

DATA PROTECTION STATEMENT FOR CUSTOMERS/OTHER CONTRACTUAL PARTNERS AND PROSPECTS

(Information on data protection for our processing of customer and prospect data according to Articles 13, 14, and 21 of the General Data Protection Regulation (GDPR))

Dear Customers, Prospects, Contractual Partners:

According to the provisions of Articles 13, 14, and 21 of the General Data Protection Regulation (GDPR), we hereby inform you about the processing of your personal data and your data protection rights in this regard. What data in particular will be processed and how it will be used depends on the services you have inquired about or agreed upon. In order to guarantee that you are completely informed about the processing of your personal data in the course of performing a contract or taking pre-contractual measures, please note the following information.

1. CONTROLLER AS DEFINED BY DATA PROTECTION LAW

DIRAK GmbH
Königsfelder Strasse 1
58256 Ennepetal
Tel: 02333 837 0
E-mail: info@dirak.de

2. CONTACT DATA FOR OUR DATA PROTECTION OFFICER

Christof Schindewolf
Data Protection Officer
E-mail: dsb@dirak.de

3. PURPOSE AND LEGAL BASIS OF THE PROCESSING

We process your personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG) insofar as this is necessary for the establishment, execution, and fulfillment of a contract as well as for the implementation of pre-contractual measures. Insofar as 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 in accordance with Article 6(1)(b) GDPR is lawful.

If you grant us express consent to process personal data for particular purposes (e.g. transmission to third parties, evaluation for marketing purposes or e-mail marketing), the lawfulness of this processing is based on your consent according to Article 6(1)(a) GDPR. Consent granted can be revoked at any time with future effect (see point 9 of this data protection statement).

Insofar as required and legally permissible, we process your data beyond the actual contractual purposes for compliance with a legal obligation according to Article 6(1)(c) GDPR. In addition, processing or storage may be done to protect our legitimate interests or those of third parties and to defend and assert legal claims pursuant to Article 6(1)(f) GDPR. If necessary, we will inform you separately specifying 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 pre-contractual measures. This can be general data about your person or people at your company (name, address, contact details, etc.) as well as other data that you share with us as part of establishing the contract.

5. RECIPIENT OF THE DATA

We only transmit your personal data within our company to the departments and people that need this data to fulfill contractual and legal obligations or to implement our legitimate interest.

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Data transmission to recipients outside the company is only done insofar as legal provisions allow or demand this, transmission is necessary for the processing and thus fulfillment of the contract or, on your request, for the

implementation of pre-contractual measures, we have your consent, or we are authorized to provide access. Under these preconditions, recipients of personal data can be, e.g.:

- External tax consultants
- Public offices and institutions (e.g. public prosecutor's office, police, supervisory authorities, revenue office) if there is a legal or official obligation
- Recipients to whom the transfer is required for contract establishment or fulfillment, e.g. transport service providers

6. TRANSMISSION TO A THIRD COUNTRY

Transmission of personal data to countries outside the EEA (European Economic Area) or to an international organization only occurs insofar as this is required for the processing and thus fulfillment of the contract or, on your request, for the implementation of pre-contractual measures; the transmission is legally required or you have granted us your consent.

7. DURATION OF DATA STORAGE

Insofar as necessary, we process and store your personal data for the duration of our business relationship or for the fulfillment of contractual purposes. This also includes the initiation and processing of a contract.

In addition, we are subject to safekeeping and documentation obligations that arise, among other things, from the German Commercial Code (Handelsgesetzbuch, HGB) and the German Tax Code (Abgabenordnung, AO). The deadlines for safekeeping and documentation prescribed there are two to ten years.

In the end, the duration of storage is also based on the legal statute of limitations, which, e.g. according to Section 195 et seqq. of the German Civil Code (Bürgerliches Gesetzbuch, BGB) is generally three years; in certain cases, however, can be up to thirty years.

8. YOUR RIGHTS

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

In addition, there is a right to lodge a complaint with a data protection authority according to Article 77 GDPR if you are of the opinion that the processing of your personal data is not done lawfully. The right to lodge a complaint exists regardless of any other administrative or judicial remedy.

Insofar as the processing of data is done based on your consent, you are entitled according to Article 7 GDPR to withdraw the consent to use your personal data at any time. Please note that the withdrawal is only effective for the future. Processing that was done before the withdrawal is not affected. Please also note that we must keep particular data for a particular period of time to fulfill legal requirements (see point 8 of this data protection statement).

Right of withdrawal:

Insofar as the processing of your personal data is done according to Article 6(1)(f) GDPR for the preservation of legitimate interests, according to Article 21 GDPR you have the right, for reasons that arise from your particular situation, to object to the processing of this data at any time. We will no longer process this personal data unless we can demon-



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strate compelling legitimate grounds for the processing. These must override your interests, rights, and freedoms or the processing must serve the establishment, exercise or defense of legal claims.

To preserve your rights, you can contact us using the contact data specified in point 1.

9. NECESSITY OF PROVIDING PERSONAL DATA

Personal data required for the decision about a contract conclusion, contract fulfillment or for the implementation of pre-contractual measures is provided voluntarily. However, we can only make a decision in the course of contractual measures insofar as you specify such personal data that is required for the contract conclusion, fulfillment or pre-contractual measures.