

INFORMATION PERTAINING TO THE PROCESSING OF CUSTOMER/SUPPLIER DATA**1. General information**

Erwin Hymer Group SE and its affiliated companies take the protection of your personal data very seriously. Your privacy is an important concern for us. We process your personal data in accordance with all applicable statutory data protection requirements for the purposes listed below. Personal data within the meaning of this data protection information shall be all information that relates to you personally.

Below, you will learn how we handle these data. For an improved overview, we have divided our data protection information into chapters.

The respective brand is responsible for data processing. Should you have any questions, please feel free to reach out to your designated point of contact or, if you have any questions or comments about data protection (e.g. regarding accessing and updating your personal data), you can also contact our Data Protection Officer.

Stefan Fischerkeller
DDSK GmbH
Dr.-Klein-Str. 2
88069 Tett nang
Phone: +49 7542 / 94921-00
Email: datenschutz@erwinhymergroup.com

2. Processing framework**2.1 Source and origin of data collection**

To the extent deemed necessary for the provision of our services, we shall process any personal data legitimately received from other companies or other third parties. In addition thereto, we shall process personal data that we have legitimately taken, received or acquired from publicly accessible sources (press, internet and other media) and are permitted to process.

2.2 Data categories

Relevant personal data categories may include, in particular:

- Personal data (name, profession/industry and comparable data)
- Contact details (address, e-mail address, telephone number and similar data)
- Access data (login name, e-mail and password)
- Logging of registrations
- Commissions and delivery addresses

2.3 Registration on the “Partner Portal” of the Erwin Hymer Group**2.3.1 Administrator**

Our trading partners state the names of individuals who are created by us as internal administrators, in order to create additional persons (contact persons, data controllers, etc.) for the respective trading partner. For this purpose, we shall collect the administrator’s first and last name and an e-mail address.

2.3.2 Users of the portal

The administrator shall create the users of the respective trading partner independently and in accordance with the company’s own internal requirements. To this end, the first and last name, an e-mail address and any additional contact details – such as the company telephone number – are processed. The employer (trading partner) shall then decide on the type and scope of data processing relating to your person.

The storage of these data shall take place against the backdrop that this is the only way to prevent the misuse of our services and, if necessary, to enable the investigation of criminal offenses committed. In this respect, the storage of these data is deemed necessary for our security. These data shall not be passed on to third parties unless there is a legal obligation to pass it on, or if it serves the purpose of criminal prosecution.

Registered users shall be free to change the personal data provided during registration at any time.

2.4 Purposes and legal bases of the processed data

We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG) and other applicable data protection regulations (details below). Which data in particular are processed and how they are used shall depend largely on the services requested or agreed in each case. Further details on (or additions to) the purposes of data processing can be found in the respective contract documents or forms.

Please note that further processing may take place within the portal. You shall be informed separately regarding the respective type and scope of data processing, as well as its purposes and legal basis.

Purposes for the fulfillment of a contract or pre-contractual measures (Art. 6 [1] b GDPR)

The processing of personal data shall take place for the execution of our contracts with you and the execution of your orders, e.g. in the case of drop shipments, as well as for the execution of measures and activities in the context of pre-contractual relationships, e.g. with interested parties. This shall essentially comprise: contract-related communication with you, the corresponding billing and associated payment transactions, the verifiability of orders and other agreements, as well as quality control in the form of appropriate documentation, goodwill procedures, measures to control and optimize business processes and to fulfill general due diligence obligations, management and control by affiliated companies; statistical evaluations for corporate management purposes, cost recording and controlling, reporting, internal and external communication, emergency management, billing and tax assessment of operational services, risk management, assertion of legal claims and defense in legal disputes; ensuring IT security (including system and plausibility tests) and general security, ensuring and exercising domiciliary rights (e.g. through access controls); ensuring the integrity, authenticity and availability of data, prevention of data loss and investigating criminal offenses and monitoring by supervisory bodies or control authorities (e.g. auditing).

Purposes within the scope of a legitimate interest of us or third parties (Art. 6 [1] f GDPR)

Beyond the actual fulfillment of the contract or preliminary contract, we may process your data if it is necessary to protect our legitimate interests or those of third parties, in particular for the following purposes:

- advertising or market and opinion research, unless you have objected to the use of your data
- testing and optimizing procedures for needs analysis
- the ongoing development of services and products, as well as existing systems and processes
- the enrichment of our data – including through the use or research of publicly available data
- statistical evaluations or the market analysis of benchmarking
- the assertion of legal claims and defense in legal disputes that are not directly attributable to the contractual relationship
- the restricted storage of data if deletion is not possible, or is only possible with disproportionate effort due to the special type of storage involved
- the development of scoring systems or automated decision-making processes
- the prevention and investigation of criminal offenses, unless exclusively for the fulfillment of legal requirements
- the receipt and maintenance of certifications of a private-law or official nature
- the effective and resource-saving implementation of web meetings through the utilization of internet-based communication tools

Purposes within the scope of your consent (Art. 6 [1] a GDPR)

Your personal data may also be processed for certain purposes (e.g. use of your e-mail address for marketing purposes) on the basis of your consent. As a rule, you may revoke this at any time. This shall also apply to the revocation of declarations of consent that were issued vis-a-vis us before the GDPR came into force, i.e. before May 25, 2018. You shall be informed separately about the purposes and consequences of revoking or not granting consent in the corresponding text of the consent. In principle, the revocation of consent shall only be effective for the future. Any processing that took place before the revocation shall not be affected by this, and shall remain lawful.

