

## Data protection information for customers and suppliers

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## 1. General

In the following, we inform you regarding the collection of personal data in business transactions. The term 'personal data' applies to any information which refers to you personally, such as name, address, e-mail addresses, payment data, ordered goods.

The responsible body (data controller) in this context according to Art. 4 para. 7 of the General Data Protection Regulation (GDPR) is NKM Noell Special Cranes GmbH, hereinafter referred to in abbreviated form as 'NNSC', and Reel Handling & Lifting Systems GmbH, hereinafter referred to in abbreviated form as 'RHLS'.

We take the issues of data protection and confidentiality very seriously and comply with the applicable national and European data protection regulations. By way of this statement we would therefore like to inform you about data protection measures and about which data we store if necessary and how we use such data.

## 2. What data is collected and how is it used?

### 2.1. Data processing for contractual purposes (Art. 6 para. 1b GDPR)

We collect and process your personal data when you purchase certain products or services from us or supply them to us and we need your data for this purpose. The legal basis for processing is provided by Art. 6 para. 1b GDPR. In detail:

- We collect, store and, if necessary, pass on your personal data where required for providing the contractual services. The collection, storage and passing on of data is carried out for the purpose of fulfilling the contract and on the basis of Art. 6 para. 1 sentence 1 lit. b GDPR. Failure to provide this data may result in it not being possible to conclude the contract.
- When we deliver goods to you, we share your data with the accordingly tasked shipping company to the extent that these data are required for the purposes of performing the delivery.
- Your payment details are communicated to the corresponding bank, depending on the means of payment you have selected. The responsibility for your payment details lies with the bank. Information on, in particular on the bank's data controller, the contact details of the bank's data protection officer and the categories of personal data processed can be found on the website of the respective banking institution.
- In addition, we process – insofar as necessary for the provision of our service or the procurement of your service – personal data which we have permissibly received from other third parties (e.g. for the execution of orders, for the fulfilment of contracts, on the basis of legitimate interests or on the basis of your consent). On the other hand, we process personal data that we have obtained and are permitted to process from publicly accessible sources.

Unless otherwise provided for by law, we use your personal data exclusively for the purposes for which you have given your consent.

### 2.2. Within the framework of the weighing up of interests (Art. 6 par. 1f GDPR)

Where necessary, we also process your data beyond the actual fulfilment of the contract in order to protect our legitimate interests or those of third parties. Examples:

- Consultation of and data exchange with credit agencies to determine creditworthiness and default risks (Section 31 para. 2 German Federal Data Protection Act (BDSG) and Art. 6 para. 1f GDPR);
- Advertising, unless you have objected to the use of your data;
- Assertion of legal claims, and mounting a defence in legal disputes;
- Ensuring IT security and operation.

Without your consent we will not process the collected and processed personal data for the purposes of product information nor communicate them to third parties.

### 2.3. On the basis of your consent (Art. 6 para. 1a GDPR)

If you have given us your consent to process personal data for specific purposes, this processing is then legitimate on the basis of your consent. You may revoke your consent at any time. Please note that such revocation is only with future effect. Processing performed prior to the revocation is not affected thereby.

### 2.4. For the implementation of pre-contractual measures

This includes all information exchanged prior to the conclusion of a contract.

For example:

- if interested parties request more information about our services,
- if a cost estimate is being prepared, or
- when the creditworthiness of potential customers is checked.

### 2.5. On grounds of statutory requirements (Art. 6 para. 1c GDPR)

In addition, we are subject to various legal obligations, i.e. statutory requirements (e.g. commercial law, tax laws). The purposes of processing in this context include, among others, the fulfilment of fiscal control and reporting obligations.

### 3. Will my data be passed on to third parties, e.g. to authorities?

Within NNSC und RHLS, only those employees who need your data in the interests of fulfilling our contractual and legal obligations have access to your data. Some data must be passed on under strict contractual and legal conditions:

- On grounds of statutory obligation:

In certain cases, we are bound by law to transfer data to an accordingly requesting public authority.

Otherwise, personal data will only be transferred to government institutions or public authorities in order to comply with mandatory national legislation or if the passing on of such data should be necessary in order to take legal action in cases of fraudulent access to our network infrastructure. The legal basis for the processing in such instances is provided by Art. 6 para. 1c GDPR and/or Section 24 para. 2 no. 1 German Federal Data Protection Act (BDSG).

- To external service providers for data processing:

When service providers come into contact with the personal data of our customers or suppliers, this usually takes place within the framework of what is known as commissioned processing of personal data. This is expressly provided for by law. NNSC and RHLS also remain responsible for the protection of your data in this case – where applicable in addition to the commissioned processor. The service provider works exclusively in accordance with our instructions, which we ensure through strict contractual regulations, technical and organizational measures and supplementary controls.

The data protection regulations regarding the commissioned processing of personal data bound by instructions are complied with.

- To credit agencies (e.g. SCHUFA) to determine creditworthiness and default risks.

In addition, NNSC and RHLS will not disclose any data to third parties unless you have expressly consented to the disclosure, the disclosure is recognizably necessary or legally required for the execution of an offer or service you have requested, nor is any transfer of your personal data beyond this to a third country or an international organization intended.

### 4. How long will my data be retained?

To the extent necessary, NNSC and RHLS process and store the data for the duration of the contractual relationship (i.e. including contract initiation and execution) with the employee(s).

The processing, storage and use of the data by NNSC and RHLS may in individual cases, depending on the purpose of the storage, also extend beyond the term of the contract. An example in this context is the storage of data collected and processed in accordance with Section 2.1 for the purposes of fulfilling post-contractual obligations and exercising post-contractual rights.

The data collected and processed within the framework of the weighing up of interests pursuant to Section 2.2 will be stored for as long as permitted on grounds of the legitimate interests.

In addition, we are subject to various obligations to retention and documentation deriving from, among other things, the German Commercial Code (HGB) and the Tax Code (AO).

The duration of storage is also assessed on the basis of the statutory limitation periods e.g. in accordance with Section 195 et seq. of the German Civil Code (BGB).

### **5. Do I have a right to information about and correction of my stored data? What other rights do I have with regard to my stored data?**

You may at any time, and free of charge, request information about the extent, origin and recipients of the stored data as well as the purpose of the storage; you also have the right to the correction, deletion or restriction of the processing of your personal data in accordance with data protection regulations, a right of objection to the processing and a right to data portability. Attention is drawn to the existence of the right to lodge a complaint with a supervisory authority

### **6. Can I revoke any consent I may have given to the use of my data?**

You have the right to revoke your consent to the use of your data at any time. All you need to do is send an e-mail to [info@nkmnoell.com](mailto:info@nkmnoell.com) or a message to the following address:

NKM Noell Special Cranes GmbH

Rudolf-Diesel-Strasse 1, 97209 Veitshöchheim, Germany

The data processing based on your consent is lawful until the time of revocation thereof.

### **7. Who is my contact person if I have any questions about data protection?**

If you have any questions or suggestions, please feel free to contact the NNSC and RHLS Data Protection Officer at any time:

NKM Noell Special Cranes GmbH

Data Protection Officer

Rudolf-Diesel-Strasse 1, 97209 Veitshöchheim, Germany

### **8. How long is this privacy statement valid?**

This privacy statement is the currently valid version and dates from November 2018. We reserve the right to amend the privacy statement at any time with effect for the future.