

Information duties towards Customers

How we handle your data as well as your rights

according to Art. 13, 14 and 21 GDPR

SurTec Deutschland GmbH

With the following information, we would like to give you an overview of the processing of your personal data by us and about your rights arising from this. Which data is processed in detail and how it is used depends largely on the services requested or agreed in each case. Therefore, not all statements contained herein may apply to you.

Who is responsible for data processing and whom can I contact?

The responsible person in the meaning of the GDPR is:

SurTec Deutschland GmbH

SurTec-Str. 2
64673 Zwingenberg

Telefon: +49 (0) 6251 171 700

Telefax: +49 (0) 6851 171

E-Mail: mail@SurTec.com

You can reach our company data protection officer at:

Data Protection Officer SurTec Deutschland GmbH

c/o activeMind AG Management- und Technologieberatung
Potsdamer Str. 3
80802 München

Telefon: +49 (0)89 / 91 92 94 900

E-Mai: SurTec-D@activemind.de

Type of personal data collected

We process the following personal data that we receive from you in the course of our business relationship:

- Company name with legal form
- title and name
- address
- Contact details such as telephone numbers, fax numbers and e-mail addresses
- Field of activity or position within the company
- communication and contact history

We process your data for the following purposes and on the following legal basis

We process personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG):

Information duties towards Customers

1. For the fulfillment of contractual obligations Art. 6(1)(b) GDPR.

The processing of data is carried out for the execution:

- of our contract
- of ancillary contractual services (e.g. warranty notifications or collection by manufacturer)

2. Due to legal requirements Art. 6(1)(c) GDPR.

We are subject to various legal obligations that entail data processing. These include, for example:

- Tax laws as well as statutory accounting
- the fulfillment of requests and requirements from supervisory or law enforcement authorities
- the fulfillment of control and reporting obligations under tax law

In addition, the disclosure of personal data may become necessary in the context of official/court measures for the purpose of collecting evidence, criminal prosecution or the enforcement of civil claims.

3. Within the framework of the balancing of interests Art. 6(1)(f) GDPR

Where necessary, we process your data beyond the actual performance of the contract to protect legitimate interests of us or third parties. Examples of such cases are:

- Assertion of legal claims and defense in legal disputes
- Processing in the CRM system

Who gets my data?

Within our company

- Employees for the contact with you and the contractual cooperation (incl. the fulfillment of pre-contractual measures)

Within the scope of order processing

Your data may be passed on to service providers who act as order processors for us:

- Support or maintenance of EDP or IT applications
- Accounting
- Data destruction
- ERP system vendor/invoicing

All service providers are contractually bound and in particular obliged to treat your data confidentially.

Other third parties

Data is only passed on to recipients outside our company in compliance with the applicable data protection regulations. Recipients of personal data can be, for example:

Information duties towards Customers

- Public bodies and institutions (e.g. financial or law enforcement authorities) in the event of a legal or official obligation
- Credit and financial service providers (processing of payment transactions)
- Tax advisors or business and payroll tax and tax auditors (statutory audit mandate)

Is data transferred to a third country or to an international organization?

Data is transferred to bodies in countries outside the European Economic Area (so-called third countries) insofar as

- it is required by law (e.g. reporting obligations under tax law),
- you have given us your consent, or
- this is legitimized by the legitimate interest under data protection law and no higher interests of the data subject worthy of protection are opposed to this.

Beyond that, we do not transfer personal data to entities in third countries or international organizations.

However, for certain tasks we use service providers that may have their registered office, parent company or data centers in a third country. A transfer is permitted if the European Commission has decided that an adequate level of protection exists in a third country (Art. 45 GDPR). If the Commission has not made such a decision, the Companies or the service provider may only transfer personal data to service providers in a third country if appropriate safeguards are provided (standard contractual clauses adopted by the EU Commission or the supervisory authority in a specific procedure) and enforceable rights and effective remedies are available.

We have also contractually agreed with our service providers that data protection guarantees in compliance with the European level of data protection must always be in place with their contractual partners as well. We will provide you with a copy of these guarantees upon request.

How long will my data be stored?

We process and store your personal data as long as this is necessary for the fulfillment of our contractual and legal obligations. If the data is no longer required for the fulfillment of contractual or legal obligations, it is regularly deleted.

Exceptions arise,

- insofar as statutory retention obligations must be fulfilled, e.g. the German Commercial Code (HGB) and the German Fiscal Code (AO). The periods specified there for storage or documentation are generally six to ten years;
- for the preservation of evidence within the framework of the statutory limitation provisions. According to §§ 195 ff of the German Civil Code (BGB), these limitation periods can be up to 30 years, with the regular limitation period being 3 years.

If the data processing is carried out in the legitimate interest of us or a third party, the personal data will be deleted as soon as this interest no longer exists. The aforementioned exceptions apply here.

What data protection rights do I have?

You have the right to information under Article 15 of the GDPR, the right to rectification under Article 16 of the GDPR, the right to erasure under Article 17 of the GDPR, the right to restriction of processing under Article 18 of the GDPR, the right to object under Article 21 of the GDPR and the right

Information duties towards Customers

to data portability under Article 20 of the GDPR. With regard to the right to information and the right to erasure, restrictions may apply in accordance with Sections 34 and 35 BDSG.

In addition, there is a right of appeal to a competent data protection supervisory authority (Article 77 GDPR in conjunction with Section 19 BDSG). The supervisory authority responsible for us is:

Der Hessische Beauftragte für Datenschutz und Informationsfreiheit
vertreten durch
Prof. Dr. Alexander Roßnagel
Gustav-Stresemann-Ring 1
65189 Wiesbaden

Telefon: 0611-1408 0
E-Mail: poststelle@datenschutz.hessen.de

A listing of the supervisory authorities with addresses can be found at:
<https://www.bfdi.bund.de/DE/Service/Anschriften/Laender/Laender-node.html>

Is there an obligation to provide data?

Within the framework of the contractual relationship, you must provide those personal data that are required for the initiation, execution and termination of the contractual relationship and for the fulfillment of the associated contractual obligations or that we are legally obligated to collect. Without this data, we will generally not be able to conclude the contract with you or execute it.

Information about your right to object according to Article 21 GDPR

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you which is carried out on the basis of Article 6(1)(f) GDPR (data processing based on a balance of interests); this also applies to profiling based on this provision within the meaning of Article 4 No. 4 GDPR.

If you object, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

The objection can be made informally with the subject "Objection" via one of the contact channels mentioned above.