal data is the company:
SMART AD d.o.o.
Parmova ulica 14, 1000 Ljubljana

Data Protection Officer

In line with the provision of Article 37 of the General Regulation, we have not appointed a data protection officer. In case of any queries regarding the processing of your personal data, feel free to contact us whenever necessary via e-mail: info@smart-ad.si.

Personal Data

Personal data means any information relating to an identified or identifiable individual (hereinafter: »data subject«); an identifiable individual is one who can be identified, directly or indirectly, in particular by reference to an identifier, such as a name, identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that individual.

In accordance with relevant legal bases, the following types of personal data can be processed:

- Data on other users or natural persons (name, surname, address, telephone number, e-mail, profiles on social networks, etc.).

Our company can create new personal data on an individual, such as records of interviews and meetings held. The company does not collect or process an individual's personal data unless this is enabled or allowed by the individual upon ordering products or services, subscription to e-news, participation in a prize contest, etc., or when there are legal grounds for the collection of personal data, or if the provider has a legitimate interest in their processing.

The use of certain contents on the portal will require you to register via the Facebook plugin with your username and password. By registering on the portal, you agree that the personal data (demographic data – name, surname, gender, e-mail) which you submitted when acquiring a username or when using the portal, or which the issuer has obtained from other sources and may be joined with your personal data processed by the issuer, may be used in the manner and for the purposes described below.

The issuer shall use the data on the use of the portal that will be collected automatically and do not enable insight into personal data, exclusively for the purpose of improving the operation of the portal. Users who register on the portal via their Facebook account shall assume full responsibility for the account created. In the event that a user registers and comments on the portal and maliciously uses it with a false Facebook profile, the issuer reserves the right to exclude such user or block him/her from the portal.

Purposes of processing and bases for data processing

The company collects and processes your personal data on the following legitimate bases:

- processing is necessary in order to meet the **legal requirements** applicable for the controller;
- processing is necessary in order to **implement the contract**, whose contracting party is the individual to whom the personal data relate, or to implement relevant measures at the request of such individual prior to concluding the contract;
- processing is necessary because of **legitimate interests**;
- the individual to whom the personal data relate has consented to the processing of his/her personal data for one or more of the specified purposes.

We process personal data for the purposes of direct marketing by e-mail to the designated e-mail address. This may involve informing on novelties and marketing of goods and services offered by the issuer, as well as goods and services offered by a third party contractually linked with the issuer.

Data are also processed in cases of potential defence in litigations and other legal proceedings, as well as for determining compliance, which includes compliance with the requirements of state authorities for personal data, compliance with tax procedures, for ensuring safety-at-work, etc. These may be used for internal reporting, during audits, and in other legal matters within the scope of normal business objectives.

Data may also be used for improving services, which includes identifying difficulties in existing services, planning improvements of existing services, and creating new services. We may also make use of surveys.

The personal data provided by the user are included in the issuer's data base. This data is processed for the needs of informing about the portal, products, sampling, surveying and statistical data processing, determining the use of the portal's services, adapting the products and their content offered by the issuer and their segmentation, market research, informing on commercial (including classic banner advertising) and non-commercial offers, novelties, bargains, other marketing purposes of the issuer, and for sending the daily electronic newspaper. The data obtained by the issuer from other sources may also be joined with the data in the issuer's data base for the purpose of adapting the ad's message for the user of other contents of the issuer. The data shall be used to determine the user's interest in specific contents and advertisements of the issuer's products, and consequently adapting the advertisements to a specific user.

Performance of Contract

In cases when you enter into a contract with the company, the contract shall represent a legal basis for the processing of personal data. Your personal data have to be processed in order to conclude and implement the contract. If an individual fails to provide his/her personal data, the company will not be able to conclude the contract, or perform a service or deliver goods or other products in accordance with the concluded contract, as it does not possess the data required for its implementation. We are also allowed to inform contractual parties on contents, services and products under the Electronic Communications Act. An individual may at any time request termination of this type of communication and processing of personal data, and revoke the receipt of messages via the link for cancellation in the message received, or by sending a request by e-mail to info@smart-ad.si or by ordinary post to the company's address.

