

Data protection information for customers and interested parties

In accordance with Art. 13 and 14 of the General Data Protection Regulation (GDPR)

Data protection is important to us. The following information explains how we use your personal data and outlines your rights.

1. Entity responsible for data processing and contact person

Sprimag Spritzmaschinenbau GmbH & Co.KG
Henriettenstraße 90
73230 Kirchheim unter Teck

CEO Joachim Baumann

E-Mail: info@sprimag.de

2. Contact details of the Data Protection Officer (DPO)

Bernd Knecht
Rotdornweg 7
73230 Kirchheim /Teck

E-Mail: datenschutz@sprimag.de

3. Purpose and legal basis on which we process personal data

We process all personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the Data Protection Adaptation and Implementation Act (EU DSAnpUG-EU) and other relevant data protection regulations. Our contract documents, forms, consent forms and other information provided to you (e.g. on our website) contain further details and more information on why we collect data in those specific instances.

3.1 Consent (Art. 6 para. 1 (a) GDPR)

In case you have consented to the processing of personal data, this consent will form the legal basis on which this data will be processed in that specific instance. You have the right to withdraw this consent at any time with future effect.

3.2 Performance of contractual duties (Art. 6 para. 1 (b) GDPR)

We process your personal data in order to execute our contracts with you, i. e. especially within the scope of order entry, production, delivery and invoicing of our products. Furthermore, your personal data will be processed for the implementation of measures and activities within the framework of pre-contractual relationships, such as the preparation of quotations.

3.3 Compliance with legal obligations (Art. 6 para. 1 (c) GDPR)

We process your personal data where required for compliance with a legal obligation (i.e. trade and tax laws and EU anti-terrorism ordinance).

3.4 Legitimate interests pursued by us or a third party (Art. 6 para. 1 (f) GDPR)

We may furthermore use your personal data where necessary based on a weighing of interests to pursue our or a third party's legitimate interest. We may do so for the following purposes:

- for advertising or market research, if you have not objected to the use of your data
- for obtaining information and exchanging data with credit agencies if the conclusion of the contract exceeds our economic risk.
- for the limited storage of your data, if a deletion is not possible or only possible with disproportionately high effort due to the special type of storage (for example in the mail archive and data backup).

- For enforcing legal claims and as evidence in legal disputes that are not directly related to our contractual relationship with you.
- for the collection and storage of visitor data within the scope of your visit to our company, as well as for the announcement of visitors to Sprimag at the visitor panel.
- for comparison with European and international anti-terror lists, if this goes beyond the legal obligations.
- for the enrichment of our data through the use or research of publicly accessible data and profiles.
- for benchmarking.
- for statistical evaluations or market analyses.
- for the safeguarding and exercise of our rights as an employer through appropriate measures (e. g. B. video surveillance).
- for the storage and archiving of your contact data (electronic address books and business card archive) to make it easier for us to contact you
- for the transfer of your data to affiliated companies and commercial agents, if necessary.
- if necessary, for the passing on of your data to suppliers / subcontractors / cooperation partners in the context of project inquiries and concrete orders
- if necessary, for the transfer of your data to general contractors involved in contract negotiations.

4. Categories of personal data we process

We process the following data:

- personal details (such as e.g. name, occupation/position in company/industry and comparable data)
- contact details (such as e.g. address, email address, telephone number and comparable data)
- customer history
- general correspondence

We continue to process personal data from public sources (e. g. public libraries, internet, media, press, trade and association registers, register of residents). If necessary, for the provision of our service, we process personal data that we have lawfully received from third parties (address publishers, credit agencies, branches and commercial agents).

5. Who will get to see your data?

Within our company, we only provide your personal data to those employees and divisions that need this data in order to fulfil our contractual and legal obligations or to pursue our legitimate interests.

In addition, the following offices may receive your data:

- contract processors used by us (Art. 28 GDPR), service providers for supporting activities and other persons responsible within the meaning of the GDPR, in particular in the areas of IT services, logistics, courier services and mail, support/maintenance of IT applications, archiving, data destruction, printing services, external data centers, telephony, website management, tax consultancy, auditing services, financial institutions, purchasing/procurement, letter shops, marketing,
- public bodies and institutions where there is a legal or official obligation under which we are obliged to provide information, report or pass on data or where the passing on of data is in the public interest
- bodies and institutions on the basis of our legitimate interest or the legitimate interest of the third party (e. g. authorities, credit agencies, lawyers, courts, experts and supervisory bodies as well as suppliers, subcontractors and cooperation partners)
- affiliated companies
- commercial agent, if an agency agreement exists for the distribution area concerned
- general contractors involved in contract negotiations
- other places for which you have given us your consent for the data transfer

6. Transfer of personal data to a third country or international organization

We may share information about you with affiliates, agents, or suppliers / subcontractors / cooperation partners (including general contractors) in third countries. This is done either to fulfill a contract with you according to Art. 49 Abs. 1 b GDPR or to fulfil a contract concluded in your interest with a third party in accordance with Art. 49 para. 1 c GDPR. Beyond that we will not perform data processing outside of the EU. of the EEA.

7. How long we'll keep your information?

If necessary, we process your personal data for the duration of our business relationship, this also includes the initiation and execution of a contract.

In addition, we are subject to various storage and documentation obligations, including those arising from the German Commercial Code (HGB) and the Fiscal Code (AO). The time limits specified there for the storage and Documentation is up to 11 years after the end of the business relationship or of the pre-contractual legal relationship.

Ultimately, the storage period is also judged according to the statutory limitation periods, which, for example, are defined in §§ 195 et seq. of the German Civil Code (BGB) can generally be three years, but in certain cases up to thirty years. But also contractual agreements form the basis for the determination of the retention periods.

