Information on Data Protection with Regard to Our Data Processing Activities Pursuant to Article 13 and Article 21 of the General Data Protection Regulation (GDPR)

We take data protection seriously and hereby inform you about how your data is processed as well as the claims and rights to which you are entitled under the provisions of data protection law.

1. Data Controller Within the Meaning of Data Protection Laws and Data Protection Officer Contact Information

The data controller within the meaning of data protection laws is:

HARKE Germany Services GmbH & Co. KG
- HARKE GROUP -
Xantener Straße 1
45479 Mülheim an der Ruhr

Our data protection officer - AGAD Service GmbH, Waldring 43 – 47, 44789 Bochum- can be reached at the address above or at datenschutz@harke.com

Purposes and Legal Basis on which Your Data is Processed

We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the Federal Data Protection Act (BDSG), and other applicable data protection regulations. What data is processed and the manner in which it is used is dependent upon the respective purpose.

2.1 Purposes Related to the Fulfillment of a Contract or Pre-contractual Measures (Art. 6 Para. 1 b GDPR)

Processing of personal data is carried out in order to execute our contracts with you, fulfill your orders, and carry out measures and activities within the framework of pre-contractual relationships. In particular, processing is used to create invoices that are based on your orders and includes the necessary services, measures, and activities.

2.2 Purposes in the Context of a Legitimate Interest Expressed by Us or Third Parties (Art. 6 Para. 1 f GDPR)

Beyond the actual fulfillment of a contract or preliminary contract, your data may be processed in cases in which it is necessary to protect our legitimate interests or those of third parties, in particular, with respect to:

- advertising or market and opinion research, provided that you have not objected to the use of your data;
- obtaining information and exchanging data with credit enquiry agencies, provided that this is covered by our legitimate interest;
- the enrichment of our data, including via the use or research of publicly accessible data;
- the limited storage of data, if deletion is not possible or only possible with disproportionately great effort due to the special nature of the storage.

2.3 Purposes within the Context of Your Consent (Art. 6 Para. 1 a GDPR)

Upon your consent, you can subscribe to our newsletter, which provides information about our latest offers. Your e-mail address is the only mandatory information that must be provided in order to receive the newsletter. Your e-mail address will be stored for the purpose of sending you the newsletter. Art. 6 Para. 1 Sent. 1 lit. a of the GDPR serves as the legal basis. You can revoke your consent to be sent the newsletter at any time and unsubscribe from the newsletter. Your revocation can be declared by clicking on the link provided in every newsletter e-mail or by sending notification to the contact address/person stated above under "Responsible".

2.4 Purposes Relating to Compliance with Statutory Requirements (Art. 6 Para. 1 c GDPR) **or Public Interest** (Art. 6 Para. 1 e GDPR)

We are subject to a great number of legal requirements (e.g., commercial and tax laws) as well as regulatory and other official guidelines. Processing purposes may include identity and age verification, fraud and money laundering prevention, the prevention, combating, and investigation of terrorist financing and asset-threatening crimes, comparisons with European and international anti-terror lists, the fulfillment of fiscal control and reporting obligations, 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 be required within the scope of official/judicial measures for the purposes of gathering evidence, criminal prosecution, or the enforcement of civil claims.

3. Data Categories that are Processed, Provided that the Data is Not Directly Received from You, and Their Origins

To the extent necessary for the provision of our services, data obtained from other companies or other third parties (e.g., credit enquiry agencies) is processed. In addition, personal data that we have legitimately extracted, obtained, or acquired from publicly accessible sources (e.g. telephone directories, trade and association registers, etc.) and are permitted to process is processed.

Recipients or Categories of Recipients of Your Data

The internal departments or organizational units within our company that require your personal data in order to fulfill our contractual and legal obligations or in the context of the processing and implementation of our legitimate interest will receive it. The forwarding of your data to third parties is carried out **exclusively**

- in connection with the execution of the contract;
- for the purpose of fulfilling legal requirements;
- on the basis of our legitimate interest or the legitimate interest of the third party for the purposes specified under Clause 2.2 (e.g., to authorities, credit enquiry agencies, debt collection agencies, lawyers, courts, experts, Group companies, committees, and supervisory bodies);
- provided that you have consented to the transfer of such data to third parties.

