

Data protection notice in accordance with the EU General Data Protection Regulation for business partners and interested parties and their contacts



The information below provides an overview of how we process your personal data and of your rights arising from data protection legislation. The type of data processed in individual cases depends largely on the nature and scope of the existing business relationship.

Please also forward this information to the current and future authorised representatives and contacts in your company.

1. Who is responsible for processing your personal data and who can you contact?

The data controller is:

Carl Aug. Picard GmbH
 Haster Aue 9
 42857 Remscheid, Germany
 Tel.: +49 (0)2191-893-0

You can contact our **data protection officer** at the address and telephone number above and by e-mail at: datenschutzbeauftragter@capicard.de

2. What data do we use and how do we collect it?

In order to initiate and execute the business relationship, we process the following data categories in particular from our business partners and their contacts, which we have received directly from these or from other companies of the C.A.PICARD group to which the controller belongs, or from other third parties (e.g. Creditreform) in a permissible manner (e.g. for performance of contracts or based on consent that has been issued). On the other hand, we process data that we have obtained in a permissible manner from publicly accessible sources (e.g. commercial registers, press, Internet):

Interested parties	<ul style="list-style-type: none"> ▪ Personal/contact details (e.g. first name, surname, company, position, function, address, (mobile) telephone number, fax, e-mail) ▪ Communication data in conjunction with correspondence (e-mails, written correspondence) ▪ Communication data in conjunction with personal contacts (business cards)
Customers	<ul style="list-style-type: none"> ▪ Personal/contact details (e.g. first name, surname, company, (mobile) telephone number, fax, e-mail) ▪ Contractual and billing data (e.g. bank details, goods ordered, invoice data) ▪ Communication data in conjunction with correspondence (e-mails, written correspondence) ▪ Communication data in conjunction with personal contacts (business cards) ▪ Identification data (e.g. identity documents), authentication data (e.g. specimen signature), Creditreform score

Suppliers/ service providers	<ul style="list-style-type: none"> ▪ Personal/contact details (e.g. first name, surname, company, (mobile) telephone number, fax, e-mail) ▪ Contractual and billing data (e.g. bank details, goods ordered, invoice data) ▪ Communication data in conjunction with correspondence (e-mails, written correspondence) ▪ Communication data in conjunction with personal contacts (business cards) ▪ Identification data (e.g. identity documents), authentication data (e.g. specimen signature), Creditreform score
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3. For what purposes and on what legal basis is your data processed?

The purpose of our company is the manufacture and contract processing of metal products for all business sectors as well as the domestic and international trade in these products. Data is processed for the purposes of carrying out these activities and in compliance with the provisions of the EU General Data Protection Regulation (GDPR), the Federal Data Protection Act (BDSG) as well as all other relevant laws (e.g. German Commercial Code, Fiscal Code of Germany, etc.).

a. For the performance of a contract or of steps prior to entering into a contract (Art. 6 Par. 1b) of the GDPR

First and foremost, personal data is processed for the performance of contracts with our customers, suppliers and service providers. This also includes the performance of steps prior to entering into a contract, at the request of the business partner.

b. As part of a weighing of interests (Art. 6 Par. 1 f of the GDPR)

If required, we process your data for purposes that go beyond the actual performance of the contract. We do this in order to protect our legitimate interests or those of third parties.

Examples:

- Examining and optimising methods for analysing demand and for direct customer contact
- Visa applications to enable visits by interested parties, customers and/or suppliers/service providers that require visas
- Identification of payment recipients
- Asserting legal claims and defending ourselves in legal disputes
- Guaranteeing IT security and an effective IT operation
- Preventing criminal offences
- Measures aimed at ensuring building and plant security (e.g. access controls)
- Consulting and exchanging data with credit agencies (e.g. Creditreform) for the purpose of determining credit and default risks.

c. Due to consent (Art. 6 Par. 1 a) of the GDPR

Insofar as you have given us consent to process personal data for specific purposes (e.g. newsletter), the lawfulness of this processing is established on the basis of your consent. At any time, you may withdraw any such consent issued with future effect. This also applies to the withdrawal of declarations of consent that were issued to us before the GDPR came into force, that is, prior to 25th May 2018.

