



## **Data Protection Information subject to regulation EU-GDPR Art. 13,14 and 21**

### **Data protection information for customers and potential buyers – processing of personal data and your rights**

This data protection information is to inform you, our customer, about the processing of your personal data by us, as well as the rights you are entitled to according to the European Data Protection Regulation (EU-GDPR) applicable as of May 25th, 2018. This information will be updated if required and can essentially be found in the data protection statement of our site. There you will also find data protection information for visiting our website.

#### **1. Who is responsible for processing data and whom can I contact?**

Responsible is the company Hammerl GmbH, Niedere Klinge 15, DE-74376 Gemmrigheim, Telephone: +49 7143 84480

#### **2. Which sources and data do we use?**

We process data received through our business relationship with you. We receive this data directly from you, e.g. as part of concluding a contract or placing an order.

In practice we process the following data: - General data according to contract documents (e.g. Name, address and contact information, banking information) – data relating to performance of the contract (e.g. subject of contract, delivery address, terms and means of payment) – correspondence (e.g. business correspondence with you) – marketing and sales data (e.g. potentially interesting products for you)

#### **3. To what end do we process your data (purpose of processing) and on which legal basis?**

The following is to inform you to which end and on which legal basis we process your data.

### **3.1 For the performance of a contract (Art. 6 para.1 letter b EU-GDPR)**

We process your data for the performance of our contracts with you, i.e. specifically to complete your orders. The purpose of data processing is individually based on the concrete product and the contract documents.

These are in particular the following processes:

- Processing in sales / distribution / consultation
- Customer service / warranty

### **3.2. In the context of weighing up of interests (Art. 6 para. 1 letter f EU-GDPR)**

Additionally, we may use your data based on weighing up of interest to ensure legitimate interests pursued by us or by a third party. This can be carried out for the following purposes:

- Support of our employees in customer consultation, customer service, and distribution
- General business management and development of services and products
- Marketing, market and opinion research
- Enforcement of legal claims and defence in case of legal disputes
- Prevention and investigation of criminal acts
- Guarantee of IT-security and IT-operations

Our interest in respective processing results from the respective purposes and is incidentally of economic nature (efficient task completion, distribution, prevention of legal risk). As far as the concrete purpose permits we process your data pseudonymised and anonymised.

These are in particular the following processes:

- Marketing
- Market research

### **3.3. On grounds of your consent (Art. 6 para. 1 letter a EU-GDPR)**

In so far as you have given us consent to process your personal data the respective consent is the legal basis for the there mentioned processing. This applies specifically to your possible consent given during first time conclusion of a contract to relay your data to our employees with the purpose of customer consulting and customer service. Additionally, you may have agreed to being addressed for marketing by email or telephone where applicable.

You may withdraw consent at any time effective for the future. This also applies to any declarations of consent you have provided us with before validity of the EU-GDPR, in other words before May 25<sup>th</sup>, 2018. Revocation is only applicable to future processing.

These are in particular the following processes:

- Distribution of newsletter

### **3.4. On grounds of legal guidelines (Art. 6 para. 1 letter c EU-GDPR)**

We are subject to various legal obligations, that is to say legal requirements (e.g. trade law, tax law)

These are in particular the following processes:

- F1 financial accounting
- Archiving / email archiving

#### **4. Who receives my data?**

Your data will only be passed on as authorised by the law in force. Within our company only those employees who need them in order to fulfil our obligations by contract or law, or to fulfil their respective tasks (e.g. sales and marketing).

Furthermore, the following positions may receive your data:

- processors hired by us (Art. 28 EU-GDPR) particularly in the area of IT-services and logistics, who will process your data for us bound by instructions.
- public offices and institutions (e.g. tax authorities) in case legal or official obligations present themselves
- other bodies for which you have given us your consent to transfer your data to (particularly companies associated with us)

#### **4. How long is my data stored?**

Where required we process your personal data for the duration of our business relationship, which also includes initiation and processing of an order. Furthermore, we are subject to various regulations concerning obligation of storage and documentation, amongst others from the code of commerce (HGB) and the general tax code (AO). The therein specified statutory periods for storage, respectively documentation, are two to ten years.

Lastly the duration of storage is also based on legal statutes of limitation, which are for example according to §§ 195 et seqq. of the German Civil Code (BGB) generally three years, but in some cases up to thirty years.

#### **6. Is data transferred to third countries or an international organisation?**

We transfer your data to countries outside the European Economic Area – EEA (third countries) only in so far as it is required to complete your orders or if required by law or if you have given consent.

## **7. Which further data privacy laws apply?**

Under the respective legal conditions, you have the right of access (Art. 15 EU-GDPR, §3 German Federal Data Protection Act (BDSG) -new), of rectification (Art. 16 EU-GDPR), to erasure (Art. 17 EU-GDPR, §35 BDSG), to restriction of processing (Art. 18 EU-GDPR), as well as to data portability (Art. 20 EU-GDPR).

## **8. Am I obligated to provide data**

In the context of our business relationship you are only required to provide that personal data which is necessary for the establishment, execution and termination of a business relationship or if we are legally obligated to collect said data. Without this data we will generally have to decline the formation of a contract or the execution of an order, or we will not be able to process an existing contract and may have to terminate it.

## **9. To what extend is there an automated individual decision making?**

We do not generally use automated individual decision making according to Art. 22 GDPR to establish and execute a business relationship. Should we use this process in individual cases we will inform you about it separately if it is required by law.

## **10. To what extend is my data used for profiling?**

Processing of your data is partially automated with the goal of assessing certain personal aspects (so-called "profiling").

According to art. 4 no. 4 EU-GDPR we use profiling for example in the following cases: we may analyse your data to determine your potential interest in our products and services. This analysis is carried out by means of statistical procedures using current and past customer data. The results are used to contact you on a demand- and goal-oriented basis.

## **11. Which rights to object do I have? (Art.21 EU-GDPR)**

### **a) Right to object relating to individual cases**

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on Article 6 (1) letter f EU-GDPR (data processing on grounds of weighing up of interests). This also applies to profiling based on these provisions as defined by Art.4 No.4 EU-GDPR, which can be carried out for customer consulting, customer service, and for marketing.

If you object, we will no longer process your personal data, unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

### **b) Right to object against processing of data for direct marketing purposes**

We are allowed to process your data for direct marketing purposes within the bounds of legal regulations. You have the right to object at any time to processing of personal data concerning you for purposes of marketing of that kind. This also applies to profiling, in so far as it is related to such direct marketing. Should you object to processing for the purposes of direct marketing, we will no longer process personal data concerning you for such purposes.

Objections can be made informally. Our contact information can be found under paragraph 1.