

Statement of DPD on the issue of the conclusion of Personal Data Processing Agreement under GDPR

Dear Customers,

As regards to the reason of requests of some customers of Direct Parcel Distribution CZ s.r.o. (DPD) for conclusion of **Personal Data Processing Agreement** under Article 28 Regulation (EU) 2016/679 of the European Parliament and the Council („GDPR“), DPD is providing this statement.

Personal Data Processing Agreement under Article 28 GDPR, or Article 6 of Act No. 101/2000 Coll., on the Protection of Personal Data, shall be concluded between the controller of personal data and the processor of such data in order to oblige the processor to respect and follow the conditions for personal data processing, in particular to ensure technical and organizational measures to secure personal data.

When providing freight forwarding services, DPD is not in the position of the processor towards the customers, but in the position of the controller of personal data received from the customer in connection with provision of these services for the purpose of proper and verifiable fulfillment of the obligations of forwarding contract arising from the section 2471 of Act No. 89/2012 Coll., civil code.

It is DPD who determines what data are being processed when providing the services, for what purpose and by what means. Organization, collecting, processing and storing of personal data is under the responsibility of DPD.

DPD is authorized to retain data collected even after the termination of the contract (and is not obliged to erase the data on the instructions of customer) in the scope and for the period necessary for determination, performance and defense of legal claims (such as liability for damage or loss of parcels).

According to the above mentioned, where only forwarding services are being provided, DPD is not the processor of personal data in relation to the customer, but is in the position of the controller. Conclusion of Personal Data Processing Agreement in such case is not foreseen by law and might be considered as unjustified.

DPD is considered to be personal data processor only in cases where DPD is providing other services beyond forwarding services and related to this activity is processing data specified by the customer (e.g. the age of the recipient) on behalf of the customer. All customers using this type of services (such as Verified Handover 18+) will be contacted by DPD in order to conclude Personal Data Processing Agreement in the upcoming weeks.

For further information on the personal data processing please follow our [Privacy Statement](#) available in the section Legal and Copyright Notice on www.dpd.cz.

Miloš Malaník
Direct Parcel Distribution CZ s.r.o. General Manager
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