

Data protection information for business partners in accordance with Art. 13 DSGVO

In this data protection information notice we inform you about the processing of your personal data in our company.

We process your personal data in accordance with the applicable German and European data protection requirements. Personal data is to be understood as any information that relates to an identified or identifiable natural person. With this data protection notice we inform you about the type, scope and purpose of the collection of personal data in our company and how we handle this data. In addition, you will find out what rights you have with regard to the processing of your personal data.

1. Scope of this data protection information

1.1. Principle

This data protection information notice applies to all business partners of Celitement GmbH & Co. KG.

1.2. Supplementary validity of special regulations

With regard to certain services, there is additional data protection information that supplements this data protection information. This applies e.g. B. for data protection information on the use of our website, which can be viewed on the website.

2. Name and contact details of the person responsible

Celitement GmbH & Co. KG
Managing directors: Dr. Hendrik Möller and Dr. Andreas Hamm
Hermann-von-Helmholtz-Platz 1
76344 Eggenstein-Leopoldshafen
Tel. +49 7247-95467-0
E-Mail: info@celitement.de
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3. Contact details of the external data protection officer

OFFICESCHOCH GmbH
Melanie Schoch
Hauptstraße 35
73312 Geislingen an der Steige
Tel. +49 7331 93643-80
E-Mail: datenschutz@schwenk.de

4. Categories of personal data that are processed

We process the following data that you make available to us as part of business initiation or business relationship. This includes in particular the following data:

- Master data and contact details of the business partner and / or authorized persons named by him, in particular surname, first name, current address, shipping addresses, e-mail addresses, telephone and fax numbers
- Contract data
- Bank details, e.g. B. the IBAN of the account, BIC, bank details
- Tax-relevant data, in particular tax ID, tax number

- Homepage
- Data contained in the identity card, driver's license or other submitted identification documents as well as authentication data
- if necessary, other data related to the fulfillment of the respective business relationship such as insurance data, HRA no. etc.

Furthermore, we also process personal data that we legitimately receive from third parties (e.g. creditworthiness data from Euler Hermes) - insofar as it is necessary for the fulfillment of the contract concluded with you or pre-contractual measures or for which you have given your consent.

We only process personal data from publicly accessible sources (e.g. public registers, authorities, internet) insofar as this is legally permissible, e.g. because this is necessary for the provision of our services or because you have consented.

5. Purposes and legal basis of the processing

The processing of your personal data takes place for the purpose and on the basis:

- Your consent in accordance with Art. 6 Para. 1a DSGVO
If you have given your consent for a specific purpose, the processing is lawful on the basis of the consent.
If we do not use your data on the basis of our legitimate interest, we will obtain express declarations of consent from you in order to use your data further.
- to fulfill contractual obligations according to Art. 6 Para. 1b DSGVO
The collection and processing of data takes place to carry out the establishment of contact, pre-contractual measures based on your request and to fulfill our contractual obligations towards you. The purpose results from the contractual content.
- of legal requirements according to Art. 6 Para. 1c DSGVO
We are subject to extensive legal and regulatory requirements, for example from the Money Laundering Act or tax laws. In order to comply in particular with the provisions of the Money Laundering Act (GwG), we may be obliged to identify you using your identity card or passport before establishing a business relationship and to collect and save a copy of your identity card or passport and the data contained therein (§ § 11, 12 GwG). As obliged entities, we have the right and the duty to make complete copies of these documents within the scope of the identity check in accordance with the GwG or to capture them completely optically (Section 8 (2) sentence 2 of the GwG).
In addition, we process your personal data to fulfill legal obligations, such as B. commercial and tax retention obligations.
The fulfillment of the resulting legal requirements requires the collection and processing of your personal data in accordance with section 4. If you do not provide us with the necessary information and documents, we are not allowed to start or continue the business relationship you have requested.
- a legitimate interest Art. 6 para. 1f DSGVO

The collection and processing of data takes place if this is necessary to safeguard the legitimate interests of the responsible body or a third party, unless your interests or fundamental rights and freedoms that require the protection of personal data prevail.