Legitimate Interests

The company may process personal data on the basis of the legitimate interests it pursues. This shall not be admissible when such interests are overridden by the interests or fundamental rights and freedoms of the individual requiring the protection of personal data. When exercising its legitimate interests, the company always conducts an assessment in compliance with the General Regulation.

Processing on the Basis of Consent

The company may, in the absence of any legal basis established under applicable law, contractual obligations or legitimate interests, request the individual's consent. This will allow the company to process specific personal data of the individual also for the following purposes, subject to the individual's consent:

- E-mail address for the purposes of informing and communication (news, bargains, prize contests, etc.),
- additional information about a customer for specific, previously determined purposes,
- other purposes to which the individual agrees by consent.

If the individual has given consent to the processing of his/her personal data and now no longer wishes to do so, he/she may request the cessation of processing of his/her personal data by sending a request to that effect by e-mail to info@smart-ad.si or by ordinary post to the organisation's address.

Storage and erasure of personal data

The company shall store personal data for only as long as this is necessary to achieve the purpose for which the personal data were collected and processed. If the company processes data pursuant to the law, such data shall be stored for the period prescribed by law. In such cases some data are stored for the period of training in the organisation, while other data have to be stored permanently.

The personal data processed by the company on the basis of a contractual relationship with the individual shall be stored by the company for the period needed to implement the contract and for an additional 6 years after its termination, except in the event of a dispute between the individual and the organisation relating to the contract. In this case the company shall store the data for an additional 5 years after the issue of a final court decree, arbitration award or court settlement, or, in the absence of litigation, 5 years from the date of an amicable settlement of the dispute.

The company shall store the personal data processed on the basis of the personal consent of an individual, or legitimate interests, until such consent is revoked or a request is received for erasure of the data. After receipt of a revocation or a request for erasure, the data shall be erased not later than within 15 days. The company may erase the data even before revocation in cases when the purpose of processing the personal data has been achieved, or if so required by law.

The company may, in exceptional cases, reject a request for erasure for reasons specified in the General Regulation, namely: exercising the right of freedom of expression and information, compliance with a legal obligation which requires processing, reasons of public interest in the area of public health, archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, and the exercise or defence of legal claims.

After expiry of the storage period, the controller shall effectively and permanently erase or anonymise the personal data so that they can no longer be linked to a specific individual.

Contractual Processing of Personal Data and Transfer of Data

The company may entrust individual tasks related to the processing of personal data to a contractual processor on the basis of a contract on contractual processing. Contractual processors may process the entrusted data exclusively on behalf of the controller within the scope of his/her authorisations as specified in a written contract or other legal act and in compliance with the purposes defined in this document.

The contractual processors with whom the provider collaborates are in particular:

- accounting services and other providers of legal and business consulting services;
- information system maintainers,
- providers of e-mail services and providers of software, cloud services (e.g., Arnes, Microsoft, Google);
- providers of social networks and online advertising (Google, Facebook, Instagram, etc.).

The company shall not, under any circumstances, supply the personal data of an individual to unauthorised third parties.

Contractual processors may process personal data only within the scope of the company's instructions, and shall not utilise personal data for any other purposes.

The company as the controller and its employees shall not transfer any personal data to third countries (outside the member states of the European Economic Area – members of the EU, Iceland, Norway and Liechtenstein) or to international organisations, except the USA; contractual processors from the USA are included in the EU-USA Privacy Shield programme. More on the EU-USA Privacy Shield is provided by the Information Commissioner: <https://www.ip-rs.si/varstvo-osebni-podatkov/obveznosti-upravljavcev/iznos-osebni-podatkov-v-tretje-drzave/iznos-osebni-podatkov-v-zda/>.

Cookies

The website of the organisation operates with the help of so-called cookies. A cookie is a file that stores website settings. Websites store cookies in users' devices which they use to access the internet for the purpose of recognising individual devices and settings used by users during access. Cookies enable websites to recognise whether the user has already visited them, while in advanced applications they can help to adequately adjust individual settings.

