

## Information on Data Protection

**A. The use of personal data by A-Trust is in conformance with the relevant legal provisions. The data is used exclusively for the fulfillment of the contract or on a legal basis. The customer acknowledges and agrees that the following type of data is necessary for the contractual services and will be processed:**

**name (first name(s), surname(s), academic title, address(es), email address(es), telephone number(s), bank account (IBAN, BIC), user ID, password-hash values, salutation, date of birth, place of birth, identification data (issuing country, issuing authority, date of issue, identification number, type of identification), encrypted Source PIN, time of signature procedures, domain of signature recipients, wbPK, public key, encrypted private key.**

**Customer data will be processed for contractual services only, the processing for other purposes will only take place if the customer has consented to this in a separate agreement.**

### Information Disclosure:

#### **Name and contact information of the party responsible:**

A-Trust Gesellschaft für Sicherheitssysteme im elektronischen Datenverkehr GmbH („A-Trust GmbH“)

A-1030 Wien, Landstraßer Hauptstraße 1b

#### **Contact information of the data protection officer:**

Mag. Philipp Thomasberger

A-1030 Wien, Landstraßer Hauptstraße 1b

[datenschutz@a-trust.at](mailto:datenschutz@a-trust.at)

Tel.: +4317132151345

#### **Purpose of the personal data processing, as well as the legal basis for the processing:**

Performance of trust services; Article 6 Section 1 Letter b DS-GVO, Article 24 eIDAS-VO; § 8 SVG, §§ 4, 14 E-GovG

#### **Recipients or categories of recipients of personal data:**

If the customer uses a qualified certificate for a qualified electronic signature, the recipient of this signature receives the following data: name, serial number of the certificate, issue date of certificate, validity, public key, key ID of applicant, time of signature, signed document.

#### **Data transfer to third countries:**

No data is transferred to third countries.

#### **The time period for which the personal data will be stored, or if this is not possible, the criteria for the establishing of the time period;**

During the period of validity of the contractual qualified certificate and in accordance with Article 24 Section 2 Letter h iVm. § 10 SVG, for an additional 30 years.

## **Rights of Data Subjects:**

### **1. Right to Confirmation (Art. 15 DS-GVO)**

Every data subject has the right, acknowledged by the European policy and legislature, to request a confirmation from the controller as to whether the respective personal data will be processed. In the event that the data subject wants to make use of this confirmation right, the data subject may at any time, contact our data protection officer or another staff member of the responsible controller.

### **2. Right of Access (Art. 15 DS-GVO)**

The data subject may request data processing information within appropriate intervals, this applies particularly to the purpose of the data processing, which data will be processed and information about the recipient. The right of access covers the following information:

- The purpose of processing
- The categories of personal data to be processed
- The recipients or category of recipients to whom the personal data was disclosed to or will be disclosed to, especially to recipients in third countries or international organisations
- If possible, the planned duration for which the personal data will be stored, or if this is not possible, the criteria for the determination of the duration
- The right of rectification or deletion of the respective personal data or restriction of processing by the controller or the right to object to these processings
- The right to lodge a complaint with the regulatory authority if the personal data is not collected by the person concerned: all available information about the origin of data
- Automated decision-making, including profiling, in accordance with Article 22 Section 1 and 4 DS-GVO and, at least in these cases, conclusive information about the involved logic as well as the scope and the intended effect of such processing for the data subject.

Furthermore, the data subject has the right of information if personal data has been transmitted to a third country or an international organisation. If this is the case, the data subject is entitled to the right of information whether the personal data has been transmitted to a third country or an international organisation. In that case, the data subject has the right to receive information for appropriate guarantees in respect to the data transmittal.

Our data protection officer may be contacted in the event that the data subject would like to make use of the right of access.

### **3. Right to Rectification (Art. 16 DS-GVO)**

In the event that data processing results in false personal data, the data subject has the right for an immediate rectification.

Our data protection officer may be contacted in the event that the data subject would like to make use of the right of access.

