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## PRINCIPLE OD PROTECTION PERSONAL DATA (GDPR)

These Data Protection Principles apply to all trustworthy, informational, cryptographic, and other services provided by the brainit.sk s. r. o.

Please carefully read this document, which thoroughly describes the Data Protection Principles related to trustworthy, informational, cryptographic, and other services provided by the brainit.sk s. r. o.

These Data Protection Principles constitute an integral part of the General Contractual Conditions of the Trust Agreement, Informational, Cryptographic, and other services provided by the company brainit.sk s.r.o. (General Contractual Conditions). The Data Protection Principles are available on the brainit.sk website (<https://nfqes.com>).

These Data Protection Principles apply to activities carried out by the brainit.sk in providing services under the General Terms and Conditions. In connection with some of its services, brainit.sk may also ensure and implement specific data protection principles related to the processing of personal data by brainit.sk in the provision of these services. In case of any conflict between these Data Protection Principles and such specific principles, the specific principles take precedence, but only concerning processing activities related to the provision of the respective services to which these principles apply. In case of gaps in the specific principles, the provisions of these data protection principles apply.

**In the event of a difference between the Slovak and English versions of the Certification Policies and Certification Policy Statements, the General Terms and Conditions or the GDPR, the provisions set out in the Slovak version shall apply.**

### 1. WHO WE ARE AND HOW WE PROCESS PERSONAL DATA

In providing our reliable, informational, cryptographic, and other services

**Company:**

Name: brainit.sk, s.r.o.

Site: Veľký diel 3323, 010 08 Žilina

IČO: 52577465

DIČ: 2121068763

IČ DPH: SK 2121068763

Web site: <https://nfqes.com>

**Contact:**


info@brainit.sk

+421 907 679 106

**Contact for responsible person:**

gdpr@brainit.sk

processes personal data in accordance with these data protection principles. In connection with its individual services, the brainit.sk may also establish and enforce specific data protection principles related to the processing of personal data by brainit.sk in the provision of its individual services. In the event of any conflict between these principles and such specific principles, the specific principles take precedence, but only regarding processing activities related to the provision of the respective services

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to which these principles apply. If there are no gaps in the specific policies, the provisions of this policy apply.

The company brainit.sk, in processing personal data, adheres to all applicable regulations on personal data protection that relate to its activities, including, but not limited to, the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/ES (hereinafter referred to as the "regulation").

Personal data, in the sense of the Regulation, refers to any information related to an identified or identifiable natural person, such as a name, PIN, online identifier, address, phone number, email address, and others.

Processing of personal data includes any operation or set of operations that can be carried out with personal data, whether automated or by other means.

All terms and definitions used in these principles, for which no definition is provided here, will have the meaning given to them in the General Terms and Conditions or in the relevant principles and procedures of the company brainit.sk. If not defined in the aforementioned documents, they have the meaning specified in the Regulation and other applicable laws and regulations.

## **2. FOR WHICH INDIVIDUALS DO WE PROCESS PERSONAL DATA**

In connection with the performance of the activities of the brainit.sk as a provider of qualified and reliable services, we process information about:

- Customers of brainit.sk - natural person,
- Natural person who are representatives of customers of brainit.sk and individuals designated by legal entities - Customers of brainit.sk as contact person,
- Natural person who has submitted questions (including by phone), requests, notifications, complaints, or other correspondence to the company brainit.sk,
- Natural person whose information is included in inquiries (including phone calls), requests, notifications, complaints, or other correspondence addressed to the company brainit.sk (collectively referred to as "Data Subject" / "Data Subject" / "You").


