

Information on the Processing of Personal Data - Business Partners

As the data controller within the meaning of the General Data Protection Regulation (GDPR), we inform you in accordance with Art. 13 GDPR about the collection, processing and use of your personal data in connection with marketing activities and the development of customer relationships.

Name and contact details of the Controller

Heinzmann GmbH & Co. KG | Am Haselbach 1 | 79677 Schönau | Germany | Tel.: +49 7673 8208-0 | Fax: +49 7673 208-188

Contact details of the Data Protection Officer

OBSECOM GmbH | Königstraße 40 | 70173 Stuttgart | Germany | Tel. +49 711 46 05 025-40 | Fax +49 711 46 05 025-49 | E-Mail: datenschutz@obsecom.de

Purpose and legal basis of the storage and processing of personal data

Personal data that you have provided to us when establishing a business relationship (for example, contact details of your business card) will be stored by us and used for the purpose of developing the business relationship. The legal basis is our legitimate interest in establishing and developing a stable customer relationship in accordance with Art. 6 (1)(f) GDPR.

We process your contact data insofar as this is necessary for the fulfilment of a contract to which you are a contracting party or for the implementation of pre-contractual measures that have been taken at your request. The legal basis for the processing of your personal data is Art. 6 (1)(b) GDPR. In individual cases, we pass on your contact details to subcontractors if this is necessary for the preparation of cost estimates or the calculation of quotations for externally produced parts of the overall order. The legal basis is our legitimate interest in carrying out our regular business operations in accordance with Art. 6 (1)(f) GDPR.

We use your telephone number within the scope of our customer acquisition activities to contact you by telephone, if we can assume your presumed consent to contact you in accordance with section 7 (2) No. 2 of the German Unfair Competition Act (UWG). We use your address data to send you written information, seasonal mail (for example, Christmas greetings) or congratulations on birthdays. If you are a customer of ours and we have received your e-mail address in connection with the sale of goods or services, we may use it for direct marketing of our own other similar goods or services. You have the right to object to the use of your personal data for these purposes. We will clearly inform you of your right to object when we collect your e-mail address and whenever we use it. The legal basis for the processing is our legitimate interest in direct marketing according to Art. 6 (1)(f) GDPR in conjunction with section 7 (3) UWG.

If you have given your consent, we will use your name and e-mail address for the purpose of sending e-mail newsletters on specific topics. The e-mail address will be used for this purpose and stored until you revoke your consent or unsubscribe from the newsletter. You can unsubscribe at any time, for example via a link at the end of each newsletter. The legal basis for the processing of personal data is your voluntarily given consent by means of the so-called double opt-in procedure according to Art. 6 (1)(a) GDPR.

Onward Transfer

We have split customer care into sales regions. If one of our regional sales partners or subsidiaries is responsible for answering your enquiry or carrying out pre-contractual or contractual measures, we will pass on your contact details to the respective regional sales partner/subsidiary. The legal basis for the data transfer is our legitimate interest in processing and responding to your enquiry in accordance with Art. 6 (1) (f) GDPR.

In order to process your enquiry, it may be necessary to transfer personal data to sales partners/subsidiaries in other EU Member States or third countries.

The data transfer to Switzerland is legitimised based on an adequacy decision of the EU Commission. A copy of the decision can be found at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32000D0518>.

The data transfer to the United Kingdom is legitimised based on an adequacy decision of the EU Commission. A copy of the decision can be found at: https://ec.europa.eu/info/sites/default/files/decision_on_the_adequacy_protection_of_personal_data_by_the_united_kingdom_-_general_data_protection_regulation_en.pdf

In order to process your enquiry, it may be necessary to transfer personal data to sales partners/subsidiaries in Australia and China. The data transfer is legitimised on the basis of the EU Standard Contractual Clauses. A copy of the EU Standard Contractual Clauses can be found at:

https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?uri=CELEX:32021D0914&locale=en.

