

INFORMATION ABOUT THE PROCESSING OF CUSTOMER/SUPPLIER DATA

1. General

WEISS GmbH processes, inter alia, data from customers and suppliers for the purposes outlined below. Personal data within the scope of this privacy policy includes all information that refers to you as a person. In so doing, the company observes the respective applicable legal privacy requirements. In the following sections, you can read how we handle this data.

The controller is WEISS GmbH Siemensstraße 17

74722 Buchen, Germany

Phone: + 49 6281 5208 - 0

E-mail address: info@weiss-gmbh.de

If you have questions or comments about privacy (for example, information about or updating your personal data), you can also contact our data protection officer.

WEISS GmbH

Data protection officer

Siemensstraße 17

74722 Buchen, Germany

datenschutz@weiss-gmbh.de

2. Scope of processing

2.1 SOURCE AND ORIGIN OF DATA COLLECTION

We process data that we have collected directly from you.

We also process personal data that we have lawfully collected, received or acquired from publicly accessible sources (such as telephone directories, commercial and association registers, civil registers, records of debtors, land registers, the press, Internet and other media) and are permitted to process.

2.2 DATA CATEGORIES

Relevant personal data categories can be in particular:

- Personal data (name, date of birth, place of birth, nationality, marital status, job/industry and similar data)
- Contact details (address, e-mail address, telephone number and similar data)
- Payment/cover confirmation with bank and credit card customer history
- Data about your use of the teledata provided by us (e.g. time at which you access our websites, apps or newsletter, pages/links belonging to us that you click as well as entries and similar data)
- Video and image recordings
- Energy consumption, payment amounts
- Creditworthiness data
- Heating and lighting control data
- Usage data of the customer card

2.3 PURPOSES AND LEGAL GROUNDS FOR PROCESSING DATA

We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the Federal Data Protection Act (new) and other applicable data protection regulations (see below for details). What particular types of data are processed and in what way it is used depends largely on the respective services requested or agreed. For further details of or amendments to the purposes of data processing, you can refer to the respective contract documents, forms, a declaration of consent and/or other information provided to you (e.g. within the framework of the use of our website or our general terms of business).

Purposes for the performance of a contract or of steps prior to entering into a contract (Art. 6 Par. 1 b of the GDPR)

We process personal data to enable us to perform our contracts with you and to complete your orders as well as to carry out measures and activities within the framework of precontractual relationships, e.g., with interested parties. This primarily includes: contract-related communication with you, the relevant billing and associated payment transactions, the traceability of orders and other agreements as well as quality control by means of appropriate documentation, goodwill procedures, measures to control and optimise business processes as well as for the fulfilment of general duties of care, control and supervision by affiliated companies; statistical evaluations for corporate management, cost recording and controlling, reporting, internal and external communication, emergency management, accounting and tax assessment of operational services, risk management, assertion of legal claims and defence in the event of legal disputes; ensuring IT security (inter alia, system and plausibility tests) and general security, securing and exercising domestic authority (e. g. by means of access controls); guaranteeing the integrity, authenticity and availability of data, preventing and investigating criminal offences as well as control by supervisory bodies or supervisory authorities (e.g. auditing).

Purposes within the framework of a legitimate interest on our part or of third parties (Art. 6 Par. 1 (f) of the GDPR)

In addition to the actual performance of the contract or preliminary contract, we may process your data if necessary, to protect our legitimate interests or those of third parties, especially for the following purposes

- advertising or market and opinion research, insofar as you have not objected to the use of your data;
- evaluating and optimising methods for analysing demand;
- execution of lotteries or for the distribution of prizes.
- further developing services and products as well as existing systems and processes;
- expanding our data, inter alia, by using or researching publicly accessible data sources;
- carrying out statistical evaluations or market analysis; benchmarking;
- asserting legal claims and defending ourselves in legal disputes not directly associated with the contractual relationship;
- restricting the storage of data if deletion is either impossible or only possible at a disproportionately high cost due to the particular nature of the storage;
- developing scoring systems or automated decision-making processes;
- preventing and investigating criminal offences, insofar as this is not exclusively in order to fulfil legal requirements;
- building and plant security (e.g. by means of access controls), insofar as this exceeds the general duties of care;
- internal and external investigations as well as safety reviews;
- any monitoring or recording of telephone conversations for quality control and training purposes;
- receiving and maintaining certifications of a private-law or official government nature;
- ensuring and exercising domestic authority using appropriate measures (such as video surveillance) as well as for securing evidence in the event of criminal offences and their prevention.

