

1) General

Funkwerk Systems GmbH, Im Funkwerk 5, 99625 Köllda ("Funkwerk") attaches great importance to compliance with basic data protection regulations in accordance with the European General Data Protection Regulation ("GDPR") and the new German Federal Data Protection Act ("BDSG"). Therefore, we process your personal data exclusively in accordance with the applicable legal requirements and would like to inform you of the details in accordance with Art. 13, 14 GDPR.

2) Controller & data protection officer

controller for the data processing:

Funkwerk Systems GmbH
Im Funkwerk 5
99625 Köllda
phone 03635 - 458 300
info@funkwerk.com

data protection officer:

Funkwerk Systems GmbH
Im Funkwerk 5
99625 Köllda
phone 03635 - 458 348
datenschutz@funkwerk.com

3) Purpose and legal basis of data processing

We process your data on the basis of the following legal bases and for the purposes listed below:

Performance of a contract or in order to take steps prior to entering into a contract (art. 6 para. 1 lit. b GDPR)

We process personal data in accordance with art. 6 Para. 1 lit. b GDPR when processing personal data that is required to fulfil a contract or to carry out pre-contractual measures with a natural person. Typically, the contact data provided by the natural person (salutation, title, name, surname, e-mail, address, telephone number) as well as the other data absolutely necessary for the respective service provision are processed. The processing within the framework of pre-contractual measures, such as the initial contact for inquiries about products and services, is also included.

Balance of interests (art. 6 para. 1 lit. f GDPR)

Data may also be processed by us or by third parties in accordance with art. 6 para. 1 lit. f GDPR on the basis of a balance of interests to safeguard legitimate interests. In addition to the purpose of preparing and executing contracts, this is also done for the following purposes:

- credit assessment,
- limited storage of the data, if a deletion is not possible due to the special kind of the storage or only with disproportionately high expenditure,
- assertion of legal claims and defence in legal disputes,
- ensuring IT security and IT operations,
- prevention of criminal offences and risk management in accordance with Funkwerk's compliance regulations to ensure Funkwerk's legal conformity,
- advertising our products and services and maintaining customer relations.

In addition to contact data (title, title, name, surname, e-mail, address, telephone number), we also process information collected from publicly available sources, information databases (e.g. commercial register, sanctions lists) or from credit agencies (e.g. Bürgel credit reports). If your data has not been collected from you but from third parties, you will be informed of the source of the data in the first letter after the collection. Our interest in the respective processing results from the above mentioned purposes. As far as the concrete purpose permits, we process your data pseudonymised or anonymised.

Consent (art. 6 para. 1 lit. a GDPR)

If you have given your consent to the processing of personal data, the respective consent pursuant to art. 6 para. 1 lit. a GDPR is the legal basis for the processing covered by the consent. You may revoke your consent at any time with effect for the future. The revocation is only effective for future processing.

Compliance with a legal obligation (art. 6 para. 1 lit. c GDPR)

In addition, we process your personal data in accordance with art. 6 para. 1 lit. c GDPR in order to fulfil legal obligations, such as commercial and tax storage obligations.

4) Recipient/ Transfer of personal data

Specialised companies or divisions of the Funkwerk Group carry out certain data processing operations for the companies within the Group in accordance with §§ 15 et seq. AktG (e.g. accounting, controlling, IT, marketing, legal department). Funkwerk may therefore pass on personal data to other Funkwerk group companies for the above-mentioned purposes if this is necessary to fulfil the above-mentioned purposes.

Funkwerk also makes partial use of external service providers ("processors") to fulfil its contractual and statutory obligations, particularly in the area of IT services (e.g. provision and maintenance of ERP systems, newsletter service). These processors shall only act in accordance with instructions from Funkwerk and shall be contractually obliged to comply with the applicable data protection requirements.

Careful processing is ensured by technical and organisational measures as well as supplementary controls. As a rule, the contract processors are based within the European Union and the European Economic Area. If, in exceptional cases, a transfer to a third country should become necessary, this will only take place if you have expressly given us your informed consent or if another legal basis exists. The basis can be a so-called adequacy decision of the EU Commission or appropriate safeguards such as the use of standard data protection clauses for data transfer or binding corporate rules.

Funkwerk may also pass on personal data to authorities, courts or law firms where this is legally permissible and necessary in order to comply with its statutory duty to notify, to comply with applicable law or to assert, exercise or defend legal claims.

5) Duration of data storage

Funkwerk will only store the data of its business partners for as long as is necessary to fulfil the purpose for which we have collected the data. As a rule, this is the duration of the business relationship, which includes the duration of warranty obligations arising from a business relationship. Subsequently, we retain personal data for the duration of the legal storage obligations (5 to 10 years) on the basis of various legal storage and documentation obligations arising from the German Commercial Code, the Fiscal Code, the Securities Trading Act and the Money Laundering Act, among others.

6) Your rights

As a natural person you have the following rights:

- right to know which personal data has been stored,
- right to correction, deletion or restriction of the processing of personal data (unless this is contrary to legal obligations or the necessity of processing for the fulfilment of the business relationship),
- right to transfer personal data stored by Funkwerk in a machine-readable format,
- right to object to the processing of personal data (except in the case of direct marketing, your data must be processed by Funkwerk for legitimate reasons resulting from your particular situation which militate against data processing).

To exercise the aforementioned rights, please contact our data protection officer.

In addition, business partners have the right to lodge a complaint with a supervisory authority. The supervisory authority responsible for Funkwerk is the

Thuringian State Commissioner for Data Protection and Freedom of Information
P.O. Box 900455, 99107 Erfurt, Germany
poststelle@datenschutz.thueringen.de