

PRIVACY POLICY FOR SARS-CoV-2 TESTING AND E-SHOP ("Privacy Policy")

Doktor na telefonu s.r.o., a company with its registered sat Betlémeat ské náměstí 351/6, 110 00 Prague 1, Commercial Register number (IČO number): 09819801, entered in the Commercial Register kept by the Metropolitan Court in Prague, entry number C 342988 ("**Company**"), hereby informs how it processes personal data in the context of online testing with remote video assistance of a healthcare professional to detect the presence of SARS-CoV-2 virus antigen via the web portal <https://www.onlinetestovani.cz/> ("**Service**") and selling goods through its e-shop at <https://eshop.onlinetestovani.cz/.cz> ("**E-shop**").

Company contact details:

Correspondence address: Doktor na telefonu s.r.o., Betlémské náměstí 351/6, 110 00 Prague 1

Email address: info@onlinetestovani.cz

Telephone: +420 736 765 887

When providing the Service, the Company acts both as a controller and a processor of personal data pursuant to Regulation (EU) No. 2016/679 of the European Parliament and of the Council 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/EC (General Data Protection Regulation) ("**Regulation**"), acting under the conditions described in detail in this Policy. In operating the E-shop, the Company acts as a controller of personal data within the meaning of the Regulation.

A. THE COMPANY AS A PERSONAL DATA CONTROLLER

1. The Company is a controller of personal data provided by an employer – a physical person, or a person authorized by the employer – a legal entity, for signing up for the Service on behalf of the employer ("**Authorized Person**"), for arranging the provision of the Service by a medical officer to the employer or its employees, assigned personnel, other individuals working for the employer, or other individuals to be tested for SARS-CoV-2 ("**Employee**") as a part of the Service. The Company is also a controller of personal data of other individuals who are not Employees or Authorized Persons and who sign up for the Service in their own name ("**Tested Person**"), for arranging the provision of the Service by a medical officer to the Tested Person. In such case, the Company, as the controller, always processes only the usual identification data of the Authorized Person within the scope of the relevant registration form.

The Company processes the personal data of the Authorized Person only for performing the contract for the provision of Services, and only for the time necessary for performing the contract under the Terms and Conditions of the Company, or subsequently for the time necessary to ensure the protection of rights and legitimate interests of the Company arising from such contract.

2. The Company is also a controller of personal data in cases where an Authorized Person, a Tested Person or another individual purchases goods and/or services through the E-shop. In such case, the Company processes personal data provided by the person in connection with concluding the contract, only for the purpose and until the fulfillment of the relevant purchase contract, or subsequently for the time necessary to protect the rights and legitimate interests of the Company arising from such contract.
3. The Company is also a controller of personal data of healthcare providers or their employees (medical staff) to the extent necessary for mediating their Services to Employees and Tested Persons on the basis of a contract concluded with the Company. In such case, the Company processes the identification and contact details of the medical officer in the scope of the name, surname and e-mail address, only for the purpose and until the fulfillment of the relevant contract

between the Company and the healthcare professional, or subsequently for the time necessary to ensure the protection of rights and legitimate interests of the Company arising from such contract.

The data subject whose personal data is processed by the Company has rights vis-à-vis the Company to the extent specified in Part C of this Policy.

B. THE COMPANY AS A PERSONAL DATA PROCESSOR

In cases where the Company processes personal data of Employees or Tested Persons as a part of providing the Service itself, i.e. where it mediates SARS-CoV-2 antigen testing in the form of a self-administered test with remote video assistance of a medical officer, it always acts as a personal data processor only.

In such case, the **personal data controller** is the medical service provider – **SochORL s.r.o., a company with its registered seat at Počernická 512/58, Malešice, 108 00 Prague 10**, contact telephone number: +420 382 214 438, e-mail: sochorl@onlinetestovani.cz. This Policy is also used by the Controller to provide information to data subjects on personal data processing in connection with performing the Service.

The purpose of personal data processing is always only to conduct self-administered test with remote video assistance of a medical officer on the basis of a contract for the provision of medical services.

