

Data protection information for suppliers and service providers

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

Holder GmbH Oberflächentechnik
Maria-Merian-Straße 1
73230 Kirchheim/Teck, Germany

CEO: Jochen Holder

Phone : +49 (0) 7021 / 57 04-0

E-Mail: info@holder-oft.de

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

The nominated DPO of our company will be available to you answering any question regarding data processing of your personal data.

Bernd Knecht
Rotdornweg 7
73230 Kirchheim/Teck, Germany

Phone : +49 (0) 7021 / 487 628

E-Mail : datenschutzbeauftragter@holder-oft.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. The way we process and use individual data depends on the services we have agreed or been requested to provide. 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)

If 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 perform the contracts we have entered into with you, in particular as part of processing enquiries, orders and service use. We also process your personal data in order to implement and perform pre-contractual measures and activities.

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 (e.g. commercial law, tax laws).

Where relevant, we also process your data for compliance with tax-related monitoring and reporting obligations, store data for data protection and security purposes, and for inspection by tax and other authorities. We may furthermore be required to disclose personal data as part of regulatory / judicial measures for the purpose of taking evidence, persecution or enforcement of civil law claims.

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 purposes, provided you have consented to such use of your data
- For obtaining information and exchanging data with credit agencies if a contract involves significant economic risk
- For storing limited amount of your data if it is not possible to delete this data because of the particular way it has been stored or if deleting it (e.g. from an email archive) would require disproportionate expense
- For enforcing legal claims and as evidence in legal disputes that are not directly related to our contractual relationship with you.
- For to ensure and exercise our property rights through appropriate measures (e.g. visitors' list).

4. Categories of personal data we process

We process the following data:

- Personal details (name, job title/position in company/sector and similar information)
- Contact details (address, email address, telephone number and similar information)
- Payment/cover note where payment is made by debit or credit card
- Supplier history

We also process personal data from public sources (e.g. the internet, media, press, commercial register, register of associations and population register).

Where necessary in order to provide our services, we also process personal data legally obtained from third parties (e.g. address publishers, credit agencies).

5. Who will get to see your data?

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

In addition to those, your information may also be passed on to the following:

- The processor employed by us (Art. 28 GDPR), service providers who provide associated services and other persons responsible in the meaning of the GDPR, in particular in the areas of IT services, logistics, courier services, printing services, external data processing centers, IT application support/maintenance, archiving, document processing, accounting and controlling, data destruction, purchasing/procurement, customer management, mailing services, marketing, telephony, website management, tax accountancy, auditing services, credit institutions
- Public authorities and institutions if there is a legal or official requirement to provide, report or pass on information or if it is in the public's interest to disclose information
- Bodies and institutions on the basis of our or a third party's legitimate interest (e.g. authorities, credit agencies, debt collection agencies, lawyers, courts, experts and supervisory bodies)
- Other bodies that you have authorized us to provide with your data

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

Your personal data will not be processed outside of the European Union (EU) respectively of the European Economic Area (EEA)

7. How long we'll keep your information

Where required, we process personal data for the duration of our business relationship, which includes the period from initial contact to the performance of a contract.

We also have to comply with various retention and documentation obligations such as those arising from the Commercial (HGB) and Tax Code (AO). Under these codes, data and documentation has to be retained for a period of up to 10 years after the termination of the business or pre-contractual legal relationship.

However, retention periods are ultimately also determined by the statutes of limitation, which are generally 3 years, but can be as long as 30 years in some cases, such as under Sections 195 ff. of the Civil Code (BGB), for example.

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

You have the right to ask us for information (Art. 15 GDPR) the right of rectification and completion of data (Art. 16 GDPR), the right of Erasure (Art. 17 GDPR), the right to restriction of processing (Art. 18 GDPR) as well as the right of data portability (Art. 20 GDPR).

In addition, there is a right of appeal to a data protection supervisory authority (Art. 77 GDPR). According to Article 21 GDPR you have the right to object against processing your personal data by us. This right to object depends on grounds relating to your particular situation, whereby rights of our entity may stand against.

You can exercise your rights contacting the entity responsible for processing or the DPO (details you can find in chapter 1. and 2.).

10. Scope of the data you are required to provide

You are only required to provide us with the data that we need to establish and perform a business relationship or for a pre-contractual relationship or that we are legally required to collect. Without these data, we are generally unable to enter into or perform a contract. This can include data that we may require at a later stage of our 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. Information about your right to object to the processing of personal data

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning yourself which is based on Art. 6 para. 1 (1e) GDPR (performance of a task carried out in the public interest or in the exercise of official authority) or Art. 6 para. 1 (1f) GDPR (legitimate interest pursued by the controller or a third party). This includes profiling based on the provisions of Art. 4 para. 4 GDPR.

If you exercise your right to object, we will no longer process your personal data unless we are able to provide compelling and legitimate reasons for the processing that override your interests, rights and freedoms or if the data is being processed for the establishment, exercise or defense of legal claims.

You can exercise your right to object by telephone, email, fax or by sending us an informal letter to our company's postal address as specified at the beginning of this data policy.

12. 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

E-Mail: poststelle@lfdi.bwl.de

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