Purposes for the fulfillment of legal requirements (Art. 6 [1] c GDPR) or in the public interest (Art. 6 [1] e GDPR)

Like everyone involved in business, we are also subject to a large number of legal obligations. These primarily pertain to legal requirements (e.g. commercial and tax laws), but may also include regulatory or other official requirements. The purposes of processing may include the fulfillment of control and reporting obligations under tax law and the archiving of data for the purposes of data protection and data security, as well as auditing by tax and other authorities. In addition, the disclosure of personal data may become necessary in the context of official/judicial measures for the purposes of gathering evidence, criminal prosecution or the enforcement of civil law claims.

Scope of your obligations to provide us with data

You only have to provide the data deemed necessary for the establishment and implementation of a business relationship or for a pre-contractual relationship with us, or otherwise data that we are legally obligated to collect. Without these data, we will generally not be able to conclude or execute the contract. This may also relate to data required later in the course of the business relationship. Should we request additional data from you, you shall be informed separately of the voluntary nature of the information.

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

We do not use purely automated decision-making processes in accordance with Article 22 GDPR. Should we opt to utilize such a process in individual cases in the future, we shall inform you of this separately if this is required by law. In certain circumstances, we may process your data with the aim of evaluating certain personal aspects (profiling).

2.5 Consequences of not providing data

As part of the business relationship, you must provide the personal data deemed necessary for the establishment, execution and termination of the legal transaction and the fulfillment of the associated contractual obligations, or otherwise data that we are legally obligated to collect. Without these data, we will not be able to execute the legal transaction with you.

2.6 Recipients of the data within the EU

Within our company, those internal departments or organizational units receive your data that need it in order to fulfill our contractual and legal obligations, or in the context of processing and implementing our legitimate interest.

Your data shall only be passed on to external bodies

- in connection with the contract's execution
- for the purposes of fulfilling legal requirements according to which we are obligated to provide information, report or disclose data or the disclosure of data is in the public interest (see Clause 2.4)
- to the extent that external service providers process data on our behalf as processors or function providers (e.g. data centers, support/maintenance of EDP/IT applications, archiving, document processing, call center services, compliance services, controlling, data validation or plausibility checks, data destruction, purchasing/procurement, customer administration, "lettershops", marketing, media technology, research, risk controlling, billing, telephony, website management, auditing services, credit institutions, printers or companies for data disposal, courier services, logistics)
- on the basis of our legitimate interest (or the legitimate interest of the third party) for the purposes stated (e.g. to authorities, credit agencies, debt collection agencies, lawyers, courts, experts, subsidiaries and committees and supervisory bodies)

We shall not pass on your data to third parties beyond this scope. If we commission service providers as part of order processing, your data will be subject to the same security standards as ours. In other instances, the recipients may only use the data for the purposes for which they were transmitted to them.

2.6 Recipients of the data outside the EU

Data shall not be transferred to bodies in countries outside the European Union (EU) or the European Economic Area (EEA) (so-called third countries).

2.8 Recipient overview

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The following recipients receive your data within the scope of the data processing described here:

Recipient: Lobo - DM Dokumenten Management GmbH, Dornierstraße 4, 82178 Puchheim, Germany

Third country transfer: There shall be no third country transfer.

Recipient: SAP Deutschland SE & Co. KG, Hasso-Plattner-Ring 7, 69190 Walldorf, Germany

Third country transfer: There shall be no third country transfer.

Recipient: SAP Commerce Deutschland SE & Co. KG, Hasso-Plattner-Ring 7, 69190 Walldorf, Germany

Recipient: socialPALS GmbH, Hauptstrasse 18, 83607 Holzkirchen, Germany

Third country transfer: There shall be no third country transfer.

Recipient: WIRmachenDRUCK GmbH, Mühlbachstr. 7, 71522 Backnang, Germany

Third country transfer: There shall be no third country transfer.

Recipient: Quanos Solutions GmbH, Hugo-Junkers-Str. 15-17 | D-90411 Nuremberg

Third country transfer: There shall be no third country transfer.

Recipient: Sybit GmbH, Sankt-Johannis-Str. 1-5, 78315 Radolfzell, Germany

Third country transfer: There shall be no third country transfer.