## **3. WHAT CATEGORIES OF PERSONAL DATA DO WE PROCESS?**

### **3.1. Data processed in connection with user identification for the purpose of requesting services from brainit.sk and entering into a contract**

#### **3.1.1. Data processed during service inquiries and during personal contract negotiations**

Some of the services of brainit.sk can be requested in person at the provider's branch or at the branch of the registration authority. In such cases, we may process the following data:

- User identification data: full name (according to the identity document); data from the identity document (national identification number depending on the issuing country of the identity document, number, date of issue, expiration date, and issuer of the identity document, date of birth); data obtained during the official verification of the validity of your identity document from official databases of relevant authorities in the respective country of issuance of the identity document (if access to such databases is available in the jurisdiction of the country issuing the identity document) and/or data obtained from the machine-readable part or NFC

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chip of the identity document (which may include a photograph from official identity document databases); signature,

- Contact details - mobile phone number, email address, and postal address,
- Optionally, customer data you represent and the authorization of your representative (type, period, restrictions, changes, copy of the authorization, details of the authorization, etc.), position, official contact details (phone number and email address),
- Optionally, personal data contained in documents about the legal entity Customer submitted to brainit.sk (e.g., documents certifying the establishment of a legal entity or its current status, etc.) in connection with its identification as a Customer.

### **3.1.2. Data processed during user registration and/or identification**

Some services of brainit.sk can be utilized after registration in the mobile applications of brainit.sk (hereinafter referred to as "Applications"). In such cases, after registration and/or identification (whether initial or subsequent identification) through our Applications, we process personal data described in the Data Protection Principles that relate to the use of the respective Application. The Data Protection Principles concerning the use of the respective Application are available within the Application itself, as well as on our website, and familiarizing yourself with them is a mandatory condition for registering with the Application.


In addition to the information mentioned above in points 3.1.1 and 3.1.2 regarding the conclusion, amendment, performance, and termination of the brainit.sk service agreement, we may also process the following personal data:

- contract information: contract type; date of conclusion; contractual terms; information and documents related to the modification, performance, or termination of the contract (notices, date, legal reasons, accompanying documentation, etc.); contract amendments; other aspects relevant to the validity, conclusion, and performance of the contract; notices and other documents and information related to the contract, including any documents and information regarding actions (legal and factual) performed and statements made in connection with the contract;
- correspondence and other communication related to the contract; information contained or related to inquiries, offers, reviews/feedback, complaints, claims, etc.
- other information created or exchanged during negotiation, conclusion, modification, performance, and termination of contracts.

### **3.2 Data processed in connection with issuing qualified certificates for electronic signatures**

When issuing a qualified certificate for an electronic signature, personal data necessary for identification purposes, as described in point 3.1 above, will be processed to request brainit.sk services and conclude a contract.

The content of issued certificates for qualified electronic signatures complies with applicable European standards. The certificate issued by brainit.sk will include your name or chosen alias, country, information about the start and end date of validity, your public key, information about the issuer, and data used for identification and verification by relying parties. Additionally, the certificate may also contain information about a legal entity with whom you have a legal relationship.

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When issuing a qualified certificate for a qualified electronic signature, brainit.sk may include, in addition to the above data, information such as your national identification number, identity document number, VAT ID, etc., including data obtained from the machine-readable part or NFC chip of the identity document and/or from official databases of relevant authorities in the country of issuance of your identity document.

The specific data included in the user's credential by brainit.sk will depend on the data you want brainit.sk to certify to the relying parties before whom you will use such certificates.

Each qualified trustworthy service provider is obliged, according to current legislation, to maintain a repository of certificates it issues, including qualified certificates for electronic signatures, as well as all suspended and terminated certificates. This is done to allow all relying parties to verify the validity of certificates. Brainit.sk maintains the functionality to verify the validity of the certificates it issues.

### **3.3 Data processed for remote electronic signature/seal**

In the case of signing electronic signature/seal remotely, brainit.sk retains information in the form of logs about the fact and time of signing, as well as the fact and time of sending and receiving signed documents, along with system identification numbers for the Customer and the Relying Party (sender of the document to be signed/recipient of the signed document).