Your data will be processed on the basis of a legitimate interest in particular in the following cases:

- To check your creditworthiness and because of our interest in avoiding a payment default or any risk of insolvency, we transmit personal data about the establishment, implementation and termination of our business relationship as well as data about non-contractual behavior to credit agencies such as Bürgel and obtain information about the creditworthiness. We have a legitimate interest in checking your creditworthiness and therefore assume that your interest in our processing your data does not outweigh your data protection interests.
- We have a legitimate interest in securing IT operations and ensuring IT security. In this case, too, we assume that your interest in protecting your data does not outweigh the above.
- For the establishment of legal claims and defense in legal disputes. We assume that in such a case our interest outweighs your fundamental rights and freedoms that require the protection of your data.
- We have a legitimate interest in preventing or allow investigating criminal offenses and therefore assume that in such a case our interest outweighs your fundamental rights and freedoms that require the protection of your data.
- In video surveillance to safeguard house rules, protect property, collect evidence in the event of criminal offenses, investigate theft and security-related incidents, as well as measures for building and system security (e.g. access controls). If necessary, the records are used as evidence in judicial and extrajudicial proceedings. In this case, too, we assume that our interest outweighs your fundamental rights and freedoms, which require the protection of your data.
- For direct advertising about our goods and services and in individual cases also about special events. In addition, we use your e-mail address for advertising communications about similar goods and services, provided we have received your e-mail address in connection with the use of our services and you have not objected to their use. When collecting your data and each time it is used, we will point out your right to object to the use of your data at any time. We use this data to the extent described above for advertising purposes because we assume that we have a legitimate interest in the use of your data and that your interests or fundamental rights and freedoms regarding the protection of your data do not outweigh your interests. We would like to send you information at regular intervals about our offers and services that we believe will be of interest to you.
- In addition, we use market research institutes from time to time to inquire about customer satisfaction and to optimize our offers and services in the interests of our customers. In this context, too, we assume that your interests or fundamental rights and freedoms, which require the protection of your data, will not be inappropriately impaired.
- We have a legitimate interest in an efficient and successful Business management and the further development of our services and products. We therefore assume that our legitimate interest outweighs your fundamental rights and freedoms that require the protection of your data.

6. Recipients or categories of recipients of the personal data

We do not pass on your personal data to third parties unless you have consented to such data transfer, the data transfer takes place to fulfill our contractual obligations or we are entitled or obliged to transfer data due to legal provisions and / or official or judicial orders.

Your personal data will be transmitted to:

- Within the company, those departments have access to your data that need it to fulfill our contractual and legal obligations
- Freight forwarding agents for the purpose of transporting products
- Processors¹ for the purpose of contract fulfillment in accordance with Art. 28 DSGVO
- Tax advisor for accounting purposes

¹Office outside the company that processes personal data on behalf of the person responsible, subject to instructions

- Lawyers for the purpose of contractual issues, claims management or other disputes
- Financial institutions for the purpose of processing payment transactions
- Parcel & delivery services (e.g. DPD, post, express delivery services) for the purpose of deliveries and appointments
- Public bodies and institutions (e.g. tax office, social welfare office, courts) if there is a legal or official obligation to comply with legal and tax provisions for the purpose of, for example, a tax and / or company audit
- Credit agencies (e.g. Euler Hermes etc.) for the purpose of determining creditworthiness and default risks
- Credit and financial service institutions or comparable institutions such as credit card companies for the purpose of processing your payments by credit card

Other data recipients can be those bodies for which you have given us your consent to transfer data.

7. Transfer of personal data to a third country

A data transfer to countries outside the EU or the EEA (so-called third countries) only takes place if this is necessary for the execution of our business relationship or is required by law, or if you have given us your consent.

If service providers in third countries are used as part of order processing, they are obliged to comply with the level of data protection in Europe in addition to written instructions through the agreement of the EU standard data protection clauses, unless there is a so-called adequacy decision by the EU Commission with regard to the level of data protection (Art. 45 DSGVO).

