

Data protection information for processing customer/supplier data

1 General

WERMA Signaltechnik GmbH + Co. KG (hereinafter referred to as WERMA) takes the protection of your personal data very seriously. Your privacy is important to us. We process your personal data in accordance with the applicable legal data protection requirements for the purposes listed below. For the purposes of this data protection information, personal data refers to all information relating to you.

The following explains how we handle this data. For a better overview, we have divided our data protection information into chapters.

The party responsible for data processing is

WERMA Signaltechnik GmbH + Co. KG
Dürbheimer Str. 15
78604 Rietheim – Weilheim, Germany
Tel.: +49 (0)7424 9557 0
Fax: +49 (0)7424 9557 44
Email address: info@werma.com

If you have any questions or comments regarding data protection (for example, on viewing and updating your personal data), you can also contact our data protection officer.

Deutsche Datenschutzkanzlei - Maximilian Musch
Richard-Wagner-Strasse 2
88094 Oberteuringen, Germany
Email: musch@ddsk.de

2 Processing framework

2.1 Source and origin of acquired data

We process personal data that we have collected directly from you.

Insofar as this is necessary for the provision of our services, we process personal data received from other companies or other third parties (e.g. credit agencies, address publishers) in a permissible manner. We also process personal data that we have lawfully extracted, received or acquired from publicly accessible sources (such as telephone directories, trade and association registers, civil registers, debtor directories, land registers, press, Internet and other media) and that we are permitted to process.

2.2 Data categories

Relevant personal data categories may include, in particular:

- Personal data (name, date of birth, place of birth, nationality, marital status, occupation/industry and comparable data)
- Contact details (address, email address, telephone number and comparable data)
- Payment/cover confirmation for bank and credit cards, customer history
- Data about your use of the telemedia we offer (e.g. time of accessing our websites, apps or newsletters, viewed company pages/links or entries and comparable data)
- Video and image recordings (supply and storage area)
- Credit rating data

2.3 Purposes and legal grounds of data processing

We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the new version of the German Federal Data Protection Act (BDSG-Neu) and other applicable data protection regulations (details below). The specific data that is processed and how it is used depends largely on the services requested or agreed. Further details or additions to the purposes of data processing can be found in the respective contract documents, forms, a declaration of consent and/or other information provided to you (e.g. when using our website or our terms and conditions).

Processing for the purposes of fulfilling contracts or pre-contractual measures (Art. 6 Para. 1 b GDPR)

We process personal data in order to implement our contracts with you, fulfil your orders and perform measures and activities as part of pre-contractual relationships, e.g. with interested parties. Essentially, this includes: contract-related communication with you, the corresponding billing and associated payment transactions, the verifiability of orders and other agreements, quality control through corresponding documentation, goodwill procedures, measures for managing and optimising business processes, fulfilment of general due diligence obligations, management and control by affiliated companies; statistical evaluations for corporate management, cost recording and controlling, reporting, internal and external communications, emergency management, billing and tax assessment of operational services, risk management, assertion of legal claims and defence in the event of legal disputes, guaranteeing IT security (including system tests or plausibility tests) and general security; enforcing and exercising domestic authority (e.g. through access controls); guaranteeing the integrity, authenticity and availability of data and the prevention and investigation of criminal offences by monitoring bodies or supervisory bodies (e.g. auditing).

Processing for purposes within the scope of a legitimate interest of ourselves or third parties (Art. 6 Para. 1 f GDPR)

In addition to the actual fulfilment of the contract or preliminary contract, we may process your data to safeguard the legitimate interests of ourselves or third parties if necessary. This applies, in particular, to the purposes of

- Advertising or market and opinion research if you have not objected to the use of your data
- The review and optimization of needs assessment procedures
- The further development of services and products as well as existing systems and processes
- Enriching our data, including by using or researching publicly available data
- Asserting legal claims and defence in legal disputes that are not directly attributable to the contractual relationship
- The limited storage of data if deletion is not possible or is only possible with disproportionate effort due to the particular type of storage
- The prevention and investigation of criminal offences, unless exclusively for the purpose of complying with legal requirements
- Building and system security (e.g. through access control) if this goes beyond the general due diligence obligations
- Enforcing and exercising domestic authority through appropriate measures (such as video surveillance) and securing evidence in the event of or for the prevention of criminal offences.

