

EU General Data Protection Regulation (EU GDPR)
Privacy notice for customers, suppliers, business partners and potential customers

Dear Sir/Madam,

You are probably already aware that the provisions of the EU GDPR became binding on 25 May 2018. The new provisions have created a lot of new tasks. We are therefore sending the attached privacy notice for your attention.

This letter is for your information only.

If you have further questions regarding the statement, Mr Lindner (our external data protection officer) will be happy to help you. His contact details are provided in the privacy notice.

Yours sincerely,

Management

Attached:

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business partners and potential customers**

Privacy notice in accordance with the EU General Data Protection Regulation

1. Who is responsible for the data processing and who can I contact?

Erlenbach GmbH

Am Rödchen 1
56355 Lautert, Germany

Phone: +49 6772 801-0

Fax: +49 6772 8220

info@erlenbach.de

www.erlenbach.com



Authorised Managing Directors:

Thorsten Jacoby, Kai Wiedemuth

Data Protection Officer:

Kai Wiedemuth

and

Erlenbach Machines GmbH

Erzbergerstraße 18
68165 Mannheim, Germany

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56 355 Lautert, Germany

Phone: +49 6772 801-0

Fax: +49 6772 8220

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www.erlenbach.com



Authorised Managing Director:

Manuel Dillmann

Data Protection Officer:

Celine Fleschurz

You can contact our external data protection officer at:

**Thomas Lindner, S&L ITcompliance GmbH, Florinstraße 18, 56218 Mülheim-Kärlich,
Tel.: 0261-92736-0, datenschutz@erlenbach.de**

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2. What sources and data do we use?

We have to process data from our service providers/suppliers/customers to conduct our business relationships. If this data allows inferences to be made about you as a natural person (e.g. if you enter into a business relationship with us as a sole trader), it is personal data.

2.1 Master data: We process basic data about you and about our existing business relationship with you, which we refer to collectively as “master data”. This data includes in particular:

- a. all the information you have provided when the business relationship was established or which we have requested from you (e.g. your name, your address and other contact data); as well as
- b. the data we have collected in connection with establishing the business relationship (such as the details of the contracts that we have entered into with you).

2.2 Performance data: We process personal data generated in the course of the business relationship, which may go beyond making a simple change to your master data. We refer to this data as “performance data”. This data includes in particular:

- a. information about the services rendered or accepted by you on the basis of the contracts entered into;
- b. information about the services rendered by or accepted by us on the basis of the contracts entered into;
- c. information which you provide to us – either of your own volition or at our request – during the business relationship;
- d. personal data which we receive in another way from you or from third parties during our business relationship.

2.3 We may also store personal data from third parties, relating to master and performance data, to the extent permitted by law. This includes, for example, data relating to the economic situation of your business, if this is required to assess economic risks such as payment defaults.

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

Please note that we collect, store, process and use personal data to initiate, establish and fulfil contractual and delivery obligations, including delivery, payment and any warranty. The data that is collected from you is required to enter into and perform a contract. You are under no obligation to provide such data. However, without it we cannot enter into a contract with you (legal basis: Art. 6(1)(b) GDPR).

We may also process master and performance data to fulfil legal obligations to which we are subject, on the basis of Article 6(1)(c) GDPR. These legal obligations include, in particular, the notifications that we are required to make to (tax) authorities.

In addition to processing your data to perform the contracts we have entered into with you and to fulfil our legal obligations, if necessary we process your data to safeguard our legitimate interests or the interests of third parties, on the basis of Article 6(1)(f) GDPR. In this context, our legitimate interests include:

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- a. collecting, storing, processing and using your data for the purpose of maintaining customer or business relationships and to market and advertise our products and services. Our legitimate interest in processing your data arises in this case from the endeavour to promote and sell our products and services;
 - b. determining economic risks – such as payment defaults – in connection with our business relationships;
 - c. asserting legal claims and defending against claims in the event of legal disputes;
 - d. preventing and investigating crimes;
 - e. managing and further developing our business, including risk management.
4. If we give you the option of consenting to the processing of personal data when our business relationship is established or during the business relationship, we process the data covered by your consent for the purposes stated in the statement of consent, on the basis of Article 6(1)(a) GDPR.

