

prolingua data privacy statement

Here at prolingua the trust of our customers and business partners is essential, which is why we pay great attention to the secure and sensitive handling of your data.

Therefore the following principles apply for prolingua:

- The legal regulations on data protection must be consistently applied.
- We adhere to the international standards of information security.
- We attach the utmost importance to ensuring that our arrangements regarding data protection are transparent and comprehensible for all data subjects.

We process your personal data solely as permitted by the applicable regulations.

Where the masculine form is used in this statement for the sake of legibility, it always refers to both genders.

1. Purpose and validity of this data privacy statement

Everyone has the right to confidentiality when it comes to personal data, especially with regard to private life and family life, insofar as there is a legitimate interest to protect them.

2. Legality of data processing

The processing of personal data is lawful only if at least one of the following conditions is met:

- The data subject has given consent.
- The processing of the data is necessary in order to take steps prior to entering into a contract or for the performance of a contract.
- The processing is dictated or permitted by law.
- The processing is necessary to safeguard a legitimate interest, e.g. the enforcement of outstanding claims. This shall not apply if there is any indication that the legitimate interests of the data subject override the interest in processing, especially if the data subject is a child. This must be checked in respect of each processing operation.

3. Commissioned data processing

In cases where data are processed as instructed, a processor (formerly "service provider") is commissioned to carry out the data processing operations without being assigned responsibility for the associated business process. The following measures must therefore be in place on award of contract:

- Before entering into a contractual agreement, checks must be carried out to verify whether the contractor can guarantee the required organisational systems and security precautions necessary for the processing.

- A written contract is required, duly setting out the agreed data protection standards, the information security specifications and the relevant supervisory rights and, most notably, dictating that the data may only be processed as instructed by the client.

4. Transmission of personal data

In cases where personal data are sent to a third party, there must be a legal basis for this process. This may also ensue from the fulfilment of a contractual duty towards the data subject or from the consent granted by the latter. Before data are passed on, appropriate data protection and information security measures must be agreed with the recipient and guaranteed.

The transfer of data to state bodies or public authorities is strictly subject to relevant legal provisions.

5. Rights of data subjects

Data subjects have a right to information at the time of data collection.

5.1. Information on the collection and processing of your data

We process the personal data that you have provided as a user of our website and/or as a customer and/or as a potential customer in various ways, such as in the context of an inquiry or in connection with the conclusion of a contract (e.g. contract for translation services, etc.). We process the following personal data:

Customer master data: title, forename, surname, address (postcode, city, postal address), email address, telephone contact details (home/office)

Other data (customer file): additional contact person, files for translation and other data which you have provided separately

We will not ask you for any classified data (sensitive data), nor do we process such data.

Your personal data will be processed in connection with the contractual procedures of execution and fulfilment, especially relating to translation services.

These data processing operations are based on the following legal premises:

- a) the consent you have granted in accordance with Art. 6 (1) a) GDPR as a potential customer in the context of an inquiry about our services and/or
- b) the data you have provided or disclosed in the course of negotiating or concluding a contract for translation services, i.e. in order to take steps prior to entering into a contract or for the performance of a contract pursuant to Art. 6 (1) b) GDPR and/or

- c) legal obligations to which we are subject under Art. 6 (1) c) GDPR, such as statutory storage and documentation obligations, administration practices and accounting procedures and/or
- d) marketing and advertising in accordance with Art. 6 (1) f) GDPR so that we can optimise our services for our customers on an ongoing basis.

We will only forward or send personal data to third parties where this is necessary for contractual or billing purposes or where you have given your prior consent in your capacity as a user of our website and/or prospective customer and/or customer.

The personal data held on our systems will be erased if you revoke your consent to the processing of your data as a user of our website and/or prospective customer and/or customer, if your data are no longer needed for the purpose for which they are stored, or if their storage is or becomes inadmissible for other legal reasons. Requests for erasure will not apply to data held for billing and accounting purposes and for compliance with other legal obligations.

5.2. Disclosure of data and transmission

Your data will be disclosed to the tax authorities as dictated by the statutory provisions relating to the accounting duties of retention and disclosure. Where necessary and applicable, your personal data will also be disclosed to the authorities and, in the event of a dispute, to legal representatives and courts.

Your data will also be transferred to the following companies or institutions for the stated purposes on the basis of the legal premises listed above:

- subcontractors in the context of the involvement of further translators, provided that your data cannot be held under a pseudonym, in connection with the fulfilment of the contract pursuant to Art. 6 (1) b) GDPR

As a general principle, your personal data will not be transferred to a third country or to an international organisation unless the latter provides prolingua with acceptable guarantees of compliance with the provisions set out in the GDPR.

5.3. Data storage, data access and data security

Your personal data will be processed, saved and retained until the end of the business relationship or until the expiration of the obligations imposed on us under guarantees, warranties, limitation periods, statutory storage provisions and documentation requirements; in addition, until the end of any legal disputes in which your data are required as evidence; or in addition, until three years have elapsed since you were last in contact with us.

5.4. Assertion of your rights as the data subject

Data subjects are entitled to the rights and legal remedies set out below. The contact details you need in order to exercise your rights, and to ask any questions you may have, are as follows:

MMag. Claudia Schreiner
prolingua – Sprachdienstleistungen
Auhofstraße 92/9
A-1130 Wien
info@prolingua.at

It may be necessary for you to provide us with proof of your identity in a suitable form in order to prevent unauthorised third parties from being given information about your data and/or to prevent unauthorised changes and/or unauthorised deletions.

Should you exercise your rights, we must respond without delay, replying within one month of receipt of your request at the latest and issuing a statement in response or complying with your request, or notifying you if the time allowed to respond is to be extended to two months and, if so, why.

a) Right of access

We must provide you with information on request as to whether we process any personal data concerning you.

b) Right to rectification and erasure

Please notify us if your data are incorrect so that we can rectify our records immediately and/or complete and/or restrict the data.

Please let us know if you would like us to stop processing your data. We will of course erase your data immediately and notify you of this course of action. We will inform you immediately of any compelling legal reasons opposing their erasure and most notably any conflicting statutory retention obligations.

c) Right to restriction

You can ask us to restrict the processing of your data in the following cases:

- you contest the accuracy of the data and allow us sufficient time to check the accuracy of the personal data;
- the processing of the data is unlawful, but rather than asking for the data to be erased you request a restriction on the use of the data;
- we no longer need the data for the intended purpose, but you still need the data to assert or defend legal claims, or
- you have lodged an objection to the processing of the data.

d) Right to data portability

We will comply with any requests on your part to send your personal data to a named third party. The data will be transferred in a standard electronic format.

e) Right to object

You have the right to object to the processing of your personal data at any time for reasons arising from your particular situation. We will then no longer process your personal data unless we can demonstrate compelling legitimate grounds for the necessity of processing which override your interests, rights and freedoms or if the data are processed for the establishment, exercise or defence of our legal claims.

You may most notably object to the processing of data for the purpose of direct marketing at any time with future effect.

f) Right to lodge a complaint

If you are of the opinion that we are acting in breach of Austrian or European data protection law in processing your data, we would be grateful if you would contact us in order to clear up any questions you may have. Of course, you also have the right to complain to the Austrian data protection authority and, with effect from 25.05.2018, to a supervisory authority within the EU as well.

6. Use of the prolingua website

We do not save any of your personal data when you simply visit our website. If personal data are collected on our website, their disclosure is always on a voluntary basis, where possible.

7. Publishing

This data privacy statement will be published on the Internet and will be valid with effect from 25.05.2018.