8. To what extent do we use automated individual decision-making (including profiling)?

We do not use any purely automated decision-making processes in accordance with Article 22 GDPR. Should we ever make use of such processes in individual cases, you will be notified of such separately if legally required.

9. Your data protection rights

9.1 Right of access

You can ask for information whether or not we process any personal data of you. In case the right of access is not excluded (i.e. by a certain legal obligation) and your personal data is been processed by us, you can ask for the following information:

- purposes of the processing
- categories of personal data concerned
- recipients or categories of recipients, to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations
- where possible, the envisaged period for which the personal data will be stored, or, if not possible the criteria used to determine that period
- the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing
- the right to lodge a complaint with a supervisory authority
- where the personal data are not collected from you - the data subject, any available information as to their source
- if applicable, the existence of automated decision-making, including profiling including meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing
- if applicable, information about transfer of personal data to a third country or an international organization, in case there is no adequacy decision of the EU-commission about the adequacy of the level of protection according to article 45 para.3 GDPR available, you can ask for information about which appropriate safeguards are available in order to protect your personal data according to article 46 para.2 GDPR

9.2 Right to rectification

Whenever you recognize, that your personal data stored in our folders is inaccurate, you immediately can insist on rectification. If you recognize that your personal data is incomplete you have the right to have incomplete personal data completed.

9.3 Right to erasure (right to be forgotten)

You have the right to erasure, whenever processing of your personal data is not to apply to the extent for exercising the right of freedom of expression and information or for compliance with a legal obligation or for the performance of a task carried out in the public interest and one of the following reasons applies:

- the personal data are no longer necessary in relation to the purposes for which they were collected
- processing was exclusively based according to article 6 para.1 point a and you have withdrew consent

- you object processing your personal data processed based on article 6 para.1 point f GDPR (see chapter 3) according to article 21 para 1 GDPR and there are no overriding legitimate grounds for the further processing, or you object processing your personal data for direct marketing purposes according to article 21 para.2 GDPR
- your personal data have been unlawfully processed
- erasure of your data is required in order to comply with legal obligation

No right to erasure exists, if in case of legal and non-automated processing of your personal data and in case due to the special nature of data storage erasure is not possible, or only possible with disproportional high effort. In this case instead of erasure we will perform restriction of processing your data.

9.4 Right to restriction of processing

You have the right to obtain restriction of processing your personal data, if one of the following reasons applies:

- you contest the accuracy of the personal data stored and you insist in restriction of processing your data during the period enabling us to verify the accuracy of your data.
- processing of your data is unlawful and instead of erasure you ask for restriction of processing
- your personal data are no longer needed for the purposes of the processing, but you require them for the establishment, exercise or defense of legal claims.
- you have objected to processing pursuant to article 21 (1). You can insist on restriction of processing for the time pending the verification whether our legitimate grounds override your legitimate grounds.

Restriction of processing means, that we process your personal data solely either we have your consent, or for establishment, exercise or defense of legal claims, or for the protection of the rights of another natural or legal person, or for reasons of important public interest. Before lifting the restriction of processing, we will inform you about that.

9.5 Right to data portability

You have the right to data portability in case processing is based on consent (GDPR Art. 6 para. 1 point. a) or Art. 9 para. 2 point. a)) or based on a contract (GDPR Art. 6 para.1 point b) and the processing is carried out by automated means. Right of data portability means that you have the right to receive personal data, which you provided to us earlier and concerning yourself, in a structured, commonly used and machine-readable format. You have the right to transmit those data to another controller without hindrance from our end. Your right means also that you can insist on transmittance of your data directly to the new controller as long as this is technically feasible.

9.6 Right to object

Providing that processing your data is based on GDPR Art. 6 para. 1 point.e) (performance of a task carried out in the public interest or in the exercise of official authority vested) or based on GDPR Art. 6 para. 1 point f) (legitimate interests pursued by the controller or a third party) including profiling on those provisions, you have the right on grounds relating to your particular situation to object processing your personal data at any time. After your object we no longer will process your personal data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing is used for the establishment, exercise or defense of legal claims. At any time, you can object processing your data for direct marketing purposes. This includes also profiling which is related to such direct marketing. In case you object processing based on this purpose we will stop processing immediately. You can communicate your objection informal via phone, via FAX, via Email or via letter post directed to the above-mentioned contact details of our company.

9.7 Withdrawal of consent

You have the right to withdraw given consent to processing your personal data at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal. To withdraw is as easy as to give consent. You can communicate your withdrawal informal via phone, via FAX, via Email or via letter post directed to the above-mentioned contact details of our company.

9.8 Your Right to lodge a complaint with the responsible supervisory authority

If you consider the processing of your personal data unlawful, you can lodge a complaint with a supervisory authority that is responsible for your place of residence or work or for the place of the suspected infringement (Art. 77 GDPR). The supervisory authority responsible for us is:

The State Commissioner for Data Protection and Freedom of Information
Königstrasse 10 a
70173 Stuttgart, Germany

Phone: +49 (0) 711 / 615541-0

Fax: +49 (0) 711 / 615541-15

Email: poststelle@lfdi.bwl.de

Web: <https://www.baden-wuerttemberg.datenschutz.de>

10. Scope of the data you are required to provide

You are only required to provide us with the data which is necessary for the establishment and execution of a business relationship or for a pre-contractual relationship with us or which we are legally obliged to collect. Without this information, we will usually not be able to conclude or execute the contract. This may also refer to data required later within the framework of the business relationship. Should we ever request any data in excess of this essential data, we will specifically make you aware of the fact that provision of such data is voluntary.

11. Status and Updating of this data protection information

This data protection information is the current version valid since 26th July 2019. We reserve the right to update this data protection information at any time, in order to comply with legal practice and changed behavior of public authorities and / or to improve data protection and privacy.