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processing of personal data in connection with the operation of the so-called alternative taxi service

On the basis of the Office's control plan, the Office carried out an inspection of the processing of personal data in connection with the operation of the so-called alternative taxi service Uber.

The Authority found that the owner of the inspected person is the company Uber International B.V., based in the Netherlands (hereinafter referred to as "Uber B.V."). The subject of Uber B.V.'s activity, which it carries out in the Czech Republic through a controlled person, is the mediation of passenger transportation. Other services are not currently provided in the Czech Republic, while passenger transportation is provided only in Prague.

In relation to the processing of personal data of users of Uber services, the controlled person is in the position of processor of personal data within the meaning of § 4 letter k) of Act No. 101/2000 Coll. The administrator of personal data in this case is Uber B.V., which determined the purpose and means of this personal data processing and is primarily responsible for it. The contract on the processing of personal data meets all requirements according to § 6 of Act No. 101/2000 Coll. (processing contract).

The personal data collected in connection with the provision of Uber services can be divided into several categories: 1. data provided by Uber users themselves, 2. data generated when using the Uber application, and 3. information from other sources. For basic identification and contact data, Uber B.V. assigns an extensive set of other information indicating the use of Uber services, or the activities of Uber users in general. The processing of personal data of users of Uber services is carried out on the basis of several legal titles, which may even partially overlap, namely the consent of the data subject, the fulfillment of the contract to which the data subject is a party, and the protection of the rights and legally protected interests of the administrator, processor and of data subjects [according to the preamble of § 5 paragraph 2 of Act No. 101/2000 Coll. and letter b) and e) of this provision].

The office further dealt with the scope and method of providing information on the processing of personal data, and came to the conclusion that users of Uber services have in summary all the information that should be available to them according to § 11 of Act No. 101/2000 Coll. (information obligation) communicated. When assessing the measures taken to ensure the security of personal data processed, it was necessary to start from the finding that the controlled person does not participate in the definition and, to a large extent, in the implementation of measures to ensure the security of personal data processed for

Uber B.V. in a data center located at the headquarters of Uber Technologies, Inc. in USA.

In connection with the subject processing of personal data, the Office did not detect a violation of Act No. 101/2000 Coll.

The inspection was conducted by the inspector JUDr. Jiřina Ríppelová.

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