Adequacy decision means that the EU Commission has determined after a corresponding examination whether and that a level of protection exists in the third country on the basis of its domestic legal provisions and their application, the existence and effective functioning of one or more independent supervisory authorities as well as the international obligations it has entered into is equivalent to the level of protection granted in the GDPR (so-called safe third countries). Adequacy decisions are currently in place for Andorra, Argentina, Faroe Islands, Israel, the Isle of Man, Canada, Guernsey, Jersey, New Zealand and Uruguay.

The EU standard data protection clauses are a standardized data protection agreement between service providers and their customers, which is used to ensure that personal data leaving the EEA is transferred in compliance with the European level of data protection and the requirements of the DSGVO and that there are enforceable rights and effective legal remedies are available to those affected.

8. Duration of storage of personal data

Your personal data in accordance with Section 4 will be processed for as long as is necessary for the fulfillment of our contractual and legal obligations. If there is no longer any legitimate interest, the data will be deleted or, if this is not possible, blocked.

In addition, we are subject to statutory retention and documentation obligations, which result, among other things, from the Commercial Code, the Money Laundering Act and the Tax Code. The periods for storage and documentation specified there are two to ten years.

Ultimately, the storage period is also assessed according to the statutory limitation periods, which, for example, according to Sections 195 ff. Of the German Civil Code (BGB) can usually be three years, but in certain cases also up to thirty years.

9. Obligation to provide data by you

You must provide personal data that is necessary for the establishment and implementation of a business relationship and the fulfillment of the associated contractual obligations or that we are legally obliged to collect. Without this data, we will reject the conclusion of the contract or the execution of the order or we will no longer execute an existing contract and terminate it if necessary.

In particular, according to the statutory provisions, e.g. the Money Laundering Act (§§ 11, 12 GWG), we may be obliged to identify you before establishing the business relationship, e.g. using your identity card and a copy of your identity card or passport and the data contained therein as well as yours Collect and save residential address. As part of this identity check in accordance with the GWG, we are obliged to make complete copies of these documents or to capture them completely optically digitized (Section 8 (2) sentence 2 GWG). In order for us to be able to comply with this legal obligation, you must provide us with the necessary information and documents in accordance with Section 11 (6) GWG and immediately notify us of any changes that arise in the course of the business relationship. If you do not provide us with the necessary information and documents, we are not allowed to establish or continue the business relationship you have requested.

10. Automated decision-making including profiling

We do not use any automated processing, including profiling, to bring about a decision on the establishment and implementation of a contractual relationship (Art. 22 GDPR). If we use this procedure in individual cases, we will inform you about this separately, provided this is required by law.

11. Affected Rights

According to the EU General Data Protection Regulation, you have the following rights:

- **Right to information:**
If your personal data are processed, you have the right to receive **information** about the data stored about you (Art. 15 DSGVO).
- **Right to correction:**
If incorrect personal data are processed, you have the right to **correction** (Art. 16 DSGVO).
- **Right to deletion ("right to be forgotten") and restriction of processing:**
If the legal requirements are met, you can request the **deletion** or **restriction of processing** (Art. 17 and 18 DSGVO)
- **Right to data portability:**
If you have consented to data processing or if there is a data processing contract and data processing is carried out using automated procedures, you may have the right to **data portability** (Art. 20 DSGVO).
- **Right of revocation:**
You can revoke your **consent** to the processing of personal data at any time free of **charge** and with effect for the future. This also applies to declarations of consent that were given before the DSGVO came into effect, i.e. before May 25, 2018.
- **Right to lodge a complaint:**
In the event of complaints relating to data protection law, you can contact the responsible supervisory authority.

- **Right to object:**
You have the right to object to the processing of personal data concerning you at any time for reasons that arise from your particular situation (Art. 21 GDPR). If you object, we will stop processing your personal data, unless we can prove compelling legitimate reasons for the processing that outweigh your interests, rights and freedoms or the processing serves to assert, exercise or defend legal claims.

If you object to processing for advertising purposes, we will no longer process your personal data for these purposes.

The objection can be made informally. To exercise your rights, please contact our external data protection officer.