Cookies are fundamental to ensuring friendly online services to users. They are used to store data on the state of a particular website, help to collect statistics on users and website traffic, etc. Cookies also help us to assess the effectiveness of our website design.

The storage and management of cookies is under the complete supervision of the user's browser. The browser may restrict or disable the storage of cookies at will. The cookies stored by the browser can be deleted – instructions can be found on the websites of individual browsers.

Protection and accuracy of data

The company ensures information security and safety of infrastructure (premises and application/system software). Our information systems are protected, among others, with anti-virus programmes and firewalls. We have implemented appropriate organisational, technical security measures aimed at protecting your personal data against accidental or illegal destruction, loss, modification, unauthorised disclosure or access, as well as against other illegal and unauthorised forms of processing. In case of special types of personal data, these are sent in encrypted form and protected by password.

It is your responsibility to deliver your personal data to us safely, and to ensure that the data sent are accurate and credible. We shall devote our best efforts to ensuring that your personal data being processed by us are accurate and updated whenever necessary. Occasionally, we may request that you confirm the accuracy of your personal data.

Rights of individuals regarding data processing

In line with the General Regulation, you as an individual have the following rights related to personal data security:

- You may request information about whether we keep any personal data about you and, where that is the case, which data we have and on what grounds we have such data and why we are using them.
- You may request access to your personal data, which will allow you to receive a copy of the personal data we keep about you and to verify whether we are processing them lawfully.
- You may request corrections of personal data, such as the correction of incomplete or inaccurate personal data.
- You may request the erasure of your personal data when there is no reason for their further processing or when you are exercising your right of objection against its further processing.
- You may object to the further processing of your personal data whenever we rely on legitimate business interests (also in the case of legitimate interests of third parties), when there are reasons linked to your special position; irrespective of the provision of the previous sentence, you have the right to object at any time if we are processing your personal information for the purposes of direct marketing.
- You may request the restriction of processing of your personal data, which means the cessation of processing of your personal data, e.g., if you would like us to ascertain their accuracy or check the reasons for their further processing.
- You may request the transfer of your personal data to another controller in structured electronic form, if this is possible and realisable.
- You may revoke your agreement or consent given for the collection, processing and transfer of your personal data for a specific purpose. After receiving notification that you have revoked your consent, we shall cease to process your personal data for the purposes initially accepted by you, unless we have another legitimate legal basis for doing so lawfully.

If you wish to exercise any of the above-mentioned rights, please send your request by e-mail to info@smart-ad.si or by ordinary post to the address of the organisation: Smart AD d.o.o.

Access to your personal data and exercise of your rights are free of charge. However, we may charge a reasonable payment in the event that the individual's request relating to personal data is evidently unfounded or excessive, particularly if it is repetitive. In such cases a request may be rejected.

In case of the exercise of rights in this respect, we may have to request that you provide us with specific information that will assist us in confirming your identity. This is merely a safety measure designed to ensure that personal data are not disclosed to unauthorised persons.

In exercising rights in this respect, you may also use the Information Commissioner's form, which is accessible on their website. Link: https://www.ip-rs.si/fileadmin/user_upload/doc/obrazci/ZVOP/Zahteva_za_seznanitev_z_lastnimi_osebnimi_podatki_Obrazec_SLOP_.doc

If you feel that your rights are being violated, you may contact the supervisory authority or the Information Commissioner for protection or assistance. Link: <https://www.ip-rs.si/zakonodaja/reforma-evropskega-zakonodajnega-okvira-za-varstvo-osebni-podatkov/kljucna-podrocja-uredbe/prijava-krsitev/>

If you have any queries regarding the processing of your personal data, feel free to contact us by e-mail at info@smart-ad.si or by ordinary post sent to the address of the organisation: Smart AD d.o.o.

Posting of modifications

All modifications of our personal data protection policy will be posted on our website. By using our website, the individual confirms that he/she accepts and agrees with the entire contents of our personal data protection policy.

Ljubljana: 24 May 2018