

Duty to inform for data collection

Data protection notice for customers, suppliers, partners, clients, Visitors and interested parties

With this data protection notice we inform you about how we process your personal data and which rights are granted to you by data protection law in this context. The individual personal data that are processed by you and the scope of the processing depends on the legal provisions and the content of the contractual business relationship that has been agreed with you. It may therefore be that not all parts of this data protection information are applicable to you.

I. Responsible for data processing

Responsible is the:

J. Wagner GmbH

Otto-Lilienthal-Str. 18

88677 Markdorf

Phone: +49 (0) 75 44 / 5 05-0

Fax: +49 (0) 75 44 / 5 05-2 00

E-Mail: wagner@wagner-group.com

You can contact our company data protection officer at:

E-Mail: Datenschutz.Deutschland@wagner-group.com

Phone: +49 (0) 75 44 / 5 05-0

Fax: +49 (0) 75 44 / 5 05-2 00

II. Data processed and their origin

First and foremost, we process the personal data that we receive or have collected from the data subjects within the scope of the business or customer relationship. We also process data provided on the basis of inquiries / visits / registrations (e.g. Internet shop), consents (e.g. newsletter dispatch) etc. within the legally permitted framework.

In addition, we also process personal data provided to us in the context of order processing and data from publicly accessible sources (e.g. press, Internet), insofar as this is necessary and permissible for the respective purposes. We also process personal data that are legally transmitted to us by other companies of the Wagner Group or by third parties (e.g. credit insurance, receivables management, indications of criminal acts).

The personal data processed by us in this context consists of personal data / identification data (name, address, contact data, user ID etc.), data from the fulfilment of our contractual obligations (bank data, history, authorisations etc.), data made available to us within the scope of consents and other data which are comparable with the categories mentioned.

III. Processing purposes and legal bases

The personal data are processed by us in accordance with the regulations of the EU data protection basic regulation (GDPR) and the Federal Data Protection Act (BDSG) on the basis of the following legal bases:

1. a) For the performance of a contract (Art. 6 (1) lit. b GDPR)

The processing of personal data is necessary for the fulfilment of a contract to which the data subject is a party or for the implementation of pre-contractual measures taken at the request of the data subject.

If you make use of additional services, your data will be processed to the extent necessary to provide these additional services.

b) In the context of contract processing (Art. 28 GDPR)

The processing of personal data on behalf of the customer takes place exclusively in accordance with instructions and within the framework of legal regulations.

2. In the context of a balance of interests (Art. 6(1)(f) GDPR)

Beyond the actual fulfilment of the contract with you, we process your data to the extent necessary to protect our legitimate interests or the legitimate interests of third parties, provided that your interests do not predominate. Examples are:

- Internal and external communication
- Documentation
- Internal and external monitoring (ICS controls or key figures)
- Internal and external investigations, safety reviews
- Measures for business management and further development of services and products
- Advertising
- Authorization management
- IT security measures
- Event Management
- Assertion / defence of legal claims, also in legal disputes
- Prevention and detection of criminal offences
- measures for building and system security (e.g. access controls)
- Measures to secure the domiciliary right
- Risk management via the Wagner Group of Companies

3. On the basis of your consent (Art. 6 para. 1 lit. a GDPR)

If you have consented to certain processing of your personal data (e.g. newsletter dispatch, participation in advertising campaigns), your personal data will be processed lawfully on the basis of this consent. You can revoke your consent at any time with effect for the future. This also applies to declarations of consent that you have given us before the GDPR has entered into force, i.e. before May 25, 2018. Since the revocation of a consent is valid for the future, it does not affect the effectiveness of the processing until the time of the revocation.

4. Statutory or legal provisions (Art. 6(1)(c) GDPR or in the public interest (Art. 6(1)(e) GDPR)

In addition, we as a company have various legal obligations (e.g. tax laws, money laundering laws). These include identity checks, fraud and money laundering prevention, the fulfilment of tax control and reporting obligations as well as the assessment and control of risks in the company and the Wagner Group.

IV. Processing principles

The company ensures the implementation of appropriate technical and organisational measures for data security by internal regulations and - if the data are processed by an external service provider - by corresponding contractual agreements, for example by using the EU standard contract clauses for data processing outside the European Union.

Please arrange for any necessary changes to your data in good time. You can contact the relevant departments or the data protection officer to clarify questions about your data and request both information and the correction / deletion of incorrect or no longer required data.

V. Recipient of the data

In compliance with the statutory provisions and the existing internal regulations, the departments that require your data to fulfil our contractual and statutory obligations have access to it. Similarly, service providers and vicarious agents (e.g. IT service providers, logistics, telecommunications, debt collection, consulting, financial services, marketing agencies, insurance companies...) employed by us may access your data for these purposes, provided that you maintain the confidentiality and integrity of the data in particular.

