



Principles of data processing for suppliers/service providers at Winter, Brandl Partnerschaft mbB

We hereby inform you as supplier/service provider about processing of your personal data and the rights to which you are entitled under data protection law. We process your personal data exclusively within the framework of the statutory provisions. This includes in particular the following categories of personal data: Supplier master data (creditor) and contact persons as well as their communication data (e.g. sales representatives).

Who is responsible for data processing?

The responsible party in terms of Data Protection Law is

Winter, Brandl Partnerschaft mbB

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You will find further information about our company, details of the persons authorized to represent us and further contact options in the imprint of our Internet site <https://wbetal.de/en/imprint/>

For what purposes is the processing performed and on which legal basis is it executed?

If we have received personal data (hereinafter also referred to as "data") from you, we will only process it for the purposes for which we received or collected it.

The collection of this data is carried out in particular

- to be able to identify you as our supplier/service provider,
- in the context of a pre-contractual legal relationship,
- to carry out the contractual relationship,
- for correspondence with you,
- to process any existing liability claims and to enforce any claims against you.

If you transfer data from your employees to us as a supplier/service provider, you must inform them accordingly about our information obligations.

a) Collection and processing in the context of the fulfillment of contractual obligations.

We collect and process personal data in the context of contacting you and for the fulfillment of our contractual obligations to you. We process this data on the legal basis according to Art. 6 para. 1 lit. b) DSGVO and thus for the implementation of pre-contractual measures as well as for the fulfillment of contracts.

b) Processing due to legal obligations or in the public interest

Our company is also subject to legal and regulatory requirements and obligations with which we must comply and which make the processing of personal data necessary. The fulfillment of the legal requirements arising in detail requires the processing of personal data, which is permitted to this extent under Art. 6 (1) c) DS-GVO. In addition, the processing of personal data may be in the public interest (Article 6 (1) (e) of the GDPR), for example, to avert danger or to safeguard public safety and health.

c) Processing on the basis of a legitimate interest

In addition, we process personal data insofar as this is necessary to protect our legitimate interests or the legitimate interests of a third party, unless the interests or fundamental rights and freedoms of the data subjects, which require the protection of personal data, prevail (Article 6 (1) (f) of the GDPR). Third parties are natural or legal persons, authorities, institutions or other bodies other than you, us, our processors and persons who are authorized to process personal data under our direct responsibility or by processors. Processing of the data on the basis of a legitimate interest takes place in particular insofar as this is necessary for the assertion of legal claims and defense in legal disputes; in this respect, we assume that our interests outweigh your fundamental rights and freedoms that require the protection of your data.

If we process data on the basis of a consideration of interests, you as the data subject have the right to object to the processing of personal data, taking into account the provisions of Article 21 of the GDPR.

d) Processing based on consent

In addition, personal data will be collected and processed if this processing has been expressly consented to in advance (consent, Art. 6 para. 1 lit. a) DS-GVO). If personal data is processed based on your **consent**, you have the right to **revoke** your consent at any time with effect for the future by any means of contact. The revocation of



consent does not affect the lawfulness of the processing carried out based on the consent until the revocation.

Data processing for other purposes will only be considered if the legal requirements necessary in this respect pursuant to Art. 6 (4) DSGVO are met. In this case, we will of course comply with any obligations to provide information pursuant to Art. 13 (3) DSGVO and Art. 14 (4) DSGVO.

How long will the data be stored?

In principle, personal data is processed for as long as it is necessary to fulfill the contractual purposes, i.e. for as long as the contractual relationship exists (Art. 6 (1) b) DS-GVO). If the processing of personal data is based on consent, this will continue as long as you have not revoked the corresponding consent for processing.

After the termination of the contractual relationship, the data provided by you may be stored and thus processed in order to comply with statutory retention obligations (Art. 6 (1) (c) DS-GVO) or on the basis of legitimate interests (Art. 6 (1) (f) DS-GVO). Legitimate interests may arise in particular from the fact that we have to defend ourselves legally against legal claims or want to assert or exercise legal claims ourselves or want to be able to check the existence, content and scope as well as the enforceability of such claims (in these cases, the retention period is based on the longest limitation period for the respective possible claims). After the expiry of the statutory retention periods and/or the cessation of legitimate interests, the data provided will be deleted.

To which recipients will the data be passed on?

Within the company, those departments receive your data that need it to fulfill our contractual and legal obligations. Contractors used by us (Art. 28 DS-GVO) may also receive data for these purposes. These are companies in the categories of IT services, logistics, printing services, telecommunications, debt collection, advice and consulting, as well as sales and marketing and address determination.

With regard to the transfer of data to recipients outside the company, it should be noted that we only transfer your data if this is permitted or required by law, if you have given your consent or if we are authorized to provide information. Under these conditions, recipients of personal data can be, for example:

- Public authorities and institutions (e.g. public prosecutor's office, police, supervisory authorities) in the event of a legal or official obligation.

