

## **Information on the use and handling of your data and your rights under Art. 13 of the EU General Data Protection Regulation**

With these notes we inform you about how we process your personal data and about your rights under data protection provisions. Which specific data is processed and in which manner it is used basically depends on the services provided and agreed.

### **The company responsible for the data processing - the commissioner -; whom can I contact?**

#### **Commissioner for the purposes of data processing:**

NIVUS GmbH  
Im Täle 2  
75031 Eppingen  
Germany

You reach our **data protection commissioner**: [datenschutz@emetz.de](mailto:datenschutz@emetz.de)

### **Why we process your data (purposes of the processing) and on which legal basis do we do this?**

We process personal data in observance of the EU General Data Protection Regulation (GDPR) and also all further relevant statutes.

#### 1) For the performance of contractual duties (Art. 6 (1) (b) GDPR)

The processing of personal data (Art. 4, no. 2 GDPR) is carried out e.g. for the purpose of

- performance of pre-contractual measures or the negotiation of a contract,
- preparation of offers,
- handling of orders,
- provision of services,
- delivery of goods,
- invoicing,
- performance of customer/product training,
- management of key supplier data,
- approvals management.

The purposes of the processing in this connection primarily depend on the service to be provided by us.

#### 2) Within the scope of balancing the respective interests (Art. 6 (1) (f) GDPR)

In so far as necessary, we also process your data in order to protect our legitimate interests or the legitimate interests of third parties. This may, for example, be the case:

- to ensure IT security and IT operations, including tests,
- for prevention and investigation of criminal offences

- for statistical purposes
- for determination of creditworthiness with credit bureaus

### 3) By reason of your consent (Art. 6 (1) (a) GDPR, Art. 9 (2) (a) in combination with Art. 7 GDPR)

Where you have given your consent to the processing of personal data for specified purposes (e.g. advertising), the lawfulness of this processing derives from your consent. Any consent given may be withdrawn at any time. It should be noted that the withdrawal has effect for the future. Any processing performed prior to this withdrawal remains unaffected hereby.

### 4) Processing on the basis of statutory provisions (Art. 6 (1) (c) GDPR)

It can happen that we process your personal data in order to comply with legal obligations. This includes e.g. retention periods under commercial and tax law provisions and also, where appropriate, the provision of information to authorities in statistical form on the basis of anonymised data.

## To whom is the data forwarded? (Categories of recipients):

Data processing in the corporate group:

In our corporate group we have bundled certain data processing operations. These are undertaken centrally for all business divisions by a specialised company. In this respect, your data is processed by an affiliated company, for instance for telephone customer care (e.g. quality management), invoicing or for the provision of IT services.

External contractors and service providers (processors):

For the performance of our tasks and the execution of the contract, we use, in some cases, external contractors and service providers. These include e.g. document shredding companies, printing service providers, logistics, IT service providers.

Further recipients:

In addition to the foregoing, data may be passed to recipients to whom we are obliged to forward data on the basis of legal obligations (e.g. law enforcement authorities, courts).

## Duration of the data storage:

In so far as necessary, we process and store your personal data for the period of our business relationship. This also comprises the negotiation and execution of a contract/order. In addition, we are bound by various duties of retention which, inter alia, derive from the German Commercial Code. Finally, the storage period also derives from further statutory periods of limitation which, as a rule, amount to 3 years, but may also last for up to 30 years.

## Transfer of data to third countries:

Should we transfer personal data to service providers outside the European Economic Area (EEA), the transfer is only made in so far as the EU Commission has confirmed that an adequate level of data protection exists in regard to the respective third country or other appropriate data protection safeguards are in place (e.g. binding corporate data protection rules, EU standard contractual clauses or EU-US privacy shield).

## Rights of the data subject:

You may demand information about the personal data stored in regard to yourself using the contact details specified above (Art. 15 GDPR). In addition, you may, subject to certain conditions, demand the rectification or

erasure of your data (Arts. 16 and 17 GDPR). You have the right to demand that the processing of your personal data be restricted (Art. 18 GDPR). Furthermore, you have the right to receive the data provided by you in a structured, commonly used and machine-readable format (Art. 20 GDPR).

### **Am I under a duty to provide data?**

Within the scope of the initiation of a business transaction or business relationship with us, you only need, as a general rule, to provide the data which we require for the corresponding establishment, performance or termination of this relationship. Without the provision of the necessary data, it is possible that we will reject the establishment of a business relationship or be unable to perform the same or even have to terminate any such relationship.

### **Right of complaint:**

You have the possibility of applying to a data protection supervisory authority with a complaint. The data protection supervisory authority competent for us is:

Der Landesbeauftragte für den Datenschutz und die Informationsfreiheit  
Baden-Württemberg  
Königstraße 10a, 70173 Stuttgart  
Telephone: +49 7 11/61 55 41 - 0 Telefax: +49 7 11/61 55 41 - 15  
E-Mail: [poststelle@lfd.bwl.de](mailto:poststelle@lfd.bwl.de)

### **Right to object to direct marketing:**

**You have the right to object to any processing of your personal data for purposes of direct marketing. Where we process your data to protect legitimate interests, you may object to such processing if grounds exist relating to your particular situation which are incompatible with the data processing.**