INFORMATION OBLIGATIONS ACC. ART. 13 and 14 GDPR

Information obligations for customers and suppliers

The protection of your personal data is of particular concern to us. We therefore process your personal data ("data" for short) exclusively on the basis of the statutory provisions. With this privacy policy, we wish to inform you comprehensively about the processing of your data in our company and the data protection claims and rights to which you are entitled in accordance with Articles 13 and 14 of the European General Data Protection Regulation (EU GDPR).

1. who is responsible for data processing and who can you contact?

Responsible is

Ziel Terminal GmbH
Dahlingstraße 200
47229 Duisburg
E-mail: volker.pohlmann@zielterminal.com

The company data protection officer is

Nico Becker
Project 29 GmbH & Co KG
Ostengasse 14
93047 Regensburg
E-mail: anfragen@projekt29.de
Phone: 0941-2986930

2. which data is processed and from which sources does this data originate?

We process your personal data as a supplier

Personal data includes the following

- First name and surname
- Address
- E-mail address
- Telephone number
- fax

We also process the following data and information

- Bank details
- the designation of their legal representatives
- Company, commercial register number,
- VAT-IdNo.,
- Company number

3. for what purposes and on what legal basis is the data processed?

For the purpose of contract initiation and contractual relationship with you as a supplier or your organisational representatives or authorised representatives, your personal data will be processed based on the following legal bases:

- **for the fulfilment of (pre-)contractual obligations (Art. 6 para. 1 lit. b GDPR):**
  The processing of personal data serves to initiate the contract, to conclude the contract and to fulfil the contract with you as the supplier.

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- **for the fulfilment of legal obligations (Art. 6 para. 1 lit.c GDPR):**
  The processing of your data is necessary for the purpose of fulfilling various legal obligations:

  - Regulatory requirements or due to laws
  - Tax and corporate law regulations (e.g. German Fiscal Code), advisory obligations in accordance with the EU Insurance Mediation Directive (IDD) and the German Money Laundering Act
  - Sanctions checks (financial sanctions / embargoes - comparison against the so-called "terror lists" or "sanctions lists" to ensure that no funds or other economic resources are made available for terrorist purposes.
  - the provision of information to authorities or courts
  - Recording/reporting obligations, internal auditing measures, management of internal complaints/claims

- **to safeguard legitimate interests (Art. 6 para. 1 lit.f GDPR):**
  Based on a balancing of interests, data processing may take place beyond the actual fulfilment of the contract to protect our legitimate interests or those of third parties. Data processing to protect legitimate interests takes place in the following cases, for example:

  - Obtaining credit information, especially in the case of high risks or to minimise the risk of default in advance for long-term investments
  - judicial and extrajudicial assertion, exercise and/or defence of legal claims (in particular existing contract data, performance data and associated advice as well as findings from the ongoing customer relationship)
  - Prevention and investigation of criminal offences
  - Ensuring IT security and IT operations, carrying out load tests, developing new products and systems and adapting existing ones, migrating data primarily to ensure the functionality and performance of the systems and thus, by extension, the processed data. The personal data provided is mainly used for tests where this cannot be done with reasonable economic effort on the basis of anonymous data, whereby data security in accordance with Art. 32 GDPR is of course guaranteed at all times
  - Fulfilment of internal reporting obligations and corresponding compliance guidelines such as social security deductions, record-keeping/reporting obligations, audits, compliance with government/authority reviews, response to legal proceedings, pursuit of legal rights/ remedies, defence in legal disputes
  - Video surveillance
  - Taking photos at company events with subsequent publication

- **on the basis of your consent (Art. 6 para. 1 lit. a GDPR):**
  We obtain your consent in accordance with Art. 6 para. 1 lit. a GDPR unless one of the justification reasons described above applies. We will, of course, fully comply with any additional regulations. We require your voluntary consent, which can be revoked at any time, primarily for the following purposes

  - processing for advertising and marketing purposes, unless this is in our legitimate interest (e.g. in the case of telephone advertising)
  - Any call recording during telephone contact

4. processing of personal data for advertising purposes

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You can object to the use of your personal data for advertising purposes at any time, either as a whole or for individual measures, without incurring any costs other than the transmission costs according to the basic rates.

Subject to the legal requirements of Section 7 (3) UWG, we are authorised to use the email address you provided when concluding the contract for direct advertising for our own similar goods or services. You will receive these product recommendations from us regardless of whether you have subscribed to a newsletter.

If you do not wish to receive such recommendations from us by e-mail, you can object to the use of your address for this purpose at any time without incurring any costs other than the transmission costs according to the basic rates. A message in text form is sufficient for this. Of course, each e-mail always contains an unsubscribe link.

