

Data protection declaration for Röhm GmbH customers and suppliers

The following information provides you with an overview of processing of your personal data by us and your rights under data protection law. What data is processed in specific cases and how it is used will be based on the corresponding services which have been agreed and/or the type of products which are used.

1. Data controller for data processing

Röhm GmbH
Heinrich-Röhm-Str. 50
D-89567 Sontheim / Brenz
+49 7325 16-0
info@roehm.biz
www.roehm.biz

2. Data Protection Officer

You can contact our Company Data Protection Officer at

DATA-S
Mendelstrasse 13
D-89081 Ulm
+49 731 8023688
datenschutz@data-s.de
www.data-s.de

3. Purpose and legal basis for processing

We process your personal data in compliance with the provisions of the EU General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (Bundesdatenschutzgesetz, BDSG).

3.1. Based on your consent (Article 6 Para. 1a GDPR)

Insofar as you have provided us with consent for processing of personal data for specific purposes, the lawfulness of processing is based on your consent. Any consent provided can be withdrawn at any time. This also applies to withdrawal of declarations of consent provided to us prior to the coming into force of the GDPR, in other words before 25 May 2018. Please note that any withdrawal will only apply for the future. Processing which has been carried out before the withdrawal will not be affected by this. You can request an overview of your status from us at any time.

3.2. To perform contractual obligations (Article 6 Para. 1 b GDPR)

Processing of personal data is carried out within the scope of our contracts with customers and suppliers; to take steps at your request prior to entering into a contract and to carry out all activities relating to the operation and administration of our company:

- Communication with business partners regarding products, services and projects – e.g. to process business partners' enquiries
- Planning, performance and management of (contractual) relationships between RÖHM and business partners – e.g. to process ordering of products and services; to collect payments; for accounting, invoicing and debt collection purposes and to carry out deliveries, servicing activities or repairs
- To resolve legal disputes; to enforce existing contracts and to establish, exercise or defend legal claims.

3.3. Within the scope of weighing up of interests (Article 6 Para. 1f GDPR)

Insofar as required, over and above actual fulfilment of any contract we will process your data in order to safeguard our legitimate interests.

- Review and optimization of processes for requirement analysis and direct contact with customers including customer segmentation and calculation of the likelihood of concluding transactions
- Advertising or market/opinion research insofar as you have not objected to use of your data
- Establishment of legal claims and defence in the event of legal disputes
- Ensuring of IT security
- Prevention of criminal acts
- Measures to facilitate business management and further development of services and products.

4 Data transfer

Access to your data will be given to those in-house bodies which require it to fulfil our contractual and legal obligations. Service providers and agents used by us may also receive data for these purposes if they undertake to comply with our written data protection instructions or are subject to a professional obligation to maintain confidentiality. Such companies are primarily active in the following segments:

- Contract processors and/or service providers to whom we transfer personal data in order to maintain a business relationship with you. In particular:
Support/maintenance of EDP/IT applications; archiving; document processing; call centre services; compliance services; (risk) controlling; data destruction; purchasing/procurement; space management; customer management; letter shops; marketing; media technology; reporting; research; processing of expenses; telephone services; website management; auditing services.

Other data recipients may include bodies to whom you have provided your consent for the transfer of data.

5 Data transfer to third countries or international organizations

Data will only be transferred to countries outside of the EU or the EEA (so-called third countries) if this is required to carry out our business relationship or is required by law or if you have provided us with consent.

Should, within the scope of contract processing, service providers in third countries be used, then they will, in addition to written instructions, be obliged to comply with data protection standards in Europe by agreeing to EU standard data protection clauses, insofar as the EU Commission has not made any so-called 'adequacy decision' regarding the level of data protection (Art. 45 GDPR).

'Adequacy decision' means that the EU Commission has, following a corresponding review, decided whether and that, based on its domestic laws and their application; the existence and effective functioning of one or more supervisory authorities and the international commitments which it has entered into, a third country has a level of protection which is equivalent to that afforded by the GDPR (so-called 'safe third countries'). Adequacy decisions are currently on hand for Andorra, Argentina, the Faroe Islands, Israel, the Isle of Man, Canada, Guernsey, Jersey, New Zealand, Uruguay and the USA within the scope of the Privacy Shield Agreement.

The EU standard data protection clauses are a standardized agreement concerning data protection used to regulate relationships between service providers and their customers to ensure that personal data which leaves the EEA is transferred in compliance with European data protection levels and the requirements of the GDPR and that data subjects have enforceable rights and effective legal remedies at their disposal.

6 Data storage

We will process and store your personal data for as long as this is required to comply with our contractual and legal obligations. Please note in this regard that our business relationship is a continuing obligation which is envisaged to last for several years.

Data which is no longer required to comply with contractual or legal obligations will be erased on a regular basis unless its – fixed-term – further processing is required for the following purposes:

- Compliance with statutory commercial and tax law storage periods (German Commercial and Tax Codes). These codes specify storage periods and/or documentation for periods from six to ten years.
- Preservation of evidence within the scope of the statute of limitations. As per Sect. 195 ff. of the German Civil Code (Bürgerliches Gesetzbuch, BGB) these statutes may be up to 30 years, whereby the standard statute of limitations is three years.

7 Your data protection rights

Every data subject has the right to **information** as per Article 15 GDPR; the right to **rectification** as per Article 16 GDPR; the right to **erasure** as per Article 17 GDPR; the right to **restriction of processing** as per Article 18 GDPR; the right to **object** as per Article 21 GDPR and the right to **data portability** as per Article 20 GDPR. The restrictions of Sect. 34 and 35 BDSG apply with regard to the right to information and the right to erasure. In addition to this, data subjects have the right to lodge a complaint with a supervisory authority (Article 77 GDPR in conjunction with Sect. 19 BDSG).

You may withdraw any consent provided to us regarding processing of personal data at any time. This also applies to withdrawal of declarations of consent provided to us prior to the coming into force of the GDPR, in other words before 25 May. Please note that any withdrawal will only apply for the future. Processing which has been carried out before the withdrawal will not be affected by this.

8 Your obligation to provide data

Within the scope of our business relationship you must provide the personal data required to establish and maintain a business relationship and to comply with the related contractual obligations as well as the personal data which we are obliged to collect by law. Should you not provide this data, we will, as a rule, be forced to refuse to conclude or perform any contract or will no longer be able to perform an existing contract and may, where applicable, be forced to terminate it.

Information regarding your right to object as per Article 21 EU General Data Protection Regulation (GDPR)

1. Individual right to object

You have the right to object at any time on grounds relating to your particular situation to processing of your personal data which is based on Article 6 Para. 1 e GDPR (data processing in the public interest) and Article 6 Para. 1 f GDPR (data processing on the basis of balancing of interests), including profiling based on these provisions and as defined by Article 4 Para. 4 GDPR. Should you object, then we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

2. Right to object to processing of data for marketing purposes

In individual cases we will process your personal data for direct marketing purposes. You have the right to object at any time to processing of your personal data for such purposes, which includes profiling to the extent that it is related to such direct marketing. Should you object to processing for direct marketing purposes, we will no longer process your personal data for such purposes.

The objection may be made without any formal conditions being required and should, wherever possible, be addressed to: info@roehm.biz.