

## **DATA PRIVACY INFORMATION for Customers, Suppliers and other Business Partners and Service Providers**

**In accordance with Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)**

Data protection is important to us. Below we will explain how we process your data and the rights you are entitled to.

### **1. Party responsible for data processing**

Kunststofftechnik Schmid GmbH & Co. KG  
Schlattweg 16  
72178 Waldachtal  
Germany

Phone: +49 7486 97800-0

Fax: +49 7486 97800-17

Email: [info@kunststofftechnik-schmid.de](mailto:info@kunststofftechnik-schmid.de)

### **2. Data Protection Officer**

Oliver Vogt EDV-Beratung  
Hagenmoosstr. 22  
78112 St. Georgen  
Germany

Phone: +49 7725 9176302

Email: [dsb@vogt.it](mailto:dsb@vogt.it)

### **3. Processing purposes and legal basis**

We process your personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the Federal Data Protection Act (BDSG) and other relevant data protection regulations. The processing and use of the individual data depend on the agreed or requested service.

#### **3.1 Consent (Article 6 [1] lit. (a) GDPR)**

If you have provided your consent to the processing of personal data, the respective consent is the legal basis for the processing mentioned therein. You can revoke your consent for future processing at any time.

#### **3.2 Fulfilment of contractual obligations (Article 6 [1] lit. (b) GDPR)**

We process your personal data to carry out our contracts with you. Furthermore, your personal data is processed for the implementation of measures and activities in the context of pre-contractual relationships.

#### **3.3 Fulfilment of legal obligations (Article 6 [1] lit. (c) GDPR)**

We process your personal information when necessary to fulfil legal obligations (such as commercial and tax regulations).

When necessary, we also process your data to meet tax control and reporting obligations, archive data for purposes of data protection and data security and for its examination by tax and other authorities. In addition, the disclosure of personal data in the context of administrative/judicial actions may be required for purposes of gathering evidence, prosecuting or enforcing civil claims.

### **3.4 Our legitimate interests and those of third parties (Article 6 [1] lit. (f) of the GDPR)**

We may also use your personal data in a balance of our legitimate interests or those of third parties. This may occur for the following purposes:

- advertising or market research, in the case that you have not objected to the use of your data;
- obtaining data from and exchanging data with credit agencies, when this goes beyond our economic risk;
- the limited storage of your data, when deletion is not possible due to the special nature of the storage or only possible with a disproportionately high level of effort;
- the assertion of legal claims and defence in the case of legal disputes that are not directly attributable to the contractual relationship; and
- to ensure and exercise our domiciliary right through appropriate measures (such as video surveillance).

## **4. Categories of personal data we process**

We process the following data:

- personal data (first and last name, profession /industry and comparable data)
- contact information (home and email addresses, telephone number and comparable data)
- bank details
- customer and supplier history

When required to provide our service, we will process personal data that we have lawfully obtained from third parties (such as address sales companies, credit bureaus).

## **5. Who receives this data?**

We disclose your personal data within our company to the areas that need this information to fulfil their contractual and legal obligations or to realise our legitimate interests.

In addition, the following persons/bodies may receive your data:

- contract processors employed by us (Article 28 of the GDPR), service providers for supporting activities and other responsible persons as defined by the GDPR, particularly in the areas of IT services, logistics, courier services, printing services, external data centres, support / maintenance of IT applications, archiving, document processing, accounting and controlling, data destruction, purchasing /procurement, customer administration, letter shops, marketing, telephony, website management, tax consulting, auditing services and credit institutions
- public bodies and institutions in the presence of a legal or regulatory obligation under which we are obliged to provide information, notification or disclosure of data or when the transmission of data is in the public interest

- offices and institutions based on our legitimate interest or the legitimate interests of a third party (e.g. government agencies, credit agencies, debt collection agencies, lawyers, courts, appraisers and supervisory bodies)
- other bodies for which you have consented to the transmission of data

## **6. Submission of your data to a third country or an international organisation**

Data processing outside the EU or the EEA does not take place.

## **7. How long do we store your data?**

If necessary, we process your personal data for the duration of our business relationship, including the initiation and execution of contracts.

In addition, we are subject to various storage and documentation requirements contained in the Germany Commercial Code (HGB) and the German Tax Code (AO), among others. The time periods for storage and documentation specified there are up to ten years after the end of the business relationship or the pre-contractual legal relationship.

Ultimately, the storage period is also judged according to the statutory limitation periods, which pursuant to Sections 195 ff. of the German Civil Code (BGB) may generally be three years and, in some cases, up to thirty years.

## **8. To what extent is there automated decision-making in individual cases (including profiling)?**

We do not use purely automated decision-making procedures under Article 22 GDPR. If we use these procedures in individual cases, we will inform you about this separately, when this is required by law.

## **9. Your data privacy rights**

You have the right to information under Article 15 GDPR, the right to rectification under Article 16 GDPR, the right of deletion under Article 17 GDPR, the right of restriction of processing under Article 18 GDPR and the right of data portability under Article 20 GDPR. In addition, there is a right of appeal to a data protection supervisory authority (Article 77 GDPR). In general, you have the right to object to our processing of your personal data under Article 21 GDPR. This right to object, however, only applies when your personal situation has very special circumstances, whereby our domiciliary rights may come in conflict with your right to object. If you wish to claim any of these rights, please contact our Data Protection Officer at [dsb@vogt.it](mailto:dsb@vogt.it).

## **10. Scope of your duty to provide us with your information**

You are required to provide only the data necessary to enter into or carry on a business relationship or pre-contractual relationship with us, or that we are required to collect by law. As a rule, without this data, we will not be able to conclude or execute the contract. This may also apply to data required later in the business relationship. To the extent, we request data from you beyond this; you will be made aware of the voluntary nature of the information separately.

## **11. Information about your right to revoke under Article 21 GDPR**

You have the right at any time to object to the processing of your data that occurs on the basis of Article 6 (1) lit. (f) GDPR (data processing based on a balance of interests) or Article 6 (1) lit. (e) GDPR

(data processing in the public interest) if there are reasons for this that result from your particular situation. This also applies to profiling based on this provision as defined by Article 4 no. 4 GDPR.

If you object, we will no longer process your personal information unless we can demonstrate compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing is for the purpose of enforcing, pursuing or defending legal claims.

The objection can be made informally to the address listed under Point 1.

#### **12. Your right of appeal to the designated supervisory authority**

You have the right to appeal to the data protection supervisory authority (Article 77 GDPR). Our designated supervisory is:

The State Commissioner for Data Protection  
Königstraße 10A  
70173 Stuttgart  
Germany