5 Who receives my data?

The confidentiality of your personal data is important to us. Your personal data will only be passed on if this is necessary to fulfil pre-contractual, contractual or legal obligations, to protect our overriding interest or that of a third party, or if we have your consent to do so.
If necessary, your personal data will be passed on to the following categories of recipients, but only to the extent necessary in each case:

- Processor (Art. 4 Z 8 GDPR) - e.g. IT service provider
- Banks and credit institutions for the execution of payment transactions (e.g. for tracking, cancelling or correcting incorrect payments).
- Debt collection agencies and service providers in the course of combating fraud (e.g. detective agencies) to enforce our justified claims.
- Lawyers for the assertion or defence of legal claims
- Logistics service provider for the dispatch of mail items.
- Dispute resolution organisations (interest groups, arbitration boards)
- Courts, public prosecutors, tax authorities, supervisory authorities
- Lawyers, notaries
- Insolvency administrator
- Auditor, tax consultancy firm
- Credit agencies and creditor protection organisations

6 How long will my data be stored?

If there are no statutory retention obligations to the contrary and we no longer need your data for the above-mentioned purposes, we will delete your data. However, as long as a contractual relationship exists between you and us, the processing of the data collected for this purpose is absolutely necessary.

We store certain data in accordance with the following rules for the duration specified in each case and delete or destroy it after the specified storage period has expired:

- If the processing is based on your consent, we will delete the data concerned after your cancellation
- If none of the following retention periods apply, we delete the data after the purpose of processing has expired
- 3 years: Data and content relating to legal transactions (including their preparation) to the extent necessary for information and defence as well as for the assertion or defence of claims. This also includes data for marketing and customer support, unless they also fall under a category for a longer storage period.
- 6 years: commercial letters received and sent (§ 257 para. 1 no. 2 and 3, para. 4 HGB)

- 10 years: Documents relevant for taxation, accounting records, trading books (§§ 147 para. 1 AO, 257 para. 1 no. 1 and 4, para. 4 HGB).
- 30 years: Data that is stored due to special circumstances in our own or a third party's interest, as there are corresponding limitation periods or special retention periods (e.g. enforcement order, special limitation periods)

7. is personal data transferred to a third country?

The transfer of personal data to an EU third country is of course permitted. We have no plans to transfer data outside the EU or the EEA. Within the scope of the contractual relationship - in particular in the event of a claim and for the assertion, exercise and defence of any legal claims - it is necessary for us to transfer your personal data to recipients in third countries to the extent necessary. These are countries outside the EU or the EEA. In all other cases, data is transferred on the basis of an adequacy decision (Art. 45 GDPR), suitable guarantees (such as standard data protection clauses) within the meaning of Art. 46 GDPR or binding internal data protection regulations (Binding Corporate Rules of a group of companies). In any case, insurers may transfer personal data to recipients in third countries in individual cases in accordance with Art. 49 GDPR. This is done in particular for the fulfilment of the respective insurance contract (lit. b) or for the assertion or defence of legal claims (lit. e).

8 What data protection rights do I have?

You have the right to information, correction, deletion or restriction of the processing of your stored data, a right to object to the processing as well as a right to data portability and to lodge a complaint in accordance with the requirements of data protection law.

Right to information:
You can request information from us as to whether and to what extent we process your data.

Right to rectification:
If we process your data that is incomplete or incorrect, you can request that we correct or complete it at any time.

Right to cancellation:
You can demand that we erase your data if we process it unlawfully or if the processing disproportionately interferes with your legitimate protection interests. Please note that there may be reasons that prevent immediate erasure, e.g. in the case of statutory retention obligations. Irrespective of the exercise of your right to erasure, we will erase your data immediately and completely, provided that there is no legal or statutory retention obligation to the contrary.
Right to restriction of processing:
You can request that we restrict the processing of your data if

- you contest the accuracy of the data for a period of time that enables us to verify the accuracy of the data.
- the processing of the data is unlawful, but you refuse to have it erased and instead request that the use of the data be restricted,
- we no longer need the data for the intended purpose, but you still need this data for the assertion or defence of legal claims, or
- you have objected to the processing of the data.

Right to data portability:
You may request that we provide you with the data you have provided to us in a structured, commonly used and machine-readable format and that you may transmit this data to another controller without hindrance from us, provided that

- we process this data on the basis of a consent given and revocable by you or for the fulfilment of a contract between us, and
- this processing is carried out using automated procedures.

If technically feasible, you can request that we transfer your data directly to another controller.

Right of objection:
If we process your data on the basis of a legitimate interest, you can object to this data processing at any time; this would also apply to profiling based on these provisions. We will then no longer process your data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing serves the establishment, exercise or defence of legal claims. You can object to the processing of your data for the purpose of direct advertising at any time without giving reasons.

Right of appeal:
If you are of the opinion that we are violating German or European data protection law when processing your data, please contact us so that we can clarify any questions you may have. Of course, you also have the right to contact the supervisory authority responsible for you, the respective state office for data protection supervision.
If you wish to assert one of these rights against us, please contact our data protection officer. In case of doubt, we may request additional information to confirm your identity.

9. am I obliged to provide data?

The processing of your data is necessary for the conclusion or fulfilment of the contract you have entered into with us. If you do not provide us with this data, we will generally have to refuse to conclude the contract or will no longer be able to fulfil an existing contract and will therefore have to terminate it. However, you are not obliged to give your consent to data processing with regard to data that is not relevant or legally required for the fulfilment of the contract.