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Please note the following:

- a. you are free to give or not give your consent and giving consent or subsequently withdrawing consent shall not influence how the business relationship is carried out;
- b. refusal to give consent or the later withdrawal of consent may nevertheless have consequences, which we will inform you about before you give your consent; and
- c. you may withdraw any consent that you have given to us at any time with effect for the future, e.g. by informing us by post or via one of the contact methods provided on the first page of this privacy notice.

5. Do I have to provide data?

The data listed under clause 2 must be provided to establish and conduct a business relationship between you and us, unless we expressly state otherwise at the time that this data is collected. If you do not provide this data, we cannot establish and conduct a business relationship with you.

If we collect additional personal data from you, we indicate when the data is collected whether the provision of such information is based on a legal or contractual obligation or is necessary to enter into a contract. We usually indicate what information may be provided voluntarily and is not based on one of the above obligations or required to enter into a contract.

6. How long is the data stored?

The data is stored for the duration of the business relationship with the customer and until the expiry of warranty and statutory retention periods. If consent is given, the data is stored until you withdraw your consent. If the data subject has given his/her consent to continuing use of data, the data is not erased (deleted).

We store your personal data for as long as we have a legitimate interest in storing the data and that legitimate interest is not overridden by your interests in the data no longer being stored.

We may also continue to store data without a legitimate interest if we are legally required to do so (e.g. to fulfil retention obligations). We also erase your personal data without any action on your part as soon as knowledge of the data is no longer required to fulfil the purpose of the processing or storing the data is otherwise not permitted by law.

Master data and the other personal data collected during the business relationship is usually stored until the end of the business relationship as a minimum. The data is erased at the latest when the purpose has been achieved. In some circumstances, this may only occur after the end of the business relationship. The personal data that we are required to store to fulfil statutory retention obligations is stored until the end of the applicable retention period. If we store personal data solely to comply with retention obligations, it is usually locked so that we can only access the data if necessary to comply with the purpose of the retention obligation.

7. Is data passed on? (Categories of recipients)

Your personal data is normally processed within our company. Depending on the type of personal data, only specific departments/organisational units have access to your personal data.

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This includes, in particular, the sales, purchasing and accounting departments and – in the case of data processed via the IT-infrastructure – the IT-department as well to some extent. Access within our company is restricted via a roles and authorisation concept to those roles and the extent required for the applicable purpose of processing.

We may transmit your personal data to third parties outside our company, to the extent permitted by law. Such external recipients may include, in particular:

- affiliated companies to which we transmit personal data for internal administrative purposes;
- the service providers that we appoint to provide services for us on a separate contractual basis, which may also include the processing of personal data, as well as the sub-contractors of our service providers, who are appointed with our consent;
- private and public bodies, if we are legally obliged to transmit your personal data to them.

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Data is not passed on to third parties, except in the following cases:

<input checked="" type="checkbox"/>	transmission of data to third parties to process contractual and delivery obligations, e.g. to banks, transport/shipping companies;
<input checked="" type="checkbox"/>	transmission of data to service providers for the purpose of processing on our behalf;
<input checked="" type="checkbox"/>	transmission of data to third parties on the basis of statutory obligations and on the basis of commercial and tax obligations (e.g. tax consultants, tax office, authorities, etc.)

Data is only transmitted to a third country outside the European Union if such transmission of data is required to fulfil an existing contract between you and us.

8. What data protection rights do you have?

Every data subject has the right to access in accordance with Art. 15 GDPR, the right to rectification in accordance with Art. 16 GDPR, the right to erasure in accordance with Art. 17 GDPR, the right to restrict processing in accordance with Art. 18 GDPR, the right to data portability in accordance with Art. 20 GDPR, the right to withdraw consent that has been given and the right to object to data processing (Art. 21 GDPR). You may contact us at any time to exercise these rights – e.g. via one of the contact methods in clause 1 of this privacy notice. If you have any questions about the processing of your data, please do not hesitate to contact our data protection officer. You also have the right to lodge a complaint with a data supervisory authority (Art. 77 GDPR).

The competent supervisory authority for us is:

Commissioner for Data Protection and Freedom of Information, Rhineland-Palatinate
Prof. Dr. Dieter Kugelmann
PO Box 30 40
55020 Mainz, Germany or:
Hintere Bleiche 34
55116 Mainz, Germany
Phone: 061 31/208-24 49
Fax: 061 31/208-24 97
E-mail: poststelle@datenschutz.rlp.de