

## Information obligations acc. Art. 13 DSGVO (GDPR)



The protection of your personal data is very important to us. We therefore process your personal data ("data" for short) solely on the basis of statutory provisions. With this data protection declaration we want to comprehensively inform you about the processing of your data in our company and the data protection claims and rights to which you are entitled within the meaning of Art General Data Protection Regulation (EU DSGVO).

### 1. Who is responsible for data processing and whom can you contact?

Responsible Company:

**W+A Wälzlager- und Antriebstechnik GmbH**  
Bildstock 34  
88085 Langenargen  
E-Mail: [info@wagmbh.com](mailto:info@wagmbh.com)  
Tel.: 07543-96290

The company data protection officer is:

**Gerald Lill**  
**Projekt 29 GmbH & Co. KG**  
Ostengasse 14  
93047 Regensburg  
E-Mail: [g.lill@projekt29.de](mailto:g.lill@projekt29.de)  
Tel.: 0941-2986930

### 2. Which data is processed and from what sources does this data come from?

We process the data that we have received from you within the framework of contract initiation or settlement, on the basis of consents or as part of your application with us or within the framework of your workforce.

#### Personal data includes:

Your core contact details, which include, for example, **customers** first and last name, address, contact details (e-mail address, telephone number, fax), bank details.

**Applicants and employees** include, for example, first name and surname, address, contact details (e-mail address, telephone number, fax), date of birth, data from CV and employment certificates, bank details, religious affiliation.

For **business partners**, this includes for example, the name of their legal representative, company, commercial register number, VAT number, company number, address, contact details (e-mail address, telephone number, fax), bank details.

In addition, we also process the following other personal data:

- Information on the type and content of contract data, order data, sales and receipt data, customer and supplier history and advice documents
- advertising and sales data,- information from your electronic traffic with us (for example, IP address, log-in data)
- other data that we have received from you as part of our business relationship (for example, in customer meetings)
- data that we generate ourselves from master / contact data as well as other data, such as by means of customer needs and customer potential analyses
- the documentation of your consent for the receipt of, for example, newsletters.

### **3. For what purposes and on what legal basis is the data processed?**

We process your data in accordance with the provisions of the General Data Protection Regulation (DSGVO) and the Federal Data Protection Act 2018, as amended:

- **for the fulfilment of (pre-) contractual obligations (Art. 6 para. 1 lit. b DSGVO):**  
The processing of your data takes place for the contract settlement on-line or in one of our branches, for the contract handling of your co-worker in our enterprise. The data is processed in particular when the business is initiated and when the contracts are executed with you.
- **for the fulfilment of legal obligations (Art. 6 (1) lit. c DSGVO):**  
A processing of your data is for the purpose of compliance with various legal obligations, for example, as required by the commercial code or the fiscal tax code.
- **for the protection of legitimate interests (Art. 6 (1) lit. f DSGVO):**  
Due to a balancing of interests, data processing beyond the actual fulfilment of the contract may take place in order to safeguard legitimate interests of us or third parties. Data processing for the protection of legitimate interests takes place, for example, in the following cases:
  - advertising or marketing (see no. 4)
  - measures for business management and further development of services and products
  - running a group-wide customer database to improve customer service
  - in the context of legal action
- **in the context of your given consent (Art. 6 (1) (a) DSGVO):**  
If you have given us consent to process your data, for example, to send our newsletter.

#### **4. Processing of personal data for advertising purposes**

You may object to the use of your personal data for advertising purposes at all times or for individual measures without incurring any costs other than the transmission costs according to the basic rates.

Under the legal requirements of § 7 (3) UWG, we are entitled to use the e-mail address you provided when signing the contract for direct advertising for similar goods or services. These product recommendations are provided by us, regardless of whether you have subscribed to a newsletter or not.

If you do not wish to receive such recommendations by e-mail from us, you may object to the use of your address for this purpose at any time without incurring any costs other than the base rate transmission costs. A communication in text form is sufficient. Of course, every e-mail always includes an unsubscribe link.