Purposes within the framework of your consent (Art. 6 Par. 1 (a) of the GDPR)

Your personal data may also be processed for specific purposes (e.g. using your e-mail address for marketing purposes) as a result of your consent. As a rule, you can withdraw this consent at any time. This also applies to the withdrawal of declarations of consent that were issued to us before the GDPR came into force, that is, prior to 25th May 2018. You will be separately informed about the purposes and consequences of withdrawal or refusal to provide consent in the respective text of the consent. Generally speaking, the withdrawal of consent only applies to the future. Processing carried out before withdrawal was issued is not affected and remains lawful.

Purposes for compliance with legal obligations (Art. 6 Par. 1 (c) of the GDPR) or in the public interest (Art. 6 Par. 1 (e) of the GDPR)

As with any natural person or entity participating in business, we are also subject to a large number of legal obligations. These are primarily statutory requirements (e.g. commercial and tax laws), but also supervisory or other official requirements that may be applicable. The purposes of processing may also include compliance with control and notification obligations under tax law as well as the archiving of data for the purposes of data protection and data security as well as for purposes of audits by taxation and other authorities. In addition, it may be necessary to disclose personal data within the framework of official/judicial measures for the purposes of collecting evidence, criminal prosecution or the satisfaction of civil law claims.

Scope of your obligations to provide us with data

You are only required to provide us with the data required in order to initiate and maintain a business relationship or a pre-contractual relationship with us or that we are legally obligated to collect. Without this data, we are generally unable to conclude or perform the contract. This may also refer to data that is required later on within the framework of the business relationship. To the extent that we request additional data from you, we will inform you separately of the voluntary nature of any such disclosure.

Use of automated decision-making in individual cases (including profiling)

Optional:

We do not use purely automated decision-making procedures as set out in Article 22 of the GDPR.

However, should we decide to use such a procedure in individual cases in future, we will inform you separately of this insofar as this is legally required. Under certain circumstances, we may process your data in part with the aim of evaluating specific personal aspects (profiling).

If available:

Where applicable, we may use evaluation tools for the purpose of providing you with targeted product information and advice. These tools enable needs-oriented product design, communication and advertising including market and opinion research. In this context, data relating to your nationality as well as special categories of personal data as set out in Art. 9 of the GDPR are not processed.

CONSEQUENCES OF REFUSING TO PROVIDE DATA

Within the framework of the business relationship, you must provide the personal data that is required in order to justify, perform and terminate legal transactions and to comply with the associated contractual obligations, or which we are legally obliged to collect. Without this data, we will not be able to conduct legal transactions with you.

2.5 DATA RECIPIENTS WITHIN THE EU

Within our company, your data is received by those internal offices or organisational units that require it in order to comply with our contractual and statutory obligations or that require such data within the framework of processing and implementing our legitimate interests.

Your data will be passed to external offices/bodies exclusively

- in conjunction with contract implementation;
- for the purpose of complying with legal obligations that require us to provide information about, report or disclose data or if the disclosure of data is in the public interest (see Section 2.4);

insofar as external service providers process data on our behalf as commissioned processors or companies assuming certain functions (e.g. data centres, support/maintenance of IT applications, archiving, document processing, call-centre services, compliance services, controlling, data validation or plausibility checking, data destruction, purchasing/procurement, customer administration, lettershops, marketing, media technology, research, risk control, accounting, telephony, website management, auditing services, credit institutions, printers or companies for data disposal, courier services, logistics);

- as a result of our legitimate interest or the legitimate interest of the third party within the framework of the purposes mentioned (e.g. to authorities, credit agencies, collection agencies, attorneys, courts of law, appraisers, subsidiaries and committees and supervisory bodies);
- if you consented to our disclosure to third parties.

In all other cases, we will not pass your data to third parties. Insofar as we appoint service providers to perform commissioned processing, your data will be governed by the same security standards with these as it is with us. In all other cases, the recipients may only use the data for the purposes for which it was transmitted to them.