### **3.4 Data processed in connection with the issuance of a qualified electronic seal certificate**


When issuing a qualified electronic seal certificate, personal data necessary for identification purposes, as described in point 3.1 above, will be processed to request brainit.sk services and conclude a contract.

The content of electronic seal certificates issued by brainit.sk complies with applicable European standards. The certificate issued by brainit.sk will include the name and possibly the registration number from official registers of the seal creator, validation data for the electronic seal corresponding to the data for creating the electronic seal, information about the start and end dates of validity, information about the issuer, and data used for identification and verification of the certificate by relying parties.

### **3.5 Data processed in connection with the issuance of a qualified certificate of authenticity of websites**

When issuing a qualified certificate for the authenticity of websites, personal data as per point 3.1 necessary for identification purposes will be processed for the purpose of requesting brainit.sk services and concluding a contract.

The content of qualified certificates for the authenticity of websites issued by brainit.sk complies with applicable European standards. The certificate issued by brainit.sk will include the name or alias (if an alias, it must be clearly stated), the relevant name of the person to whom the certificate was issued, and possibly the registration number from official registers of the entity to which the certificate was issued (if it is a legal entity). It will also include details about the address, including at least the city and country of the entity to which the certificate was issued, the domain name or names that the entity manages for which the certificate was issued, information about the start and end dates of validity,

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information about the issuer, and data used for identification and verification of the certificate by relying parties.

### **3.6 Data processed in connection with the creation of a qualified electronic timestamp**

The qualified electronic timestamp relies on the presumption of the accuracy of the date and time stated in it and the integrity of the data provided by brainit.sk. The data can be an electronic signature, electronic seal, hash of unsigned electronic documents, or hash of other electronic content. The qualified electronic timestamp can be integrated into the process of creating, sending, or receiving electronic signatures/seals, electronically signed documents, and electronic transactions, as well as in the archiving of electronic data, etc. This service utilizes technology to link the date and time with the data in a manner that excludes the possibility of any unnoticed changes to the data and provides the opportunity, in the subsequent period (after the expiration of the validity period of the qualified electronic timestamp), to demonstrate the fact of signing an electronic document or another electronic object.

### **3.7 Data processed in connection with the qualified validation of a qualified electronic signature/seal**

When providing the electronic signature/seal verification service, brainit.sk processes data for signature/seal verification contained in the respective qualified electronic signature/seal certificate, data presenting the holder of the electronic signature/creator of the electronic seal, and other information included in the relevant certificate. Additionally, the service processes data subsequently provided by the relying party through the service, as well as the result of the performed validation.


### **3.8 Data processed when using the electronic registered delivery service**

Part of every document signing through brainit.sk registered mail application is qualified electronic registered mail as an integrated service. You can find more information about the data processed during the provision of this service in the Personal Data Protection Policy applicable to the use of the relevant brainit.sk Application available in the Application itself, as well as on the website.

When using the electronic registered delivery service outside of the Applications, brainit.sk stores information about all documents that users send/receive in the form of electronic confirmations of receipt/documents about the facts of sending and receiving documents and the integrity of the transmitted content. Such evidence includes information on when documents were sent and received, sender/receiver identification details. After confirming the sending, receiving, and signing of the documents, brainit.sk will provide the sender as proof with an electronic confirmation/document signed by him containing data on the time of sending, receipt and/or signature, data on the sender and the recipient.

### **3.9 Data processed when providing a qualified electronic signature/seal and/or electronically signed/sealed electronic documents of a qualified storage service**

While providing these services, brainit.sk ensures the long-term retention of all types of electronic signatures and seals contained in documents (with temporary storage of the actual documents in the repository) and/or electronically signed/sealed documents (with storage) for customers and provides evidence of the storage process with the option of long-term verification of electronic signatures/seals. Providing such services requires the retention of data contained in the relevant electronic signatures

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and seals and/or in stored documents. Data objects, corresponding evidence of storage, and additional information needed for their verification are accessible through the service interface or by submitting a specific request for data and/or evidence. These may be provided either separately or in an I/O package, securely encrypted. In any case, they are transmitted only to the customer or their authorized representative. Additionally, brainit.sk keeps information about all prepared I/O packages, including the event date and criteria by which stored objects included in the package were selected. The request must specify the person requesting the data, the reasons for their request, and the method by which they wish to receive them, and this information is also retained by brainit.sk. After the agreed-upon retention period with the customer has elapsed, the data will be deleted.

