

# Data protection information for customers, business partners and suppliers of the STREICHER Group

The companies of the STREICHER Group (MAX STREICHER GmbH & Co. KG aA and all affiliated companies) take the protection of the privacy of their customers and business partners very seriously. Therefore, we would like to let you know which data we process, when and for what purpose.

## I. Person responsible within the meaning of the EU General Data Protection Regulation (DSGVO)

The company of the STREICHER Group that processes your data for its own purposes is responsible for data processing. As a rule, this is the company with which you have a contractual relationship or with which you intend to have a contractual relationship.

A list of all companies of the STREICHER Group can be found here:

<https://www.streicher.de/streicher-gruppe/verbundene-unternehmen>

If you have any questions about the position of the person responsible for processing your Personal Data, please feel free to contact:

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E-mail: [info@streicher.de](mailto:info@streicher.de)

Website: [www.streicher.de](http://www.streicher.de)

Managing Directors: Armin Kiendl, Maximilian Hofmann, Rainer Leneis

## II. Handling of Personal Data

Personal Data is any information relating to an identified or identifiable natural person (hereinafter "data subject").

## III. Persons concerned

The data protection information is directed at our contacts and contacts at customers, suppliers, service providers, cooperation partners, partner companies and other business partners and public bodies.

## IV. Personal Data

In particular, we use the following Personal Data for our own purposes:

- Personal master data, e. g. first name, last name
- Contact data such as e-mail address, address, telephone number, fax number
- Contract master data, e. g. documentation of projects, tax number
- Billing data, e. g. IBAN, BIC
- Information that you provide to us in the course of the business relationship, which is relevant for optimal business partner and customer support and contains Personal Data

Personal Data is usually collected directly from the data subject.

## **V. Standard periods for the deletion of Personal Data**

If no explicit storage period is specified at the time of collection (e. g. as part of a declaration of consent), the Personal Data will be deleted insofar as it is no longer required to fulfill the purpose for which it was stored, unless legal retention obligations (e. g. retention obligations under commercial and tax law) prevent deletion.

## **VI. Data processing in the Group**

As part of the STREICHER Group, we work closely together with the companies of the Group. Personal Data, which we process according to the principles described here, are also passed on to other companies of the STREICHER Group in certain areas and processed by them for common purposes of the STREICHER Group.

This applies in particular to the joint administration and management of customer, business and supplier relationships and the related exchange of information.

In terms of data protection law, this type of cooperation is the so-called joint responsibility according to Art. 26 DSGVO. In this context, the companies of the STREICHER Group are jointly responsible for data processing in the sense of Art. 4 Nr. 7 DSGVO. For this type of cooperation, a contract has also been concluded between the parties in each case in accordance with Art. 26 DSGVO. The legal basis for the described form of data processing is our legitimate interest in cross-company cooperation and an economic use of existing resources within the meaning of Art. 6 para. 1 p. 1 lit. f DSGVO.

## **VII. Purpose and legal basis of the data processing**

### **1. Data processing due to pre-contractual measures (offer) and for the fulfillment of the contract according to Art. 6 para. 1 p. 1 lit. b DSGVO**

We collect, process and use Personal Data when you provide us with this data (e. g. by telephone, electronic or written transmission, by handing over a business card, by registering on the website, by contact requests) and when your employer or client provides us with your contact details (e. g. when you are named as a contact person for a project). We process your data when integrating it into our data storage systems. We also process your Personal Data if you have requested information or offers from us via third parties (e. g. specialist portals) and your data has been transmitted to us. In addition, we process your data if we have collected it in other ways or if it has been transmitted to us in other ways.

The above-mentioned Personal Data are processed for the following purposes, for example:

- Contacting regarding sales, processing of construction projects and delivery orders
- Communication regarding services, projects and technical issues
- Initiation, planning, implementation and administration of the business relationship
- Contacting for request of information, offers, applications for projects
- Project consulting and support for project development, planning and tendering
- Compliance with legal requirements (e. g. tax and commercial law retention obligations) or existing obligations to carry out compliance screenings (to prevent white-collar crime or money laundering)

The processing of your Personal Data serves the fulfillment of a contract or the implementation of pre-contractual measures, such as in the context of a quotation.