- Other companies to which we transfer personal data in order to carry out the business relationship with you (depending on the contract: e.g. banks, credit agencies, suppliers, commercial agents) as well as tax consultants, auditors and, if applicable, lawyers.

Further data recipients may be those bodies for which you have given us your consent to the transfer of data.

Where is the data processed?

We process your personal data exclusively in data centers within the EU.

Automated decision making

An automated decision in the sense of Art. 22 DSGVO does not take place.

Your rights as a "data subject"

Any identified or identifiable natural person to whom the data we process relates ("data subject") has the following rights:

a) Right to information according to Art. 15 DS-GVO:

You have the right to request information free of charge, **in particular** whether and what data about you is stored and for what purpose it is stored, to which categories of recipients your personal data has been disclosed or will be disclosed and the planned duration for which your personal data is stored.

b) Right to rectification pursuant to Art. 16 DS-GVO:

You have the right to request the rectification of your inaccurate personal data without undue delay. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data - also by means of a supplementary declaration.

c) Right to erasure ("right to be forgotten") according to Art. 17 DS-GVO:

You have the right to request that your data be deleted without undue delay. We are obliged to delete personal data without delay if one of the following reasons applies:

- a. The purposes for which the personal data was collected cease to apply.
- b. You revoke your consent to the processing and there is no other legal basis for the processing.



- c. You object to the processing and there is no other legal basis for the processing.
- d. The personal data has been processed unlawfully.
- e. The erasure of the personal data is necessary for compliance with a legal obligation under Union or Member State law to which I am subject.
- f. The personal data was collected in relation to information society services offered in accordance with Article 8 (1) DS-GVO.

d) Right to restriction of processing according to Art. 18 DS-GVO, § 35 BDSG:

You have the right to request the restriction of processing if one of the following conditions is met:

- a. The accuracy of the personal data is doubted by you.
- b. The processing is unlawful, but you refuse to delete it.
- c. The personal data is no longer needed for the purposes of processing, but you need the data to assert, exercise or defend legal claims.
- d. You have objected to the processing pursuant to Art. 21 (1) DS-GVO. As long as it has not yet been determined whether my legitimate reasons prevail over yours, processing will be restricted.

e) Right to data portability according to Art. 20 DS-GVO:

You have the right to receive the data you have provided in a structured, common and machine-readable format. A forwarding to another responsible person may not be hindered by me.

f) Right of objection according to Art. 21 DS-GVO:

You have the right to object to the processing of personal data concerning you, which is based on Art. 6 para. 1 lit. e) or lit. f) DS-GVO, ggfs. in conjunction with Article 9 (2) (f) DS-GVO, for reasons arising from your particular situation. The processing of personal data will be stopped, unless there are compelling legitimate grounds for further processing or the processing serves the assertion, exercise or defense of legal claims. In the

case of direct advertising, the personal data will not be further processed for these purposes in the event of an objection to this.

a) Beschwerderecht bei der Aufsichtsbehörde gem. Art. 13 Abs. 2 lit. d), Art. 77 DS-GVO i. V. m § 19 BDSG:

Wenn Sie der Ansicht sind, dass die Verarbeitung Ihrer Daten gegen die DS-GVO verstößt, haben Sie das Recht, Beschwerde bei der Aufsichtsbehörde einzulegen. Hierzu wenden Sie sich bitte an die zuständige Aufsichtsbehörde.

Für uns ist grundsätzlich das Bayerische Landesamt für Datenschutzaufsicht, Promenade 18, 91522 Ansbach, Tel.: 0981 / 180093-0, Fax: 0981 / 180093-800, E-Mail: poststelle@lda.bayern.de zuständig.

b) Widerruf der Einwilligung gem. Art. 7 Abs. 3 DS-GVO:

Beruhet die Verarbeitung auf Ihrer Einwilligung gem. Art. 6 Abs. 1 lit. a) DS-GVO oder Art. 9 Abs. 2 lit. a) DS-GVO (Verarbeitung besonderer Kategorien personenbezogener Daten), sind Sie jederzeit dazu berechtigt, die zweckmäßig gebundene Einwilligung zu widerrufen, ohne dass die Rechtmäßigkeit der aufgrund der Einwilligung bis zum Widerruf erfolgten Verarbeitung berührt wird. Durch die Erklärung des Widerrufs entstehen Ihnen keine weiteren Nachteile.

Unser Datenschutzbeauftragter

Wir haben einen Datenschutzbeauftragten in unserem Unternehmen benannt. Sie erreichen diesen unter folgenden Kontaktmöglichkeiten:

Herr Rechtsanwalt Sascha Weller, IDR – Institut für Datenschutzrecht
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