### **4. Right to Erasure (Art. 17 DS-GVO)**

Every data subject affected by the processing of personal data has the right, acknowledged by the European policy and legislature, to demand from the controller that the relevant personal

data be immediately removed, insofar one of the following reasons apply and providing that processing is not necessary:

- The personal data was collected for such purposes or processed otherwise, but is no longer required.
- The data subject revokes the consent, which was the basis for the processing in accordance with Article 6 Section 1 Letter a DS-GVO or Article 9 Section 2 Letter a DS-GVO, and an alternate legal basis does not exist.
- The data subject lodges an objection against the processing in accordance with Article 21 Section 1 DS-GVO, and there are no primary valid reasons for processing, or the data subject lodges an objection against the processing in accordance with Article 21 Section 2 DS-GVO.
- The personal data has been processed illegally.
- The erasure of the personal data is the fulfillment of a legal obligation, necessary in accordance with the Union law or the law of the Member States, of which the controller is subject to.
- The personal data has been collected in reference to the offered services of the information society in accordance with Article 8 Section 1 DS-GVO.

Provided that one of the above stated reasons apply and a data subject wants to initiate the erasure of personal data stored at A-Trust GmbH, he or she may contact our data protection officer or any staff member of the controller at any time. The data protection officer will take immediate steps for the request of erasure.

In the event that A-Trust GmbH disclosed the personal data and our company in the position as controller is obligated for the erasure of the personal data in accordance with Article 17 Section 1 DS-GVO, A-Trust GmbH will take the appropriate steps, also technically, in consideration of the available technology and the implementation costs, in order to inform other controllers, who processed the disclosed personal data, of the fact that the data subject has demanded from all other controllers the erasure of all links to those personal data or copies or replications, insofar as the processing is not necessary. The data protection officer of A-Trust GmbH or another staff member will take the necessary steps for each individual case.

## **5. The Right to Restriction of Processing**

Each data subject affected by the processing of personal data has the right, in accordance with European policy and legislature, to demand from the controller the restriction of processing, if one of the following circumstances exists:

- The correctness of the personal data is denied for a period of time by the data subject, which enables the controller to verify the correctness of the personal data.
- The processing is illegal, the data subject objects to the erasure of the personal data and demands the restriction of processing instead.
- The controller no longer needs the personal data for the processing the data subject however needs the data for assertion, exercise or defense of legal claims.
- The data subject lodged an objection against the processing in accordance with Article 21 Section 1 DS-GVO and it is not yet determined whether the legitimate reasons of the controller prevail those of the data subject.

If one of the above circumstances exists and a data subject requests the restriction of personal data, which are stored with A-Trust, the data subject may contact the data protection officer at any time. The data protection officer will arrange the restriction of processing.

## **6. The Right to Data Portability (Art. 20 DS-GVO)**

Any data subject affected by the processing of personal data has the right to receive the respective data, which has been provided to the controller by the data subject, in a structured,

conventional and machine-readable format. Furthermore, the data subject has the right to submit the data received from the controller to another controller without hindrance, providing the processing is consenting, in accordance with Article 6 Section 1 Letter a DS-GVO or Article 9 Section 2 Letter a DS-GVO or based on a contract in accordance with Article 6 Section 1 Letter b DS-GVO, and the processing is performed with an automated procedure, and provided that the purpose of the processing is not for a task within the public interest or for the exercise of public authority which was conferred to the controller.

The data subject has furthermore the right to exercise the right to data portability in accordance with Article 20 Section 1 DS-GVO, so that the personal data will directly be transferred from one controller to another controller, as far as this is technically feasible and provided that there is no infringement of rights and freedom of other individuals.

For the enforcement of the right of data portability, the data subject may contact the data protection officer at any time.

## **7. Right to object (Art. 7 DS-GVO)**

Any data subject which is affected by the processing of personal data has the right to enter an objection at any time to the processing of the respective personal data, which is performed in accordance with Article 6 Section 1 Letter e or f DS-GVO, for reasons of special circumstances of the person concerned. This also applies to profiling based on this provision.

A-Trust GmbH will not further process the personal data in case of an objection, provided that we can provide proof of overriding reasons which are worthy of protection and which outweigh the interests, the rights and freedom of the person concerned, or if the processing serves the assertion, exercise or defence of legal claims.

In the event that A-Trust GmbH processes personal data for direct advertising, the data subject has the right to lodge an objection anytime for the processing of personal data for such advertisement. The same applies to profiling as far as it is connected to such direct advertisement. In the event that the data subject lodges an objection with A-Trust GmbH for the processing of direct advertisement, A-Trust GmbH will no longer process these personal data for these purposes.