#### **5. Who receives my data?**

If we use a service provider for order processing, we will still be responsible for protecting your data. All processors are contractually obliged to treat your data confidentially and to process it only as part of the provision of services. The processors commissioned by us will receive your data if they need the data to fulfil their respective performance. These are e.g. IT service providers we need for the operation and security of our IT system as well as advertising and address publishers for our own promotions.

Your data will be processed in our customer database. The customer database supports the enhancement of data quality of existing customer data (doublet clean up, warped / deceased flag, address correction), and allows enrichment with data from public sources.

This data is provided to group companies if necessary, for the execution of the contract. The storage of customer data is company-related and separate, whereby our parent company acts as a service provider for the individual participating companies.

In the event of a legal obligation and in the context of legal action, authorities and courts as well as external auditors may be the recipients of your data.

In addition, insurance, banks, credit bureaus, and service providers may be recipients of your information for the purpose of contract initiation and fulfilment.

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In addition, insurance, banks, credit bureaus, and service providers may be recipients of your information for the purpose of contract initiation and fulfilment.

#### **6. How long will my data be stored?**

We process your data until the end of the business relationship or until the expiry of the applicable statutory retention periods (for example from the commercial code, the fiscal tax code, home act or working time act); in addition, until the termination of any legal disputes in which the data is required as proof.

### **7. Are any personal data transmitted to a third country?**

Basically, we do not transmit any data to a third country. Transmission in individual cases will only take place on the basis of an adequacy decision of the European Commission, standard contractual clauses, appropriate guarantees or your express consent.

### **8. What privacy rights do I have?**

You have the right of information, correction, deletion or restriction of the processing of your stored data, a right of objection to the processing as well as a right to data portability and to a complaint in accordance with the requirements of data protection law.

#### **Right of information:**

You can ask us for information as to whether and to what extent we process your data.

#### **Right to rectification:**

If we process any of your data that is incomplete or incorrect, you may at any time ask for correction or completion.

#### **Deletion rights:**

You may request deletion of your data from us if we process it unlawfully or if the processing disproportionately interferes with your legitimate interests. Please note that there may be reasons opposing an immediate deletion, for example in the case of legally regulated storage requirements.

Regardless of your right of cancellation, we will immediately and completely erase your data, unless there is a legal or legal duty of retention in this regard.

#### **Right to restriction of processing:**

You may require us to restrict the processing of your data if

- You deny the accuracy of the data for a period of time that allows us to verify the accuracy of the data.
- the processing of the data is unlawful, but you reject a deletion and instead require a restriction of data usage
- we no longer need the data for the intended purpose, but you still need this data to assert or defend legal claims, or
- You have lodged an objection to the processing of the data.

#### **Right of data portability:**

You may require us to provide you with the information you have provided to us in a structured, common and machine-readable format and that you may transfer that information to another person without hindrance, provided that

- We process such data on the basis of a consent given or revocable by you or for the performance of a contract between us, and
- this processing is done using automated methods.

If technically feasible, you may require us to transfer your data directly to another person in charge.

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**Right of objection:**

If we process your data for legitimate interest, you can object to this data processing at any time; this would also apply to a profiling based on these provisions. We will then no longer process your data unless we can demonstrate compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing is for the purpose of enforcing, pursuing or defending legal claims. You can object to the processing of your data for the purpose of direct mail at any time without stating reasons.

**Right of complaint:**

If you believe that we violate German or European data protection laws when processing your data, we ask you to contact us to clarify questions. Of course, you also have the right to contact the supervisory authority responsible for you, or the respective state office for data protection supervision.

If you want to assert one of the mentioned rights against us, please contact our data protection officer. If in doubt, we may request additional information to confirm your identity.

**9. Am I committed to providing data?**

The processing of your data is required to conclude or fulfill your contract with us. If you do not provide us with this data, we will generally have to refuse to conclude the contract or be unable to complete an existing contract and consequently terminate it. However, you are not obliged to give your consent to the processing of data that is not relevant or legally required for the fulfilment of the contract.