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Please note that the withdrawal of consent only applies to the future. Processing carried out before the withdrawal was issued is not affected.

d. Due to legal obligations (Art. 6 Par. 1 c) of the GDPR or in the public interest (Art. 6 Par. 1 e) of the GDPR)

We are also subject to various legal obligations, i.e., statutory requirements (e.g. tax regulations, customs regulations, occupational safety regulations). The purposes of processing include, among other things, compliance with control and notification obligations under tax law or occupational safety requirements.

4. Who receives your data?

Within our company, your data is provided to those offices that require it for the performance of our contractual and legal obligations and to comply with the above-mentioned purposes. Service providers and agents employed by us may also receive data for this purpose.

Data is only disclosed to recipients outside the company insofar as this is legally required or you have given us your consent.

All recipients are obligated to maintain data protection.

Subject to these prerequisites, the recipients of personal data can include:

- Public offices and institutions (e.g. tax authorities) if a legal or official obligation applies
- Processors to which we transfer personal data to enable us to execute the business relationship with you (e.g. support/maintenance of IT systems, data destruction, payment transactions, accounting, customs clearance)
- Those offices for which you consented to the transfer of data, where applicable
- Companies within C.A.PICARD International for the purposes of internal administration and control (e.g. export control) as well as internal communication.

Data is only transmitted to countries outside the EU or the EEA (third countries) insofar as this is necessary for the performance of the contract, is legally prescribed, you have given us your consent, or this takes place in the context of processing. If service providers in a third country are used, an appropriate data protection standard is guaranteed.

5. For how long is your data stored?

We process and store your personal data for as long as necessary in order to comply with the purposes mentioned under point 3 above. It should be noted in this context that our business relationships are usually established on a long-term basis.

If the data is no longer required for the performance of contractual or legal obligations, it must be deleted on a regular basis unless it is required to be further processed for a limited time for the following purposes:

Compliance with trading and taxation retention periods, e.g. according to the German Commercial Code or Fiscal Code of Germany. The periods specified therein are between 2 and 10 years.

Preservation of evidence as part of the statute of limitations (e.g. §§ 195ff. BGB, generally 3 years, but up to 30 years in certain cases).

6. What data protection rights do you have?

Every data subject has the right to **information** according to Art. 15 of the GDPR, the right to **correction** according to Art. 16 of the GDPR, the right to **erasure ('right to be forgotten')** according to Art. 17 of the GDPR, the right to **restriction of processing** according to Art. 18 of the GDPR, the right to **object** arising from Art. 21 of the GDPR as well as the right to **data portability** arising from Art. 20 of the GDPR. The right of access and the right to erasure are subject to the restrictions according to §§ 34 and 35 of the BDSG. In addition, there is a **right to lodge a complaint** with the responsible supervisory authority (Art. 77 of the GDPR in conjunction with § 19 of the Federal Data Protection Act (BDSG)).

You are entitled to withdraw at any time the consent you have given us to process personal data. This also applies to the withdrawal of declarations of consent issued to us before the GDPR came into force, that is, prior to 25th May 2018. Please note that the withdrawal of consent only applies to the future. Processing carried out before the withdrawal was issued is not affected.

7. Are you obliged to provide data?

Within the framework of a business relationship, you must provide the personal data that is required for the purposes of initiating and executing the business relationship and for complying with the associated contractual obligations or which we are legally obliged to collect.

8. Does automatic decision-making take place (including profiling)?

Automatic decision-making or profiling is not used.

Information about your right to object according to Art. 21 of the GDPR

1. Right to object in individual cases

For reasons that arise from your particular situation, you have the right to object at any time to the processing of your personal data due to Art. 6 Par. 1 f) of the GDPR (data processing based on the weighing of interests).

If you submit an objection, we will no longer process your personal data unless we can demonstrate reasons worthy of protection for such processing, which override your interests, rights and freedoms, or if processing serves the assertion, exercise or defence of legal claims.

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2. Right to object to the processing of data for advertising purposes

In individual cases, we process your personal data for direct marketing purposes. You have the right at any time to object to the processing of your personal data for the purposes of this type of advertising.

If you object to the processing for direct marketing purposes, we will no longer process your personal data for these purposes.

This objection may be submitted in any form and should, if possible, be addressed to the controllers listed under Point 1 above.