2.6 DATA RECIPIENTS OUTSIDE THE EU

Data is not transmitted to entities in countries outside the European Union (EU) or the European Economic Area (EEA) (third countries).

2.7 DURATION OF STORAGE

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

We are also subject to different retention and documentation obligations, which may arise from, inter alia, the German Commercial Code (HGB) and the Fiscal Code of Germany (AO). The retention and/or documentation periods stipulated therein are up to ten years up to the end of the calendar year after end of the business relationship or the pre-contractual legal relationship.

Furthermore, special statutory provisions may require a longer retention duration, for example, the preservation of evidence in connection with statutes of limitations. Although §§ 195 ff. of the German Civil Code (BGB) stipulates regular statute of limitation periods of three years, statute of limitation periods of up to 30 years may also apply.

If the data is no longer required in order to comply with contractual or legal obligations and rights, it is deleted on a regular basis unless its continued processing - for a limited period - is necessary to fulfil the purposes of an overriding legitimate interest. A legitimate interest of this type shall also apply, for example, if the special nature of storage renders deletion either impossible or only possible at a disproportionately high cost and the possibility of processing for other purposes using suitable technical and organisational measures is excluded.

2.8 YOUR RIGHTS

Subject to certain prerequisites, you are entitled to assert your privacy rights against us.

- Accordingly, you have the right to receive information from us about any data we have stored about you under the terms of Art. 15 of the GDPR (if applicable, subject to restrictions according to § 34 of the Federal Data Protection Act (new)).
- At your request, we will rectify the data stored about you as set out in Art. 16 of the GDPR if this data is inaccurate or incorrect.
- Should you so wish, we will delete your data in accordance with the principles of Art. 17 of the GDPR provided that other legal regulations (e.g. legally prescribed retention periods or the restrictions in accordance with § 35 of the Federal Data Protection Act (new)) or an overriding interest on our part (e.g. to defend our rights and claims) do not prohibit this.
- Taking the prerequisites of Art. 18 of the GDPR into account, you can request that we restrict the processing of your data.
- Furthermore, you may lodge an objection to the processing of your data as set out in Art. 21 of the GDPR, as a result of which we are required to stop processing your data. However, this right to object shall only apply under very special circumstances relating to your personal situation, whereby the rights of our company may, under certain circumstances, oppose your right to object.
- You also have the right to receive your data or have it transmitted to a third party under the terms of Art. 20 of the GDPR in a structured, commonly used and machine-readable format.
- Furthermore, you have the right to withdraw any consent you may have given us to process personal data at any time and with future effect (see Section 2.3).
- You are also entitled to lodge a complaint with a data protection supervisory authority (Art. 77 of the GDPR). However, we always recommend that you forward a complaint to our data protection officer in the first instance.
- Wherever possible, your applications regarding the assertion of your rights should be forwarded in writing/by e-mail to the above address or directly in writing/by e-mail to our data protection officer.

Special notice of your right to object as set out in Art. 21 of the GDPR

You have the right to object at any time to the processing of your data, which is carried out on the basis of Art. 6 Par. 1 (f) of the GDPR (data processing based on the balancing of interests) or Art. 6 Par. 1 (e) of the GDPR (data processing carried out in the public interest) if reasons arising from your special situation apply.

This also applies in the case of profiling based on this provision within the meaning of Art. 4 No. 4 of the GDPR. If you submit an objection, we will no longer process your personal data unless we can demonstrate reasons worthy of protection for such processing, which override your interests, rights and freedoms, or if processing serves the assertion, exercise or defence of legal claims.

In some cases, we also process your personal data for direct marketing purposes. If you do not wish to receive advertisements, you have the right to object to these at any time; this also applies to profiling insofar as it is connected with this type of direct marketing.

We will observe this objection in the future. We will no longer process your personal data for direct marketing purposes if you object to processing for these purposes.

The objection can be lodged informally and should ideally be addressed to
WEISS GmbH

Stabstelle Datenschutz

Siemensstraße 17

74722 Buchen, Germany

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

The data protection supervisory authority with jurisdiction for us is:

Landesbeauftragter für Datenschutz und Informationsfreiheit Baden-Württemberg

Königstrasse 10 a

70173 Stuttgart, Germany