### **3.10 Data processed when using the electronic identification service**


The electronic identification service provides you with the opportunity to identify yourself to third parties (e.g., a bank) when entering contracts, utilizing remote services provided by a dependent party, etc., that require your identification details (such as mobile phone number, email address, etc.). For each relying party that wishes to have you identified in front of them, you will receive a notification. To activate the electronic identification service, you need to thoroughly review the personal data required by you and confirm that you wish to be identified in front of the specified relying party. As a result, an electronic document will be generated – a statement containing information about your identity, the certification of which the relying party has requested. Subsequently, brainit.sk will issue a one-time identifier with the content required by the relying party solely for the purpose of identification. Such an identifier includes all personal data that brainit.sk was convinced are current and verified by legally permissible means according to Regulation (EU) 910/2014. By using the remote identification attribute, you sign the document - a statement of your circumstances, and it is only for the purposes of your identification. If the identification attribute binds brainit.sk to responsibility for the validity of the circumstances stated in the responses to this identifier, the document may contain your name, personal identification number, a copy of your identity document, and other details for the needs of the required service. If you agree to identify yourself in front of the relying party with the information provided in the document, you will sign it using the identifier issued for this purpose, and you authorize brainit.sk to send the thus signed document to the relying party. Sending the document signed by you to the relying party is part of the electronic identification service.

### **3.11 Data processed when using the electronic authentication service**

The electronic authentication service allows you to securely identify yourself when accessing your accounts on various websites and third-party online services without entering usernames and passwords or as a second step in secure two-factor identification. When providing this service, information about the website/service requesting access, the time of the request, and whether you, through the Application, confirmed or rejected that you are the person requesting access to the website or service, is processed.

In providing this service, brainit.sk, based on customer authorization, generates a document with structured content containing the customer's personal data in the amount necessary for their identification in front of a specific relying party for the purpose of accessing specific content provided by that party. As part of the brainit.sk service, the generated document is sent to the relying party without a signature.

### **3.12 Data processed in connection with payment for services provided**

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For the purpose of payment for provided services and determining applicable rewards for services rendered, brainit.sk processes information about the type and volume of services provided, including data on the number of signatures and the time of their provision. Additionally, information about the relying party in relationships for which the respective service was utilized (in cases where services are paid for by relying parties) is processed.

In the event that you pay us for using the services, we will additionally process the following data related to you: VAT ID (for individuals with VAT ID), information from the commercial register (for individuals in the commercial register), or other national identification number, payment method, including the account from which the payment was made, information about your due and completed payments, and other data contained in financial and accounting documents in accordance with applicable legislation.

### **3.13 Information we collect in connection with customer service and other types of communications**

When providing services to customers, as well as in other types of communication with us, we may process the following personal data:

- Email address or phone number depending on the form you have chosen for communication.
- Additional data contained or provided during your communication with brainit.sk and subsequent correspondence.
- Data about the time of receiving/sending messages, as well as information about the status of sent messages, to respond or process your inquiry or request.

### **3.14 Information we collect**

Brainit.sk retains records/logs, as stated in the General Terms and Conditions, of all significant events in its systems for a minimum period of 1 year, unless expressly stated otherwise in the General Terms and Conditions, these Data Protection Principles, or in other general business conditions applicable to the respective service, contract, or data protection policies.


