

Privacy Notice in Terms of Art. 13 and Art. 14 GDPR

Based on the information provided in the following, we would like to give you an overview of the processing of your personal data by us and your rights under data protection legislation.

1. Data Controller and Data Protection Officer Contact Data

ZECHA Hartmetall-Werkzeugfabrikation GmbH, Benzstraße 2, 75203 Königsbach-Stein, Germany, Tel. +49 7232 3022-0, Fax +49 7232 3022-25, info@zecha.de

Data Protection Officer: E-mails to datenschutzfragen@xdsb.de or to our postal address by adding “Attn.: Data Protection Officer”

2. From which sources do we receive your personal data?

We process personal data which we obtained on the basis of our business relationships (such as those with customers and suppliers) or of queries sent to our company. In general, we obtain such data directly from the relevant contract partner or the individual sending a query. However, personal data may also come from publicly accessible sources (such as from commercial registers) to the extent to which processing such data is admissible. Furthermore, it is possible that other companies legitimately transfer personal data to us. Depending on the individual case, we store our own information in addition to the above data (such as in the context of ongoing business relationship).

Such information may include, depending on the relevant case, master data (such as the given/family name, address), contact data (such as the telephone number/e-mail address), contract and invoicing data for the purpose of fulfilling our contractual obligations, data required for processing queries and, if need be, data concerning the credit standing, advertising and sales data and other data from comparable categories.

3. For what purposes and on what legal basis will the data be processed?

We process your personal data in compliance with applicable data protection laws, in particular the European Union General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (*BDSG* [*Bundesdatenschutzgesetz*]):

a.) within the context of fulfilling a contract or for the purpose of executing any pre-contractual measures (sentence 1 of point (b) of Art. 6(1) GDPR)

First and foremost, we process your personal data for the purpose of fulfilling our contractual obligations and rendering any and all services related to this or in the context of the relevant contract initiation phase (such as contractual negotiations, preparation of commercial offers). In this regard, the concrete purposes depend on the different services or the product to which the business relationship or the contract initiation activities relate.

b.) within the context of fulfilling legal obligations (sentence 1 of point (c) of Art. 6(1) GDPR)

In many situations, legal provisions require us to collect certain personal data and to transfer and/or provide them to certain – generally public – bodies.

For example, we provide the tax authorities with any personal data in compliance with the relevant legal provisions which is required for the purpose of calculating the amount of tax payable.

c.) within the context of the balancing of interests (sentence 1 of point (f) of Art. 6(1) GDPR)

In addition to the above, we collect and process personal data to protect legitimate interests in the situations referred to in the following:

- the processing of general queries with regard to our products and services;
- the check of the credit standing by employing credit agencies for the purpose of assessing the risk of default with business relationships;



- advertising or market research activities;
- video surveillance for the purpose of protecting our domiciliary rights at the company premises and/or the buildings;
- the assertion and the defence of legal claims in the event of legal disputes;
- ensuring a functioning IT system and IT security;
- measures concerning building and facility security (e.g. access controls); and
- measures concerning the improvement of our internal business processes and concerning product optimisation.

d.) within the context of a consent (sentence 1 of point (a) of Art. 6(1) GDPR)

In some situations, the processing of your personal data is not really necessary, which is why these processing activities require your consent. In these cases, we inform you about this fact and, in particular, about the voluntary nature of such consent and you having the right to revoke your consent at any time with effect for the future.

This is the case with

- certain data processing activities via our website (see our Privacy Policy on our website);
- certain advertising situations (existence of a consent to advertising activities if this is legally required).

4. Recipients of personal data

As a general rule, the company grants only those individuals/entities access to your personal data who/which need to have access to them to perform their professional tasks (“need-to-know principle”), that is, who/which require access to this data to fulfil a contractual or legal obligation. These recipients may also include any service providers and vicarious agents who act on behalf of the company and/or who are subject to an obligation to process any such data in a confidential manner.

In certain cases, we transfer your personal data to

- public authorities (such as tax offices) in the case of a legal obligation;
- other companies in the context of performing any contractual relationships, in the context of the balancing of interests and based on your consent. Depending on the business relationship or the order, this may include, without limitation, companies, logistics partners, marketing services providers, credit agencies, financial institutions, tax consultants or lawyers involved in the provisions of our services.

5. Is data transferred to a third country or an international organisation?

We transfer your personal data to other individuals/entities in countries outside the European Union (third country) to the extent this is required for executing the business relationship, to the extent this is provided for by the law or to the extent you granted your consent in this regard.

In certain situations, we employ or reserve the right to employ service providers who have their registered office either in a third country or who themselves employ service providers having their registered office in third countries.

The transfer of personal data to third parties is admissible in terms of Art. 45 GDPR in cases where the European Commission decided that the relevant third country provides for a sufficient level of data protection. In the event that the European Commission made no such decision, the transmission of personal data to third countries is admissible on the condition that the data controller provided for reasonable guarantees (such as the standard data protection clauses established by the European Commission) and that data subjects have enforceable rights and legally effective remedies (Art. 46 GDPR).

As a general rule, we only co-operate with individuals/entities in third countries which fulfil the criteria referred to above.

6. Storage Duration of the Data



We process and store your personal data for as long as this is required for the fulfilment of our contractual and legal obligations. To the extent the storage of personal data is no longer required to fulfil this obligation, this data will be immediately erased, unless statutory retention periods apply, such as applicable commercial and tax law retention periods based on the German Fiscal Code [*Abgabenordnung*] and the German Commercial Code [*Handelsgesetzbuch*] (6 or 10 years) and unless we must retain them as evidence in the context statutory periods of limitation.

7. Data Subject Rights

With regard to your personal data, you have the following rights towards us:

- right of Access
- right to rectification or erasure
- right to the restriction of processing;
- right of objection to the processing
- right to data portability.

You also have the right to submit complaints to data protection supervisory authorities concerning our processing of your personal data.

You also have the possibility of contacting the Data Protection Officer of the company (also on a confidential basis).

Should you have granted us your consent to data processing (sentence 1 of point (a) of Art. 6(1) GDPR), you can withdraw it at any time with effect for the future.

Insofar as we base the processing of your personal data on a balancing of interests (sentence 1 of point (f) of Art. 6(1) GDPR), you can submit an objection to its processing. When exerting such right to object, we ask you to explain the reasons why we should not process your personal data as we do. In the case where you make a justified objection, we will check the facts and either discontinue the data processing, and/or adjust it, or specify to you our compelling legitimate grounds, on the basis of which we shall continue the processing.

You may object to the processing of your personal data for the purposes of advertising at any time.

8. Obligation to provide data

In the context of contract execution or during the contract initiation phase, you will be obliged to provide such personal data which is required for fulfilling the contract or for performing any pre-contractual measures and the obligations related to this. Apart from the above, you must provide such personal data which we are obliged to collect on the basis of the law. Without this personal data being provided, we will be unable to conclude a contract with you or to fulfil existing ones.

In cases of data collection based on a consent on your part, you provide your personal data on a voluntary basis; you are under no obligation to do so. Should you decide not to grant your consent, this means that we will not be able to perform the tasks and or render the services for which data processing on the basis of your consent is required. You have the right to withdraw your consent even after to granted this at any time with effect for the future.

9. Do we use automated decision-making or profiling?

No.