### **2. Data processing for the fulfillment of legal obligations according to Art. 6 para. 1 p. 1 lit. c DSGVO**

We process your Personal Data on the basis of legal obligations. This is done in particular for the following purposes:

- legally required storage of documents and information
- data disclosure to authorities
- adherence to legally prescribed compliance requirements

### **3. Data processing based on our legitimate interest according to Art. 6 para. 1 p. 1 lit. f DSGVO**

We also process your data to protect our legitimate interests or the legitimate interests of a third party, provided that your personal interests, fundamental rights and freedoms are not overridden. For example, we have an interest in defending or legally enforcing our legal and economic claims, protecting ourselves against economic or financial or legal risks, protecting our company knowledge and property, marketing ourselves, providing you with complete satisfaction as a customer of the STREICHER Group and maintaining a long-term and close business relationship with you.

The data processing is carried out in particular for the following purposes:

- Avoiding and/or settling legal disputes, enforcing existing contracts, exercising and defending legal claims.
- Maintaining and protecting the security of our products and services as well as our websites, preventing and detecting security risks, fraudulent actions or other criminal actions or actions taken with the intent to cause harm
- Checking creditworthiness and hedging risks of non-payment

### **4. Advertising communication**

We would like to provide you with information about our projects, products and services of our company. In addition, we would like to provide you with information, invitations to trade fairs at which we are represented and other events. Likewise, the implementation of customer satisfaction surveys, marketing campaigns, market analyses and competitions causes us to contact you with promotional intent. The legal basis for this is either your consent within the meaning of Art. 6 para. 1 p. 1 lit. a DSGVO in conjunction with § 7 UWG or our legitimate interest in direct advertising pursuant to Art. 6 para. 1 p. 1 lit. f DSGVO in conjunction with § 7 UWG.

Data processing for these purposes thereby includes the processing of your lawfully stored data in connection with the respective customer and contract information for individualized advertising and market research, statistics and analyses. Also included is the use of this data to uniquely identify you in order to provide you with the best possible services and to avoid any inconsistencies in connection with the above-mentioned purposes of promotional communication.

#### **a. Promotional communication based on your consent**

If you give us your consent, we base the above data processing on your consent pursuant to Art. 6 para. 1 p. 1 lit. a DSGVO and § 7 UWG.

#### **b. Direct advertising based on our legitimate interest**

In some cases, we process your legitimately collected Personal Data for purposes of promotional communication based on our legitimate interest pursuant to Art. 6 para. 1 p. 1 lit. f DSGVO. We only process your Personal Data for non-molestation direct advertising within the meaning of § 7 UWG and consequently your rights and freedoms within the meaning of Art. 6 para. 1 p. 1 lit. f DSGVO are not considered to be predominant.

If we send you advertising via electronic mail (e-mail), we only use e-mail addresses that we have collected in the context of a sale of goods or services, only send direct advertising for our own similar goods or services and only use your e-mail address as long as you have not objected to the sending of direct advertising. For a simple exercise of your right to object according to Art. 21 para. 2 DSGVO, § 7 UWG regarding a specific advertising sent at regular intervals (newsletter), please use the unsubscribe link provided in each mailing. For an objection according to Art. 21 para. 2 DSGVO, § 7 UWG against all forms of direct advertising, please contact the responsible person. If we send you direct mail on the basis of our legitimate interest, we will use your data for this purpose until you have objected to this form of direct mail.

#### **c. Promotional communication and sweepstakes**

Insofar as you have provided us with Personal Data in the context of a sweepstake, we will only process this data for the purpose of promotional communication if you have given us your express and voluntary consent to do so within the meaning of Art. 6 para. 1 p. 1 lit. a DSGVO. Your consent to the use of your data for promotional purposes is voluntary, as it is not a prerequisite for participation in the competition. You will not suffer any disadvantages in the competition if you do not consent to the use of your data for promotional purposes.

Your declaration of consent includes the storage of your Personal Data in our internal data storage systems as well as its use for contacting you for promotional purposes.