Recipient: KUMASoft GmbH, Weißdornweg 2, 76337 Waldbronn, Germany

Third country transfer: There shall be no third country transfer.

Recipient: Zendesk GmbH, Neue Schönhauser Str. 3-5, 10178 Berlin, Germany

Third country transfer: There is an adequacy decision in place for the transfer. The transfer is based on Art. 46 (1) GDPR. The appropriate guarantee can be viewed [here](#).

Recipient: Matomo; InnoCraft Ltd, 150 Willis St., 6011 Wellington, New Zealand

Third country transfer: There is an adequacy decision in place for the transfer. The transfer is based on Art. 46 (1) GDPR. The appropriate guarantee can be viewed [here](#).

Recipient: abas Software GmbH, Gartenstraße 67, 76135 Karlsruhe, Germany Third country transfer: A third country transfer shall not take place.

Recipient: clickandlearn GmbH, Petrinumstraße 12/3, 4040 Linz, Austria

Third country transfer: There shall be no third country transfer.

Recipient: salesforce.com Germany GmbH, Erika-Mann-Str. 31, 80636 Munich, Germany

Third country transfer: There is an adequacy decision in place for the transfer. The transfer is based on Art. 46 (1) GDPR. The appropriate guarantee can be viewed [here](#).

2.7 Storage periods

We shall process and store your data for the duration of our business relationship. This shall also include the initiation of a contract (pre-contractual legal relationship) and the execution of a contract.

Your data processed in connection with the registration and use of the portal shall be rendered inactive by us after two years after your last login, and shall also be rendered inactive after two years if the commercial contract is terminated.

In addition thereto, we are subject to various retention and documentation obligations arising from the German Commercial Code (HGB) and the German Fiscal Code (AO), among others. The retention and documentation periods specified there shall be up to ten years to the end of the calendar year after the end of the business relationship or the pre-contractual legal relationship.

Furthermore, special statutory provisions may require a longer retention period, e.g. the preservation of evidence within the framework of statutory limitation periods. According to Section 195 et seq. of the German Civil Code (BGB), the regular statutory limitation period shall be three years, but statutory limitation periods of up to 30 years may also apply.

If the data are no longer required for the fulfillment of contractual or legal obligations and rights, these are regularly deleted, unless their – temporary – further processing is deemed necessary to fulfill the purposes arising from an overriding legitimate interest. Such an overriding legitimate interest shall also exist, for example, if deletion is not possible or only possible with disproportionate effort due to the special type of storage involved, and processing for other purposes is excluded by suitable technical and organizational measures.

2.8 Your rights

Under certain circumstances, you may assert your data protection rights against us. If possible, your requests to exercise your rights should be sent in writing or by e-mail to the address given above or directly in writing or by e-mail to our Data Protection Officer.

- You shall have the right to the **disclosure of information** from us about your data stored by us in accordance with the rules of Art. 15 GDPR (possibly with restrictions according to Section 34 Federal Data Protection Act [BDSG]).
- At your request, we shall **correct** the data stored about you in accordance with Art. 16 GDPR if they are inaccurate or incorrect.
- If you wish, we shall **delete** your data in accordance with the principles of Art. 17 GDPR, provided that other legal regulations (e.g. legal retention obligations or the restrictions according to Section 35 Federal Data Protection Act [BDSG]) or an overriding interest on our part (e.g. to defend our rights and claims) do not conflict with this.
- Taking into account the requirements of Art. 18 GDPR, you may request the **restriction** of the processing of your data.
- Should your personal data be processed on the basis of legitimate interests pursuant to Art. 6 (1) Sentence 1 lit. f) GDPR or if they are necessary for the performance of a task carried out in the public interest or in the exercise of official authority, you shall have the right to object to the processing of your personal data pursuant to Art. 21 GDPR, provided that there are reasons for this arising from your particular situation, or the **objection** pertains to the practice of direct advertising. In the latter case, you shall have a general right to object, which will be implemented by us without specifying a particular situation.

- You shall also have the right to receive your data in a structured, commonly used and machine-readable format or to **transmit** them to a third party in accordance with the requirements of Art. 20 GDPR.
- Furthermore, you shall have the right to withdraw your consent to the processing of personal data at any time with effect for the future. Your objection can be submitted informally and should preferably be addressed to: Erwin Hymer Group SE, Holzstr. 19, 88339 Bad Waldsee, e-mail: datenschutz@erwinhymergroup.com
- You shall also have the right to lodge a complaint with a data protection supervisory authority (Art. 77 GDPR). However, we recommend that you always address a complaint to our Data Protection Officer first.

The data protection supervisory authority responsible for Erwin Hymer Group SE is

The State Commissioner for Data Protection and Freedom of Information

Lautenschlagerstrasse 20

70173 Stuttgart

Postal address:

P.O. Box 10 29 32

70025 Stuttgart

Phone: 0711/615541-0

E-mail: poststelle@lfdi.bwl.de