In addition, we disclose personal data to recipients (processors or other third parties) only to the extent necessary and only under one of the following conditions:

- ▶ You have given your consent to the disclosure;
- ▶ The transfer serves the fulfilment of contractual obligations or the performance of pre-contractual measures requested by you;
- ▶ We are legally obliged to pass on this information;
- ▶ The disclosure is made on the basis of legitimate interests of us or a third party.

Personal data will not be passed on to third parties for the purpose of third-party advertising and will not be transferred to countries outside the EU/EEA for other than the purposes listed above.

Duration of Data Storage

Unless otherwise provided for in this privacy notice, personal data will be deleted, if these data are no longer necessary in relation to the purposes for which they were collected or otherwise processed and the deletion does not conflict with statutory retention requirements. In addition, we will erase the personal data processed by us in accordance with Art. 17 GDPR on your request, if the conditions provided therein are met. If personal data are required for other lawful purposes, they will not be erased, but their processing will be restricted in accordance with Art. 18 GDPR. In case of restriction, the data will not be processed for other purposes.

Personal data that we have received in connection with the performance of a contract will be stored for the duration of the contractual relationship and, if necessary, beyond that in accordance with statutory retention requirements. This applies, for example, to personal data that must be retained by us for commercial or tax law reasons. For example, data must be kept for 6 years pursuant to section 257 (1) Nos. 2 and 3 German Commercial Code (HGB) and section 147 (1) Nos. 2, 3, 5 German Tax Code (AO); data must be kept for 10 years pursuant to section 257 (1) Nos. 1 and 4 HGB and section 147 (1) No. 1, 4, 4a AO.

Your Rights as a Data Subject

As a data subject, you have the following rights

- ▶ Pursuant to Art. 15 GDPR to request information about your personal data processed by us. You may also request information regarding the purposes of the processing, the categories of personal data concerned, the recipients or categories of recipients to whom the personal data have been or will be disclosed, the envisaged period for which the personal data will be stored or the criteria used to determine that period, the data source (where personal data is not collected from you), the existence of automated decision-making, including profiling, and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing; the existence of the right to request rectification or erasure of data concerning you, the right to restrict processing or to object to such processing, the right to lodge a complaint with a supervisory authority. Finally, you have a right to know whether personal data has been transferred to a third country or to an international organisation, and, if so, the appropriate safeguards relating to this transfer;
- ▶ Pursuant to Art. 16 GDPR to demand the immediate rectification of inaccurate personal data and to have incomplete personal data which is stored by us completed;
- ▶ Pursuant to Art. 17 GDPR to demand the erasure of your personal data stored by us, unless the processing is necessary for exercising the right of freedom of expression and information, for compliance with a legal obligation, for reasons of public interest, or for the establishment, exercise or defence of a legal claim;
- ▶ Pursuant to Art. 18 GDPR to request the restriction of the processing of your personal data if the accuracy of the personal data is contested by you; the processing is unlawful but you oppose the erasure of the personal data and request the restriction of their use instead; we no longer need the personal data for the purposes of the processing but they are required by you for the establishment, exercise or defence of legal claims; you have objected to processing pursuant to Art. 21 (1) GDPR pending the verification whether our legitimate grounds override your interests;
- ▶ Pursuant to Art. 20 GDPR to receive your personal data, which you have provided for us, in a structured, commonly used and machine-readable format and have the right to transmit this data to another controller;
- ▶ Pursuant to Art. 21 GDPR to object to the processing of your personal data on grounds relating to your particular situation, or if you object to processing for direct marketing purposes and the legal basis for processing is our legitimate interests pursuant to Art. 6 (1)(f) GDPR;
- ▶ Pursuant to Art. 7 (3) GDPR to withdraw your consent given to us at any time. As a result, we are no longer allowed to continue to process the data that was based on this consent in the future;
- ▶ Pursuant to Art. 77 GDPR to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement. A list of contact details of the data protection officers and supervisory authorities can be found on this website: <https://www.bfdi.bund.de/EN/Service/Anschriften/Laender/Laender-node.html>.

If you would like to exercise the above data protection rights, you can contact us or our Data Protection Officer at any time using the contact details above.