



## **PRIVACY INFORMATION FOR BUSINESS PARTNERS**

### **DATA PROTECTION INFORMATION ON OUR PROCESSING OF BUSINESS PARTNER DATA IN ACCORDANCE WITH ARTICLES 13, 14 AND 21 OF THE GENERAL DATA PROTECTION REGULATION (GDPR)**

**ELGO ELECTRONIC GmbH & Co KG**

Dear business partner, in accordance with the provisions of Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR), we hereby inform you about the processing of personal data collected about you and your rights under data protection law in this regard. Which data is processed in detail and how it is used depends largely on the services requested or agreed. In order to ensure that you are fully informed about the processing of your personal data in the context of the performance of a contract or the implementation of pre-contractual measures, please take note of the following information.

#### **1. RESPONSIBLE BODY WITHIN THE MEANING OF DATA PROTECTION LAW**

ELGO Electronic GmbH & Co. KG  
Carl-Benz-Str. 1  
D-78239 Rielasingen

Phone: +49 7731 9339 0  
E-mail: [info@elgo.de](mailto:info@elgo.de)

#### **2. CONTACT DETAILS OF OUR DATA PROTECTION OFFICER**

**vimopro GmbH**  
Phone: +49 7721 69811 51  
E-mail: [datenschutz@elgo.de](mailto:datenschutz@elgo.de)

#### **3. PURPOSES AND LEGAL BASES OF PROCESSING**

We process your personal data in accordance with the provisions of the European Data Protection Regulation (EU-GDPR) and the German Federal Data Protection Act (BDSG), insofar as this is necessary for the establishment, implementation or fulfilment of a contract or for the implementation of pre-contractual measures. Insofar as the provision of personal data is required for the initiation or implementation of a contractual relationship or in the context of the implementation of pre-contractual measures, processing is lawful pursuant to Art. 6 (1) lit. b GDPR.

If you give us express consent to process personal data for specific purposes (e.g. forwarding to third parties, evaluation for marketing purposes or advertising), the lawfulness of this processing is given on the basis of your consent in accordance with Art. 6 para. 1 lit. a GDPR. Consent given can be revoked at any time with effect for the future.

If necessary and legally permissible, we process your data beyond the actual contractual purposes for the fulfilment of legal obligations pursuant to Art. 6 (1) lit. c GDPR. In addition, processing may be carried out to protect the legitimate interests of us or third parties in accordance with Art. 6 (1) f GDPR. If necessary, we will inform you separately, stating the legitimate interest, insofar as this is required by law.

#### **4. CATEGORIES OF PERSONAL DATA**

We only process data that is related to the establishment of the contract or the pre-contractual measures. This can be general data about you or persons in your company (name, contact details, position, etc.) as well as, if applicable, further data that you provide to us in the context of establishing the contract. We also ask you not to provide us with more data than is necessary for the initiation or execution of the contract.

#### **5. SOURCES OF THE DATA**

We process personal data that we receive from you in the context of contacting you or establishing a contractual relationship or in the context of pre-contractual measures or that you provide via our website.

## 6. RECIPIENT OF THE DATA

We only pass on your personal data within our company to those areas and persons who need this data to fulfil contractual and legal obligations or to implement our legitimate interest.

We may transfer your personal data to our affiliated companies to the extent permitted by the purposes and legal bases set out in section 3 of this privacy notice.

Your personal data is processed on our behalf on the basis of order processing contracts pursuant to Art. 28 GDPR. In these cases, we ensure that the processing of personal data is in accordance with the provisions of the GDPR. The categories of recipients in this case are providers of internet service providers and providers of customer management systems and software.

Otherwise, data is only passed on to recipients outside the company if this is permitted or required by law, if the transfer is necessary for the processing and thus the fulfilment of the contract or, at your request, for the implementation of pre-contractual measures, if we have your consent or if we are authorised to provide information. Under these conditions, recipients of personal data can be, for example:

- Public bodies and institutions (e.g. public prosecutor's office, police, supervisory authorities, tax office) in the event of a legal or official obligation or to protect our interests.
- Recipients to whom the disclosure is directly necessary to establish or fulfil the contract, e.g. cooperation partners
- Further data recipients for whom you have given us your consent to transfer data

## 7. TRANSMISSION TO A THIRD COUNTRY

A transfer to a third country is not intended.

## 8. DURATION OF DATA STORAGE

As far as necessary, we process and store your personal data for the duration of our business relationship or for the fulfilment of contractual purposes. This also includes, among other things, the initiation and execution of a contract.

In addition, we are subject to various storage and documentation obligations, which result, among other things, from the German Commercial Code (HGB) and the German Fiscal Code (AO). The periods prescribed there for storage and documentation are two to ten years.

Finally, the storage period also depends on the statutory limitation periods, which, for example, according to §§ 195 et seq. of the German Civil Code (BGB), are usually three years, but in certain cases can be up to thirty years.

## 9. YOUR RIGHTS

Every data subject has the **right of access** under Article 15 of the GDPR, the right of **rectification** under Article 16 of the GDPR, the right of **erasure** under Article 17 of the GDPR, the right to **restrict processing** under Article 18 of the GDPR, the **right of notification** under Article 19 of the GDPR and the **right to data portability** under Article 20 of the GDPR.

In addition, you have the **right to lodge a complaint** with a data protection supervisory authority pursuant to Art. 77 GDPR if you are of the opinion that the processing of your personal data is not lawful. The right of appeal is without prejudice to any other administrative or judicial remedy.

If the processing of data is based on your consent, you are entitled to revoke your consent to the use of your personal data at any time in accordance with Art. 7 GDPR. Please note that the revocation is only effective for the future. Processing that took place before the revocation is not affected. Please also note that we may need to retain certain data for a certain period of time in order to comply with legal requirements (see section 8 of this data protection information).

### Right of objection

Insofar as the processing of your personal data is carried out for the protection of legitimate interests pursuant to Art. 6 (1) (f) GDPR, you have the right pursuant to Art. 21 GDPR to object to the processing of this data at any time for reasons arising from your particular situation. We will then no longer process this personal data unless we can demonstrate compelling legitimate grounds for the processing. These must override your interests, rights and freedoms, or the processing must serve the assertion, exercise or defence of legal claims.

In individual cases, we process your personal data in order to carry out direct advertising.

You have the right to object at any time to the processing for the purpose of such advertisement.

To protect your rights, please feel free to contact our data protection officer.

## 10. NECESSITY OF THE PROVISION OF PERSONAL DATA

As a rule, the provision of personal data for the purpose of establishing, implementing or fulfilling a contract or for the performance of pre-contractual measures is neither legally nor contractually required. You are therefore not obliged to provide personal data. Please note, however, that these are usually required for the decision on the conclusion of a contract, the performance of a contract or for pre-contractual measures. If you do not provide us with personal data, we may not be able to take a decision within the scope of contractual measures. We recommend that you only ever provide personal data that is required for the conclusion of the contract, the fulfilment of the contract or pre-contractual measures.

## 11. AUTOMATED DECISION MAKING

For the establishment, fulfilment or implementation of the business relationship as well as for pre-contractual measures, we generally do not use any fully automated decision-making pursuant to Art. 22 GDPR. Should we use these procedures in individual cases we will inform you separately about this or obtain your consent, insofar as this is required by law.