

## Privacy Notices

### **Our Handling of Your Data and Your Rights / Information acc. to Art. 13, 14 and 21 General Data Protection Regulation - GDPR**

This is to inform you about our processing of your personal data and your entitlements and rights pursuant to the regulations under data protection law.

The specific type of data processed and the manner of its use essentially depend on the services requested by or agreed with you in each case.

### Who controls data processing and who can I contact?

The controller is:

Berzelius Metall GmbH (hereinafter: BMB)  
Executive Management  
Emser Str. 11  
D-56338 Braubach  
Phone: +49 2627-983-0  
info@berzelius.de

You can contact our data protection officer at:

EHS-Datentechnik  
Data Protection Officer  
Uhlendahlweg 24  
D-45279 Essen  
g.staffler@ehs-datentechnik.de

### What sources and data do we use?

We process personal data we obtain from you in the course of our business relationship. Moreover, where necessary for the provisioning of our service, we process personal data permissibly obtained from other companies or other third parties (e.g. to execute orders, to perform contracts or based on a consent granted by you). In addition, we process personal data permissibly obtained from publicly accessible sources that we are permitted to process.

Relevant personal data includes particulars (name, address and other contact data, function).

Furthermore, this may also include order data, data from the fulfilment of our contractual obligations, product data, advertising and sales data, documentation data, data on your use of our offered telemedia (e.g. time of access of our websites, apply or newsletters, visited sites of us or entries) and other data comparable with the aforementioned categories.

## For what purposes do we process your data (purpose of processing) and on what legal basis?

We process personal data in line with the provisions of the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG).

To fulfil contractual obligations (point (b) of Art. 6(1) GDPR)

Personal data (Art. 4(2) GDPR) is processed to render and mediate transactions, especially to perform our contracts or measures prior to entering into a contract with you and to execute your orders as well as for all activities required to ensure operation and management (e.g. training measures).

In the first place, the data processing purposes are governed by the specific order.

Within the context of the balancing of interests (point (f) of Art. 6(1) GDPR)

Where necessary, we process your data beyond the actual performance of the contract to safeguard our or third parties' legitimate interests.

Examples:

- examination and optimisation of processes for needs analysis and direct customer approach;
- advertising or market and opinion research, unless you objected to the use of your data;
- establishment of legal claims and defence in case of legal disputes;
- prevention and solving of crimes;
- measures for building and facility security (e.g. entry controls);
- measures to ensure the domiciliary right;
- measures for business management and further development of services and products.

## Based on your consent (point (a) of Art. 6(1) GDPR)

Where you have given us a consent to the processing of personal data for specific purposes, the lawfulness of such processing is given based on your consent. Any consent given may be withdrawn at any time.

Please note that the withdrawal will be effective only for the future. This does not affect any processing prior to the withdrawal.

### Who receives my data?

Within our company, your data is provided to any bodies that require it to fulfil our contractual and legal obligations. Processors engaged by us (Art. 28 GDPR) may also receive data for such purposes. This includes companies from the following categories: IT services, logistics, printing services, telecommunications, debt collection, counselling and consulting as well as distribution and marketing.

Regarding data dissemination to recipients outside our company, we may disseminate information about you only where this is required by statutory provisions, you have given your consent or we are authorised to provide information.

### How long will my data be retained?

Where necessary, we process and retain your personal data for the duration of our business relationship, including the initiation and implementation of a contract, for example. In this context, it must be noted that our business relationship may also be a continuing obligation set up for years and usually indefinite.

Moreover, we are subject to various retention and documentation obligations resulting, inter alia, from the German Commercial Code (HGB) and the Fiscal Code of Germany (AO). The retention or documentation periods stipulated there are between two and ten years.

Finally, the retention period is also determined by the statutory limitation periods which, for example acc. to Sections 195 et seqq. BGB (German Civil Code), are generally three years, but may also be up to thirty years in some cases.

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

Data is transferred to third countries (states outside the European Economic Area - EEC) only where this is necessary to execute your orders, is prescribed by law or you have given us your consent.

### What additional data protection rights do I have?

Every data subject has a right of access acc. to Art. 15 GDPR, a right to rectification acc. to Art. 16 GDPR, a right to erasure acc. to Art. 17 GDPR, a right to restriction of processing acc. to Art. 18 GDPR and a right to data portability from Art. 20 GDPR. The rights of access and erasure are governed by the restrictions acc. to Sections 34 and 35 BDSG.

Moreover, there is a right to lodge a complaint with the NRW State Commissioner for Data Protection and Freedom of Information (Art. 77 GDPR i. c. w. Section 19 BDSG).

### Do I have an obligation to provide data?

Within the framework of our business relationship, you are only required to provide such personal data as is required to establish, implement and terminate a contract or measures prior to entering into a contract or which we are legally obligated to collect. Without such data, we will generally have to decline the conclusion of the contract or the execution of the order or will no longer be able to implement and may be required to terminate an existing contract.

### To what extent is automated individual decision-making in place?

We do not use any automated decision-making pursuant to Art. 22 GDPR.

### To what extent is my data used for profiling (scoring)?

We do not process your data automatically for profiling.

## Information on Your Right to Object acc. to Art. 21 General Data Protection Regulation (GDPR)

### 1.1 Right to Object on a Case-by-Case Basis

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on point (f) of Article 6(1) GDPR (data processing based on a balancing of interests).

If you exercise your right to object, we will no longer process your personal data, unless we are able to demonstrate compelling legitimate grounds for processing which override your interests, rights and freedoms, or if processing serves the establishment, exercise or defence of legal claims.

### 1.2 Right to Object Against Data Processing for Direct Marketing Purposes

In individual cases, we process your personal data for direct marketing purposes. You have the right to object at any time to processing of personal data concerning you for such marketing purposes. Where you object to processing for direct marketing purposes, we will no longer process your personal data for such purposes.

The objection is not subject to a specific form and should be sent, where possible, to:

Berzelius Metall GmbH  
Executive Management  
Emser Str. 11  
D-56338 Braubach  
Phone: +49 2627-983-0  
info@Berzelius.de