Processing for purposes within the scope of your consent (Art. 6 Para. 1 a GDPR)

Your personal data may also be processed for certain purposes (e.g. use of your email address for marketing purposes) on the basis of your consent. As a rule, you can revoke your consent at any time. This also applies to the revocation of declarations of consent that were issued to us before the GDPR came into force, i.e. before 25 May 2018. You will be informed separately about the purposes and consequences of revoking or refusing to grant your consent in the corresponding consent text. In principle, revoking consent is only effective for the future. Processing that took place before the consent was withdrawn is not affected by this and remains lawful.

Processing for the purpose of fulfilling legal requirements (Article 6 Para. 1 c GDPR) or in the public interest (Article 6 Para. 1 e GDPR)

As every participant in the economic process, we are also subject to a variety of legal obligations. These are primarily legal requirements (e.g. commercial and tax laws), but can also include regulatory or other official requirements. The purposes of processing may include fulfilling tax control and reporting obligations, archiving data for the purposes of data protection and data security and auditing by tax authorities and other authorities. In addition, it may be necessary to disclose personal data as part of official/judicial measures for the purposes of gathering evidence, criminal prosecution or enforcing civil claims.

Extent of your obligations to provide us with data

You only need to provide us with the data that is required for entering into and executing a business relationship or a pre-contractual relationship with us or such data as we are legally obliged to collect. Without this data, we will generally not be able to conclude or execute the contract. This may also apply to data that is required later on in the course of the business relationship. If we request additional data from you, you will be informed separately of the voluntary nature of the information.

Automated decision-making in individual cases (including profiling)

We do not use purely automated decision-making processes in accordance with Article 22 GDPR. If we should use such a procedure in future in individual cases, we will inform you of this separately, if this is required by law.

2.4 Consequences of failing to provide data

As part of the business relationship, you must provide the personal data required for the establishment, execution and termination of the legal transaction and the fulfilment of the associated contractual obligations or such data as we are legally obliged to collect. Without this data, we will not be able to carry out the legal transaction with you.

2.5 Recipients of data within the EU

Within our company, those internal departments or organisational units that require your data to fulfil our contractual and legal obligations or to process and implement our legitimate interest will receive your data.

Your data will only be passed on to external parties

- In connection with the execution of the contract
- For the purposes of fulfilling legal requirements stipulating that we are obliged to provide, report or pass on data or if the transfer of data is in the public interest (see point 2.4)
- If external service provider companies process data on our behalf as processors or function providers (e.g. data centres, support/maintenance of IT applications, archiving, document processing, call centre services, compliance services, controlling, data validation or plausibility checks, data destruction, purchasing/procurement, customer administration, mail handling services, marketing, media technology, research, risk controlling, billing, telecommunications, website management, auditing services, credit institutions, printers or companies providing data disposal services, courier services or logistics services)
- On the basis of our legitimate interest or the legitimate interest of a third party for the purposes mentioned (e.g. transfer to authorities, credit agencies, collection agencies, lawyers, courts, consultants, subsidiaries, bodies and supervisory bodies)
- If you have given us your consent to transfer your data to third parties.

Beyond the instances listed here, we will not pass on your data to third parties. If we commission service providers with order processing, your data will be subject to the same security standards within the external company as within our own. In other cases, recipients will only be permitted to use the data for the purpose for it was transferred.

2.6 Recipients of data outside the EU

Data will not be transferred to entities outside the European Union (EU) or the European Economic Area (EEA) (known as third countries).