Personal data are processed by the Company for the controller for the period necessary for administering the video test with the remote assistance of a medical officer and then by the controller for the period required by legal regulations applicable to medical records keeping, as described below.

The scope of personal data processing

As a part of the Service, the Company provides a tool for arranging medical services with the assistance of a medical officer or online, with the remote assistance of a medical officer, in accordance with and on the basis of special legislation, especially Act No. 372/2011 Sb., regulating medical services, and Decree No. 98/2012 Sb., regulating medical records, as amended. This legislation imposes obligations on the medical service provider, which is also the controller of personal data, related to the proper identification of the patient, the method of providing the Service, including the evaluation of the test result and medical records keeping. All the above personal data thus become part of medical records of the Tested Person, which according to the said Act are kept by the medical service provider and will be stored as a part of medical records for a period of 5 years from 1st January of the year following the year in which the Service was provided. Medical records are kept in the electronic form in accordance with the relevant regulations.

As part of the Service of medically-assisted testing, the Company processes the following **personal data of the Employee or Tested Persons for the controller (medical services provider), including health-related information**:

- name and surname
- residence address
- e-mail
- telephone contact
- date of birth
- nationality
- birth number or insurance number
- ID card or passport number
- high-risk occupation
- health insurance company
- test result

The medical services provider is obliged to report personal data immediately to the **Infectious Diseases Information System (ISIN)** and to **the competent public health authority** in case of a positive test result, doing so in the electronic form.

C. Regarding medical officers, the Provider also processes their contact details, a stamp and signature scan and an electronic smart quarantine key as the processor, doing so solely for the purposes and for the duration of the provision of the Services.

D. COMMON CONDITIONS FOR PERSONAL DATA PROCESSING AND THE RIGHTS OF DATA SUBJECTS

The Company processes personal data primarily by its own means; however, in some cases, personal data may be processed by other processors who supply software, services and applications, such as cloud service providers, services for collecting, sorting and systemizing data on Employees and Tested Persons, communication services or payment gateway to the Company. However, the involvement of such other processor is always done with the knowledge and consent of the relevant personal data controller. In cases where personal data are transferred outside the EU in this context, it is done on the basis of appropriate safeguards, in particular, in the form of standard contractual clauses. For further information, you can contact the Company using details provided above.

The personal data of Employees and Tested Persons may be passed on to the health insurance company for the purpose of making payment for the Service. Where appropriate, personal data of any data subject may also be provided to public authorities, always on the basis of law or an administrative or judicial decision.

Unless stated otherwise above, the personal data of Employees and Tested Persons are processed for the period specified by the relevant legal regulations for keeping medical records. Subsequently, personal data may be processed in cases where the relevant controller requests additional reimbursement of the Service by the health insurance company, fulfills its obligations towards state supervisory authorities or other similar obligations imposed by law or a decision of a public authority.

An Employee or a Tested Person, as well as each data subject always has the following rights pertaining to the processing of their personal data:

- **Right of access to personal data:** the right to obtain information on whether personal data are processed and, if so, the right to access their personal data. However, in the case of unreasonable, disproportionate or repeated requests, a reasonable fee will be charged for each copy of the personal data provided, or the request will be rejected (this applies similarly to all other rights specified below).
- **Right to have inaccurate and incomplete personal data corrected:** the right to request correction and completion, if inaccurate or incomplete personal data are processed. The correction and addition of data will be performed by the Company and/or the relevant controller without undue delay, but always considering technical possibilities.
- **Right to deletion:** if requested, the Company and/or the competent controller will delete personal data if (i) they are no longer needed for the purposes for which they had been collected or processed otherwise, (ii) the processing is unlawful, (iii) objections are raised to the processing and there are no overriding legitimate reasons for processing personal data, or (iv) the Company and/or the relevant controller must perform the deletion by law.
- **Right to restrict personal data processing:** if requested, personal data will be made inaccessible, temporarily deleted or stored, or other processing operations will be performed that will be necessary for the proper exercise of the applied right.
- **Right to data portability:** if transfer of personal data to a third party is requested, it is possible to exercise the right to data portability. If exercising this right would adversely affect the rights and freedoms of others, the request will not be granted.