The data subject has furthermore the right, for reasons resulting out of special circumstances of the data subject, to lodge an objection against the processing of personal data by A-Trust GmbH or for statistical uses in accordance with Article 89 Section 1 DS-GVO, unless the purpose of the processing is to fulfill a requirement of public interest.

The data subject may directly contact the data protection officer for the right to object. The data subject is furthermore at liberty to use the right to object through an automated procedure whereby technical specifications are used, this is in the context with the services of the information society, irrespective of the guidelines 2002/58/EG.

## **8. Automated Individual Decision-Making, including Profiling**

Every data subject affected by the processing of personal data has the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects or similarly significantly affects the individual, provided that the decision

- is not necessary for the entering into, or performance of a contract between the data subject and the controller, or
- is authorised by Union or Member State law to which the controller is subject to and which also provides suitable measures to safeguard the rights and freedom and legitimate interests of the data subject, or
- is based on the explicit consent of the data subject. In the event that the decision (1) is required for the entering into or performance of a contract between the data subject and the controller, or

- is based on the explicit consent of the data subject, A-Trust GmbH will take suitable measures to safeguard the rights and freedom as well as the legitimate interest of the data subject, this includes at any rate the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision. In the event that the data subject would like to make use of his or her right of the automated decision-making, he or she may contact our data protection officer or one of our staff members of the controller at any time.

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## **9. The Right to withdraw Consent**

(data protection regulation)

Each data subject affected by the processing of personal data has the right to withdraw the consent for the processing at any time.

In the event that the data subject would like to make use of the right to withdraw the consent, he or she may contact our data protection officer at any time.

## **10. Data Sources (Article 14 Section 2 Letter f):**

The Source PIN Register Authority, register of employers in the public sector (§ 14 Section 3 E-GovG).

### **Legal Basis of the Processing:**

The legal basis for processing procedures of our company is Article 6 I Letter a DS-GVO, where we obtain approval for specific processing procedures. Is the processing of personal data for a contract performance, and the contract party is the data subject, which is usually the case with processing procedures which are necessary for the performance of trust services, the processing is based on Article 6 I Letter b DS-GVO. The same applies to those processing procedures, which are necessary for the performance of precontractual measures, for instance requests about our products or services. If our company is subject to legal obligations, in which case the processing of personal data is necessary, as for instance compliance of tax obligations, processing is based on Article 6 I Letter c DS-GVO. In rare cases the processing of personal data could become a necessity in order to protect the vital interests of the data subject or that of another natural individual. This would be the case for instance if a visitor would be injured on our premises and thereupon his name, age, his insurance data or other vital information would have to be given to a doctor, hospital or other third parties. In this case the processing would be based on Article 6 I Letter d DS-GVO. Ultimately, the processing procedures could be based on Article 6 I Letter f. Processing procedures rest on this legal basis which are not covered by any of the above stated legal bases, if the processing is necessary for the safeguard of a legitimate interest of our company or that of a third party, as far as the interests, the basic rights and the fundamental freedom of the data subject do not prevail.

We are able to perform such processing procedures in particular because they were especially referred to by the European legislature. The European legislature took insofar the view that a legitimate interest might be reasonably assumed if the person concerned is a customer of the controller (Recital 47 Para 2 DS-GVO).

### **Statutory or Contractual Regulations concerning the Provision of Personal Data; Requirements for Contract Conclusion; Individual Obligation to provide Personal Data; Potential Consequences in Case of Non-Disclosure**

Please note, that the provision of personal data is in certain circumstances legally required (e.g. tax regulations) or may result from contractual arrangements (e.g. information about a contracting party). In that context it may be necessary that the data subject transmits the personal data which we need in order to finalize the contract. For instance, the data subject is



required to provide personal data if our company enters into a contract with the person. A non-disclosure of personal data would prevent the contract being finalized. Prior to the submission of personal data by the data subject, he or she may contact our data protection officer. Our data protection officer will inform the data subject whether the provision of personal data is legally or contractually required in this case or necessary for the finalization of the contract, whether there is an obligation to provide the personal data, and the consequences of non-disclosure of personal data.

### **Automated Decision-Making**

A-Trust GmbH refrains from the use of the automated decision-making or profiling.