2.7 Retention periods

We will process and store your data for the duration of our business relationship. This also includes the initiation of a contract (pre-contractual legal relationship) and the processing of a contract.

We are also subject to various retention and documentation obligations arising from the German Commercial Code (HGB) and the German Fiscal Code (AO), among other things. The retention and documentation periods stipulated therein are up to ten years after the end of the business relationship and/or the pre-contractual legal relationship.

In addition, special statutory provisions may require a longer retention period, such as the preservation of evidence stipulated by the statute of limitations. Pursuant to Articles 195 et seq. of the German Civil Code (BGB), the regular limitation period is three years; however, limitation periods of up to 30 years may also apply.

The data is regularly deleted if it is no longer required for the fulfilment of contractual or legal obligations and rights unless it is required for (temporary) further processing to fulfil the purpose of an overriding legitimate interest. An overriding legitimate interest of this type is also considered to exist if, for example, deletion is not possible or is only possible with disproportionate effort due to the special type of storage and if processing for other purposes is ruled out by suitable technical and organisational measures.

2.8 Your rights

Under certain conditions, you can assert your data protection rights against us:

- For example, you have the right to receive information from us concerning the data about you that we store in accordance with the rules of Article 15 GDPR (where necessary, with restrictions as stipulated by Article 34 BDSG-Neu).
- At your request, we will correct the stored data concerning you in accordance with Article 16 GDPR if it is inaccurate or incorrect.
- If you so wish, we will delete your data in accordance with the principles of Article 17 GDPR unless this is contradicted by other legal regulations (e.g. statutory retention obligations or restrictions in accordance with Article 35 BDSG-Neu) or an overriding interest on our part (e.g. to defend our rights and claims).
- Taking into account the requirements of Article 18 GDPR, you can request that we restrict the processing of your data.
- Furthermore, you can object to the processing of your data in accordance with Article 21 GDPR on the basis of which we must terminate the processing of your data. However, this right of objection only applies in very special circumstances of your personal situation and our company's rights may conflict with your right of objection.
- You also have the right to receive your data or to transmit it to a third party in a structured, commonly used and machine-readable format under the conditions set out in Article 20 GDPR.
- Furthermore, you have the right to withdraw your consent to the processing of personal data at any time with future effect (see point 2.3).

- You also have the right to lodge a complaint with a data protection supervisory authority (Art. 77 GDPR). However, we recommend that you always address complaints to our data protection officer first.
- If possible, your requests to exercise your rights should be addressed in writing or by email to the above address or directly in writing or by email to our data protection officer.

Special reference to your right of objection as stipulated by Article 21 GDPR

You have the right to object at any time to the processing of your data performed in accordance with Article 6 Para. 1 f GDPR (data processing on the basis of a balance of interests) or Article 6 Para. 1 e GDPR (data processing in the public interest) if there are reasons for your objection arising from your particular situation.

This also applies to profiling based on this provision as set out in Article 4 No. 4 GDPR. If you object, we will no longer process your personal data unless we can demonstrate compelling and legitimate grounds for processing your data that override your interests, rights and freedoms, or if processing is necessary to assert, exercise or defend legal claims.

We may also process your personal data for direct marketing purposes. If you do not wish to receive any advertising, you have the right to object to this at any time; this also applies to profiling if it is connected with such direct marketing. We will take this objection into account for the future. We will no longer process your data for direct marketing purposes if you object to processing for these purposes.

The objection can be made informally and should, if possible, be addressed to

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Email address: info@werma.com

You also have the option of contacting the data protection officer named above or a data protection supervisory authority with a complaint.

The Landesbeauftragte für den Datenschutz und die Informationsfreiheit Baden-Württemberg (Baden-Württemberg state commissioner for data protection and freedom of information)
P.O. Box 10 29 32, 70025 Stuttgart, Germany
Königstrasse 10a, 70173 Stuttgart, Germany