## **4. FOR WHAT PURPOSES DO WE PROCESS YOUR PERSONAL DATA**

Brainit.sk collects, stores, and processes the information outlined in section 3 above for the purposes specified in these principles and general terms and conditions. Depending on the legal bases for processing, these purposes may include:

- compliance with legal obligations of Brainit.sk,
- actions related to and/or necessary for the performance of contracts concluded between users and Brainit.sk, or to take steps at the user's request before entering such a contract,
- associated with the legitimate interests of Brainit.sk or third parties,
- for which you have provided consent for the processing of your data,

### **4.1 Purposes of brainit.sk personal data processing related to compliance with legal obligations**

All purposes include:

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- compliance with the regulatory requirements applicable to the provision of trusted services, including ensuring the safe identification of users, verification of the authenticity of the data provided, verification of the validity of the identity document, including the required content in the certificates issued by brainit.sk and the like,
- compliance with regulatory requirements for storage, disclosure, provision, or access to information in connection with the activities of brainit.sk as a qualified provider of trusted services,
- fulfillment of brainit.sk legal obligations to reproduce and prove electronic statements of users,
- compliance with applicable tax and accounting legislation,
- other activities connected with the fulfillment of the legal obligations of brainit.sk related to the provision of information to the competent authorities of state administration and justice or the provision of assistance during controls by the competent authorities or mandatory controls related to the regulated activity of brainit.sk as a provider of trusted services.

#### **4.2 Purposes of brainit.sk personal data processing related and/or necessary to fulfill the contract or to take steps at the customer's request before concluding the contract**

All purposes include:

- activities related to user/customer identification and/or registration,
- service provision activities,
- communication with users/customers about the services provided, including providing technical support and customer services,
- financial and accounting activities, as well as the management, processing, and collection of payments related to services,

For the above-mentioned purposes, we may process all the categories of personal data mentioned above.

#### **4.3 Purposes of processing personal data related to the realization of legitimate interests of brainit.sk or third parties**


All purposes include:

Legitimate Interest - conclusion, performance, amendment, or termination of a contract with the Customer in cases where the Customer is a legal entity and/or acts through its representative/legal guardian. The purposes related to the realization of such legitimate interest include all activities listed in point 4.2 above.

Legitimate Interest - performance and protection of the legal rights and interests of brainit.sk and assistance in asserting and protecting the legal rights and interests of Customers, other persons associated with brainit.sk, relying parties, employees of brainit.sk, persons processing personal data on behalf of brainit.sk, and business partners of brainit.sk:

- initiation, enforcement, or defense of legal claims by the aforementioned persons, in court, including filing complaints, warnings, etc., with the relevant governmental and judicial authorities, reproducing stored information to the extent necessary to fulfill the purpose;



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- taking measures to suspend the provision of services in case of violation of the General Terms and Conditions or failure to comply with the Policies and procedures of brainit.sk;
- reproduction of information related to electronic identification carried out upon request and for the purpose of protecting the rights and legitimate interests of the relying party;
- reproduction of information related to the use of electronic registered mail upon request and for the purpose of protecting the rights and legitimate interests of the sender/recipient;
- management and handling of received complaints, warnings, requests, etc.;
- debt collection against brainit.sk, including through assignment to third parties and transfer of such claims to third parties.

Legitimate Interest - provision of services and their normal functioning:

- maintenance and administration of services;
- taking actions against malicious activities against the security and normal functioning of services;
- identification and resolution of technical problems related to the functionality of services;
- creation of a secure environment for the exchange of messages between the Customer, brainit.sk, and the relying party.

For the above purposes, we may process all the above-mentioned categories of personal data.

#### **4.4 Express consent**


Your data may be processed based on your express consent, in which case the processing is specific and to the extent and scope specified in the relevant consent.

## **5. WITH WHOM TO SHARE PERSONAL DATA**

Brainit.sk can provide your personal data to third parties only as specified in these Policies, General Terms and Conditions, other conditions, and principles applicable to the services you use, and in cases established by law.