- **Right to raise an objection:** the right to object to personal data processing for the purpose of performing a task carried out in the public interest or under official authority or for the purpose of protecting the legitimate interests of the controller concerned. If the relevant controller does not demonstrate that there is a compelling legitimate reason for processing which outweighs the interest or rights and freedoms of the data subject, the processing will be terminated upon objection without undue delay.
- **Right to lodge a complaint with the supervisory authority:** In case of dissatisfaction with the way the Company and/or the competent controller processes personal data or the manner in which they provide relevant information, remedy may be sought from the supervisory authority –the Office for Personal Data Protection of the Czech Republic – at the following address:

Úřad pro ochranu osobních údajů (Office for Personal Data Protection)

Pplk. Sochora 27

170 00 Prague 7

Czech Republic

<https://www.uoou.cz/>

The above rights may be exercised directly vis-à-vis the personal data controller (SochORL s.r.o. as the healthcare services provider, or the Company, as mentioned above) as well as the Company in cases where the Company is the personal data processor **at the above contact address of the medical service provider and the Company.**

E. COOKIES

The Company hereby provides information on cookies used in the Company's website at <https://www.onlinetestovani.cz/> and <https://eshop.onlinetestovani.cz/>.

Cookies are small strings of text data that are stored in a visitor's Internet browser or a mobile device while browsing a website. Cookies help manage the website, ensure its basic functionality, at the same time helping the Company understand how users use its website.

Due to the legitimate interest of the Company, which is mainly to improve the quality of services provided and streamline the management of Services provided through the web portal, the Company uses cookies for the purposes of business analysis and statistics. From such cookies, the Company obtains mainly such information as the territory from which users access its web portal or methods or devices, which they use for visiting the website, how they behave on the website, how much time they spend on it, etc. The Company does not use any advertising cookies.

More information on cookies can be found here: <http://www.allaboutcookies.org/>.

Cookies can be differentiated according to their purpose:

a) **Necessary cookies** ensure the proper functioning of the website, for example, they make it possible to log in to the user account on the website or allow switching between language versions of the website and ensure that the visitor's preferred language choice is remembered. These cookies can be disabled by changing the Internet browser settings, although the website may not function properly without them. The legal basis for the processing of such cookies is the pre-contractual/contractual relationship and the legitimate interest of the Company.

b) **Analytical cookies** are used to analyze visitor traffic on the website, to evaluate which content is relevant to the visitor and also to obtain data on the demographics of website visitors. The legal basis for the processing of these cookies is the website visitor's consent.

c) **Advertising cookies** are used to show targeted and relevant ads. The legal basis for the processing of these cookies is the website visitor's consent.

Some cookies are deleted from the device after the Internet browser window is closed (session cookie); others remain stored on the device even after the browser session is terminated (permanent cookie).

Google Analytics tools are currently used on the Company's website to help the Company understand how visitors of the web portal interact with the displayed content.

Cookie consent and how to disable or delete cookies

Cookie settings, especially their restrictions, blocking or deletion can be changed by altering the configuration of the Internet browser. Although browser settings vary, cookie configurations are usually found in the “Preferences” or “Tools” menu. However, blocking cookies may result in reduction in the functionality of the website and, in the case of necessary cookies, lead to a total loss of access to the website.

Instructions for deleting old cookies or preventing the storage of new cookies are available under the links below, for different types of Internet browsers individually.

- a) Internet Explorer: <http://windows.microsoft.com/en-GB/internet-explorer/delete-manage-cookies>
- b) Firefox: <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences>
<https://support.mozilla.org/en-US/kb/delete-cookies-remove-info-websites-stored>
- c) Google Chrome: <https://support.google.com/chrome/answer/95647?hl=en>
- d) Safari: <http://help.apple.com/safari/mac/8.0/#/sfri11471>

Third Party Cookies

The Company currently uses Google LLC's analytics and advertising cookies on its website. The information collected by Google LLC's cookies is sent to servers in the United States in accordance with Google LLC's privacy policy and under applicable warranties in accordance with the Regulation. Google LLC policies are available at the following link <https://policies.google.com/privacy?hl=en>.

This Policy is effective from 15 July 2021.