PRIVACY POLICY – ÉCLAIR PROJECT

1. GENERAL PROVISIONS

In this Privacy Policy, we provide you with information on how the companies involved in the preparation and implementation of the Éclair Project process your personal data.

This information is provided pursuant to Article 13 of **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 (General Data Protection Regulation) (hereinafter referred to as the "GDPR").

For the purposes of this Policy:

- **"Project"** means the construction project of a complex named Éclair, located on Bottova Street, Bratislava – Staré Mesto, as further described on the website www.eclair-living.sk;
- **"Immocap"** means Immocap, a.s., with its registered office at Mlynské nivy 55, 821 09 Bratislava – Ružinov, Company ID No.: 35 944 536, registered in the Commercial Register of the Municipal Court Bratislava III, Section Sa, File No. 3633/B;
- **"Companies"** means the special purpose vehicles (SPVs) implementing individual parts/buildings of the Project, the list of which is set out in Annex No. 1 to this Policy.

The Companies process personal data within the scope of activities described in this Policy either jointly as **joint controllers** or individually as **controllers**, depending on the specific purpose of processing as set out in Article 3 of this Policy.

This Policy shall also apply to processing carried out by individual Companies acting independently as controllers, but only to the extent explicitly stated for the relevant processing purpose in Article 3.

Immocap processes personal data on behalf of the Companies as a **processor** pursuant to Article 28 GDPR and in accordance with the Companies' instructions.

2. PROCESSING OF PERSONAL DATA

The Companies process personal data either jointly as joint controllers or separately as controllers, depending on the specific processing purpose.

Contact Point for Data Subjects

Company name: Immocap, a.s.
Company ID: 35 944 536

Address: Mlynské nivy 55, 821 09 Bratislava – Ružinov
E-mail: immocap@immocap.sk

If you have any questions regarding this Policy, the use of personal data, or if you wish to exercise your rights, you may contact the above contact point by email or in writing.

The contact point shall:

- receive your request,
- forward it to the relevant Company or Companies, and
- coordinate its handling.

You may also exercise your rights directly against the Company or Companies acting as controller(s) for the relevant processing purpose.

Joint Controllers Arrangement

Where Companies act as joint controllers under Article 26 GDPR, they have entered into an arrangement governing their respective responsibilities, in particular:

- Immocap acts as the contact point and ensures fulfilment of information obligations;
- Companies cooperate in handling requests, including locating and providing relevant data;
- joint controllers cooperate in implementing appropriate technical and organisational measures;
- retention periods and access rights are set in accordance with data minimisation and storage limitation principles.

3. PURPOSES, LEGAL BASIS AND RETENTION PERIODS

Your personal data are processed by the Companies for the following purposes:

A) Performance of Contract / Pre-contractual Measures (Art. 6(1)(b) GDPR)

Purpose:

Presentation of the Project and communication within pre-contractual relations (e.g. requests for offers, inquiries, etc.).

Role:

Joint controllers

Data processed:

- e-mail address
- name and surname
- telephone number
- any other data provided in communication

Retention:

For the duration of communication, max. 3 months from last contact

Purpose:

Performance of contracts (sale/lease of units)

Role:

Controller = relevant Company

Data:

Identification, payment and contact data

Retention:

During contract + period necessary for legal claims

B) Legal Obligations (Art. 6(1)(c) GDPR)

Purpose:

Accounting, tax and archiving obligations

Controller:

Relevant Company

Data:

Contractual, accounting and tax data

Retention:

10 years (unless law provides otherwise)

C) Legitimate Interests (Art. 6(1)(f) GDPR)

Purpose:

Newsletter and marketing communication

Legitimate interest:

Providing relevant offers and information

Data:

Contact and identification data

Retention:

Until objection or unsubscribe

Purpose:

Communication with corporate clients

Legitimate interest:

Business communication and contract performance

Data:

Contact and identification data

Retention:

During contractual relationship + claims period

Purpose:

Negotiations with third parties (investors, buyers)

Legitimate interest:

Financing or sale of Project

Data:

Contractual, accounting and contact data

Retention:

During negotiations + claims period

For all purposes under this section, the relevant Company acts as controller individually.

4. RIGHTS OF THE DATA SUBJECT

You have the following rights:

- right to information;
- right of access;
- right to rectification;
- right to erasure;

- right to object (especially marketing);
- right to restriction of processing;
- right to data portability;
- right to withdraw consent at any time;
- right not to be subject to automated decision-making;
- right to lodge a complaint with a supervisory authority.

Supervisory Authority (Slovakia)

Office for Personal Data Protection of the Slovak Republic
Hraničná 12, 820 07 Bratislava
Website: www.dataprotection.gov.sk
Email: statny.dozor@pdp.gov.sk

You may exercise your rights via the contact point or directly with the relevant controller.