Brainit.sk can provide your personal data to third parties:

- If it is necessary to fulfill the legal obligations of Brainit.sk, for example, in the case of an obligation to provide information to:
  - the relevant government, municipal, or judicial authorities;
  - verification (auditing) authorities;
- If it is necessary to provide services, such as:
  - to banks and payment service providers in connection with processed payments;
  - to relying parties;
  - to individuals to whom documents are sent for signature or signed documents are processed using our services;
  - to postal and telecommunication service operators in the course of communication between the customer and Brainit.sk;
- If it is necessary to protect the rights or legitimate interests of Brainit.sk, third parties, or users/customers. In such cases, Brainit.sk can provide your personal data to:
  - government, municipal, and judicial authorities;
  - private and public bailiffs;

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- lawyers;
- notaries;
- Those who act as data processors on behalf of brainit.sk, such as cloud service providers, registration authorities of Brainit.sk (if such activities have been outsourced to an external party), providers of accounting services, etc.
  - Brainit.sk are fully selects partners, subcontractors, and service providers who may process personal data on behalf of Brainit.sk. These parties include specialized data centers for the reliable and secure placement of server and network devices, providers of cloud systems and services, providers of automated identification services, and other IT services, etc. Additionally, we regularly appoint digital marketing agents to perform marketing activities on our behalf, which may also involve the compatible processing of personal data.
- In cases where the user/customer has given explicit consent.
- In other cases, established by law.

## 6. PRENOS OSOBNÝCH ÚDAJOV MIMO EÚ

Brainit.sk does not transfer personal data concerning users/customers to countries outside the EU.

## 7. HOW LONG TO KEEP PERSONAL DATA

Brainit.sk processes and stores information about users/customers until the respective purposes for which they were collected and processed are fulfilled.

In accordance with its internal rules and procedures and applicable laws, Brainit.sk processes and retains information as described in the certification policies for the qualified and trustworthy services provided by Brainit.sk.


The basic retention periods for personal data are:

- If a qualified certificate is issued, 10 years from the date of revocation or expiration of the relevant certificate.
- If a "non-qualified" certificate is issued, 7 years from the date of revocation or expiration of the relevant certificate.

## 8. WHAT IS USER/CUSTOMER RIGHTS AND HOW THEY CAN BE EXERCISED

In accordance with the Data Protection Principles, users/customers have the right to:

- access their personal data, which includes the right to obtain confirmation of whether we process personal data about you and, if so, the right to obtain information about the processing of this data (purpose of processing, categories of personal data, recipients, storage duration, source of personal data, etc.).
- correction of your incorrect or outdated personal data and update and supplement them if necessary (depending on the type of processing).
- restrict the processing of your personal data if:
  - you dispute the accuracy of your personal data, for the time it takes to verify their accuracy.

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- the processing is unlawful, and you object to the erasure of your personal data, instead requesting the restriction of their use.
- we no longer need your data for processing purposes, but you require them for the establishment, exercise, or defense of legal claims.
- deletion of your personal data (if one of the reasons of Article 17, paragraph 3 of the GDPR apply), if personal data:
  - are unnecessary for the purposes for which we obtained or processed them,
  - were processed illegally,
  - it is necessary for them to be deleted to comply with our legal obligation,
- the right to file a complaint with the Office for Personal Data Protection.

Some of these rights are only valid under certain exceptions further defined in the GDPR, and only if you can be identified – we will accept your requests in accordance with these legal conditions. You can exercise your rights with us in written or electronic form at the contact details provided above

## **9. CHANGES IN PRINCIPLES OF PERSONAL DATA PROTECTION POLICY**

We may update these Personal Data Protection Principles from time to time to reflect any changes in the processing of your personal data or to comply with changes in applicable legislation. Any changes we make will be published in the Application, as well as on the website: <https://nfqes.com>. This document is published on the brainit.sk website. In case of any inconsistencies and discrepancies, the Slovak text takes precedence.