We only pass on personal data to recipients outside our company if and insofar as this is necessary in compliance with the applicable data protection regulations. We may only disclose information about you if required to do so by law, if you have given your consent or if we are authorized to provide such information. Recipients of personal data may be, for example:

- **For operational purposes**
 - To other companies of the Wagner Group
 - To service providers / contractors
 - To customers, suppliers, partners
- **Obligations to report and provide information**
 - To authorities and other bodies (e.g. tax authorities, auditors)
- **To clarify claims and accusations**
 - Lawyers, prosecution authorities, creditors or insolvency administrators
- **For recipients that you have explicitly named**
 - To credit and financial services institutions

In addition, your personal data may be transferred to recipients for whom you have given us your consent. The same applies to bodies to which we may transfer personal data on the basis of a balance of interests.

VI. Transfer of data to third countries or international organisations

We transfer personal data to bodies in countries outside the European Union (so-called third countries) insofar as

- it is required by law (e.g. tax reporting obligations)
- you have consented or
- the transmission is necessary to protect our legitimate interests and your interests or fundamental rights and freedoms do not outweigh the protection of your personal data.

In addition, personal data will be transferred to bodies in third countries in the following cases:

- With the consent of the data subject or on the basis of legal regulations to combat money laundering, the financing of terrorism or other criminal acts and on the basis of a balance of interests, personal data will in individual cases be transmitted to the European Union in compliance with the data protection level.

VII. Duration of the storage of personal data

Your personal data will only be stored or otherwise processed by us for as long as is necessary to achieve the respective purpose.

Once the purpose of the processing has ceased to apply (e.g. legal transaction concluded), the corresponding personal data will be deleted. The deletion may be postponed in the following cases:

- Compliance with legal retention periods (e.g. German Commercial Code (HGB), German Banking Act (KWG), German Money Laundering Act (GwG). The storage periods mentioned there are generally 6 to 10 years.
- Fulfilment of justified retention periods (e.g. for customer service, inquiries, log files).
- Securing of evidence within the statutory statute of limitations. According to §§ 195 ff. of the German Civil Code (BGB), these limitation periods can be up to 30 years. The regular limitation period is 3 years.



If we or a third party process your data on the basis of the above-mentioned weighing of interests, we will delete your personal data as soon as our legitimate interest no longer exists. The above-mentioned exceptions also apply here.

Data deletion takes place within the deletion routines implemented by the process owners.

In the event of consent, the data will be deleted as soon as the consent is revoked for the future, unless one of the above-mentioned exceptions exists.

VIII. Internal monitoring and investigation

To protect against the various threats to our IT - e.g. by malware, hacker attacks, spam - and the intellectual property, different procedures are used in which the information exchanged is checked for viruses, for example, and the connection data for anomalies. When anomalies are discovered, the relevant documents and connection data can be analyzed.

In order to comply with existing supply and payment restrictions - for example on companies and persons listed on various government lists - a comparison can be made against this list.

In addition, in suspicious cases, in official investigations and to defend against claims against our company, an investigation and, if necessary, the surrender of data and documents on the persons concerned may be necessary.

In all cases, our internal regulations, the legal requirements and the personal rights of those affected are observed.

IX. Rights of the person concerned

Under Art. 15 of the GDPR, any person concerned has a right of access. According to Art. 16 of the GDPR, the data subject may request the rectification of inaccurate personal data. According to Art. 17 of the GDPR, the data subject has a right of cancellation or, according to Art. 18, a right of processing restriction. Similarly, under the conditions laid down in Art. 21 GDPR, the data subject may object to the processing of personal data concerning him/her. According to Art. 20 of the GDPR, the data subject has a right to data transferability. To assert these rights, please contact the data protection officer or the relevant department:

In addition, pursuant to Art. 77 GDPR in conjunction with § 19 BDSG, you have a right of appeal to the responsible data protection supervisory authority.

A given consent can be revoked at any time.

X. Obligation to provide personal data

Within the framework of the legal transaction to be carried out with you, you are obliged to provide the personal data required for the execution of the legal transaction and for the fulfilment of the associated contractual obligations or which we are legally obliged to collect.

If you do not provide certain personal data, you may suffer disadvantages or the legal transaction may not be concluded.

XI. Automated decision making

According to Art. 22 of the GDPR, automated decisions can only be taken if they are necessary for the conclusion or fulfilment of a contract or if they are permitted by law or if they are legitimised by the express consent of the person concerned.

If we use such procedures in individual cases, you will be informed about this and about your associated rights within the framework of legal requirements.

XII. Profiling

Some of your data will be processed automatically in order to evaluate certain personal aspects (profiling). For example, we are required by law and regulation to combat money laundering, terrorist financing and asset-polluting crimes. In this context, data analyses are also carried out.



XIII. Information on your right of objection under Art. 21 GDPR 1

1. Right of objection in individual cases

You have the right to object at any time for reasons arising from your particular situation to the processing of personal data concerning you, which is based on Art. 6 (1)(e) (data processing in the public interest) or (f) (data processing on the basis of a balance of interests); this also applies to profiling based on these provisions.

If you object, we will no longer process your personal data. Anything to the contrary shall only apply if we can prove compelling legitimate reasons for the processing which outweigh your interests, rights and freedoms or if the processing serves to assert, exercise or defend legal claims.

2. Recipient of an opposition

The objection can be made form-free with the subject "objection" stating your name, address and, if applicable, contact data and should be addressed to the data protection officer.