#### **d. Direct advertising without personal reference**

If contact data is not personally identifiable and the addressee of the direct mail is not a consumer pursuant to § 13 BGB, we also use this data for direct mailings by telephone, provided we can assume that the addressee has given his or her consent. Furthermore, we also collect contact data from third parties for the purposes of advertising communication, insofar as this is legally permissible.

## **5. Data transfer by our company**

The data you provide us with will be treated confidentially. Your Personal Data will neither be sold nor otherwise marketed by us to third parties outside the STREICHER Group.

As a matter of principle, the data will not be made available to third parties for use unless you have given your consent to this, we are legally entitled and/or obliged to disclose this data or the disclosure is made on the basis of our legitimate interest.

We will disclose Personal Data to courts, tax authorities, regulatory authorities to the extent legally permitted and necessary to comply with applicable law or to assert, exercise or defend legal claims. However, we take all measures to ensure the protection of your Personal Data.

This data transfer by our company is based on the following legal grounds:

- Use of an order processor according to Art. 28 DSGVO
- Data transfer to another responsible party according to Art. 6 para. 1 p. 1 lit. b, c and f DSGVO
- Cooperation with other data controllers within the scope of joint responsibility according to Art. 26 DSGVO

In particular, we forward your Personal Data to the following companies and institutions for the above-mentioned purposes in compliance with one of the legal bases mentioned above:

- Companies within the STREICHER Group
- Service providers in the IT sector who provide us with infrastructure and applications or maintain their proper operation
- Authorities and other public bodies
- Qualified persons such as lawyers, tax advisors, auditors
- Business partners, if necessary for the fulfillment of the contract
- Cooperation partners and dealers for further processing of your inquiries
- Credit agencies (e. g. Schufa, Creditreform, etc.)

## **6. Data transfer to our company**

In some cases, we do not collect Personal Data directly from you, but receive it from other entities. This data transfer to us is based on the following legal grounds:

- Data transfer by another responsible party according to Art. 6 para. 1 p. 1 lit. b, c and f DSGVO
- Cooperation with other responsible parties within the scope of joint responsibility according to Art. 26 DSGVO

We receive your Personal Data in compliance with one of the aforementioned legal bases through the following companies and institutions:

- Companies within the STREICHER Group
- Authorities and other public bodies
- Specialized persons such as lawyers, tax advisors, auditors
- Business partners, if necessary for the fulfillment of the contract
- Cooperation partners and dealers for further processing of your inquiries
- Credit agencies (e. g. Schufa, Creditreform etc.)

## **7. Transfer of customer data in the context of the continuation of a business operation**

In some cases, we have taken over your data from another responsible party as part of the continuation of its business operations or its product sales. You were informed about this data transfer in advance by the other party, in accordance with Art. 13 DSGVO, and you had the opportunity to object to the data transfer.

The transfer of your Personal Data was based on the legal basis of Art. 6 para. 1 p. 1 lit. f DSGVO. Our legitimate interest or the legitimate interest of the former owner of your data within the meaning of this provision is to enable us to optimally continue our business operations or product sales. Only with your customer data will it be possible for us to continue to offer you a comprehensive service in the future. In contrast, your interests and freedoms are not to be regarded as predominant within the meaning of Art. 6 para. 1 p. 1 lit. f DSGVO, since your data will not be duplicated, the data serve the continuation of the business operation or product distribution and no increased risk to your rights and freedoms is to be expected as a result of this form of data processing.

After the data has been transferred, your data has been integrated into our data storage systems. For more information about the processing of your data by our company and about your rights under the DSGVO, please see our further data protection information.

## **8. Data management in customer management systems**

Personal Data, which we receive from you at the beginning as well as during the cooperation, are stored in our customer management system. Since our CRM system is used across companies, other companies of the STREICHER Group can also access this data.

In terms of data protection law, this type of cooperation is the so-called joint responsibility according to Art. 26 DSGVO. In this case, companies of the STREICHER Group are jointly responsible for data processing in the sense of Art. 4 Nr. 7 DSGVO. For this type of cooperation, a contract has also been concluded between the parties in each case in accordance with Art. 26 DSGVO.

Through this cooperation, your data can be exchanged between the companies of the STREICHER Group.