Beyond that, your personal data will not be passed on to third parties.

4. Duration of the Storage of Your Data

Your data will be processed and stored for the duration of our business relationship. The initiation of new contracts (pre-contractual legal relationship) and the execution of contracts are also included. In addition, data that must be tracked due to commercial and tax regulations is stored for 10 years. Other data, for which no tax retention periods are applicable, will be kept until the end of the regular limitation period (Articles 195 and 199 BGB [German Civil Code]), but, under certain circumstances, periods of up to 30 years may be applicable.
If data is no longer necessary for the fulfillment of contractual or legal obligations and rights, it will be deleted, unless its further processing – for a limited period – is necessary for the fulfillment of the purposes listed under Clause 2.2 for a predominantly legitimate interest.

5. Processing of Your Data in Non-EU Countries or by International Organizations

Data is transferred to locations in countries outside the European Union (EU) or the European Economic Area (EEA) (so-called third countries) if it is necessary for the execution of an order/contract, if it is required by law (e.g., tax reporting obligations), if it is in the context of our legitimate interest or that of a third party, or if you have granted consent.
Third-country processing of your data may also take place in connection with the involvement of service providers within the context of order processing. If the EU Commission has not decided on an appropriate level of data protection for the country in question, we will ensure that its rights and freedoms are adequately protected and guaranteed in accordance with EU data protection regulations in the form of appropriate agreements.

6. Your Data Protection Rights

With regard to your personal data, you have the following rights:

- right of information,
- right of rectification or erasure,
- right of restricted processing,
- right of objection to processing, and
- right of data portability.

You also have the right to file a complaint with the data protection supervisory authority that is responsible for your individual case regarding the processing of your personal data.

7. Credit Enquiry Agencies

In the case of a justified interest, our company regularly checks the creditworthiness of our customers, e.g., if our company could be exposed to a financial default risk. To that end, we cooperate with Atradius Kreditversicherung Niederlassung des Atradius Credit Insurance N.V., Opladener Str. 14, D-50679 Köln and Verband der Vereine Creditreform e.V., Hellersbergstr. 12, 41460 Neuss, from which we receive all necessary data. In such cases, your personal data, collected as part of this contractual relationship, and the information required to obtain your credit rating will be transferred to Atradius/Creditreform. Art. 6 I 1 f) and Art. 6 I b) of the GDPR serve as the legal basis for the transfer of data. The information pursuant to Art. 14 of the GDPR concerning the processing of data carried out by Atradius/Creditreform can be found at https://atradius.de/datenschutz.html and https://www.creditreform.de/datenschutz .

Information Regarding Your Right of Objection, Art. 21 GDPR

1. You have the right, at any time, to object to the processing of your data, which takes place on the basis of Art. 6 Para. 1 f GDPR (data processing on the basis of a weighing of interests) or Art. 6 Para. 1 e GDPR (data processing in the public interest), if there are grounds for doing so that result from your particular situation.

If you file an objection, your personal data will no longer be processed unless we can demonstrate compelling legitimate grounds for processing that outweigh your interests, rights, and freedoms or the processing serves to assert, exercise, or defend legal claims.

2. We may also process your personal data for the purposes of postal advertising, mailshots, and, where appropriate, direct e-mail advertising. If you do not wish to receive advertising, you have the right to object to receipt at any time. Such objection will be observed in the future, and your data will no longer be processed for direct advertising purposes.

An objection can be made in any form and should be addressed, if possible, to:
HARKE Germany Services GmbH & Co. KG
- HARKE GROUP -
Xantener Straße 1
45479 Mülheim an der Ruhr
Phone: +49-(0)208-3069-0
Fax: +49-(0)208-3069-1111
E-mail: datenschutz@harke.com