## **9. Audit of the supply chain due to legal requirements**

The Supply Chain Due Diligence Act (Lieferkettensorgfaltspflichtengesetz) requires us to audit our suppliers for compliance with the minimum standards set out in the Act. To this end, we collect information on our suppliers by means of self-disclosure questionnaires, among other things, which enable us to conduct a risk analysis with regard to compliance with human rights and environmental obligations. Further information can be collected on the basis of audits carried out or background research. This information is then reviewed by our company and any necessary further measures are derived. In order to implement the legal obligation, we make use of the information of our suppliers stored in our systems, such as contact data, but also other information known to us about the companies.

The information used or parts of the information may be classified as Personal Data within the meaning of the DSGVO. In these cases, the legal basis for the data processing described is the fulfillment of a legal obligation within the meaning of Art. 6 para. 1 p. 1 lit. c DSGVO.

## **10. Data transfer to third countries**

In some cases, we transfer your Personal Data to countries outside the European Union or the European Economic Area. In these third countries, the level of data protection is not the same as in the European Union. To ensure a comparable level of protection for natural persons, we comply with the provisions of Art. 44 ff. DSGVO. The appropriate safeguards within the meaning of Chapter 5 of the DSGVO are ensured by adequacy decisions or the conclusion of EU standard contractual clauses. The adequacy decisions can be viewed both in the Official Journal of the EU and on the website (EUR-LEX.EUROPA.EU). The standard contractual clauses can be viewed on the EU Commission website (EUR-LEX.EUROPA.EU).

## **VIII. Order processing**

For various processing operations, service providers, in particular providers of software solutions, are used as processors within the meaning of Art. 28 DSGVO. These have been selected in accordance with data protection principles and are bound by a contract within the meaning of Art. 28 para. 3 DSGVO to process data strictly in accordance with instructions.

## **IX. Data subject rights**

### **Information possibility**

Pursuant to Art. 15 DSGVO, the data subject has the right to request information from the controller as to whether and which Personal Data concerning him or her are being processed. In this case, we provide an overview of the processing purposes, the categories of Personal Data processed and the respective recipients or categories of recipients.

### **Rights to rectification, erasure and restriction of processing**

Pursuant to Art. 16 DSGVO, the data subject has the right to obtain without undue delay the rectification of any inaccurate Personal Data concerning him or her. Taking into account the purposes of the processing, the data subject also has the right to request the completion of incomplete Personal Data.

Pursuant to Art. 17 DSGVO, the data subject has the right to obtain from the controller the erasure without undue delay of Personal Data concerning him or her, unless otherwise required by law.

Pursuant to Art. 18 DSGVO, the data subject has the right to request the restriction of processing if

- the accuracy of the Personal Data is contested,
- the processing is unlawful and the data subject objects to the erasure of the Personal Data and requests instead its limited use,
- the controller no longer needs the Personal Data for the purposes of the processing, but the data subject needs it for the assertion, exercise or defense of legal claims,
- the data subject objects to the processing pursuant to Art. 21 DSGVO.

### **Right of revocation**

The data subject has the right to revoke consent given at any time. The revocation of consent does not affect the lawfulness of the processing carried out on the basis of the consent until the revocation.

### **Right of objection**

**Data subjects have the right to object at any time to the processing of Personal Data concerning them. We will then no longer process the Personal Data unless we can demonstrate compelling legitimate grounds that override the interests, rights and freedoms of the data subject.**

### **Right of appeal to the competent supervisory authority**

In the event of violations of data protection law, the person concerned has a right of appeal to the competent supervisory authority. The competent supervisory authority in matters of data protection law is the state data protection commissioner of the federal state in which our company is based. A list of the data protection officers and their contact details can be found at the following link: [https://www.bfdi.bund.de/DE/Infothek/Anschriften\\_Links/anschriften\\_links-node.html](https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html)

## **X. Data Protection Officer**

A data protection officer has been appointed for the companies of the STREICHER Group, provided that the respective company is legally obliged to appoint a Data Protection Officer. This Data Protection Officer is active according to Art. 37 ff. DSGVO.

The Data Protection Officer for the companies of the STREICHER Group is:

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## **XI. Status of the data protection information**

Constant development makes it necessary to adapt our data protection principles from time to time. We reserve the right to make appropriate changes at any time.

Status: 04/2023