

General right of customers to be informed as per GDPR Article 13 and Article 14

1. Who is the data controller and who can you contact?

Company: Berg Back GmbH
Address: Juchem-Straße 1, 66571 Eppelborn, Germany
Email: info@bergback.de
Tel.: +49 (0) 6881 800-0
Fax: +49 (0) 6881 800-259

Our Data Protection Officer can be reached at the postal address above, FAO Data Protection Officer, or by sending an email to datenschutzbeauftragter@juchem.de.

2. Processing purposes and legal basis

Your personal data will be processed as per the provisions of the General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG), and other relevant data protection regulations. Our contract documents, forms, declarations of consent and other information made available to you (e.g. the website or terms and conditions) may provide you with further details and supplementary information regarding the purposes of processing.

2.1 Consent (GDPR Article 6 (1)(a))

If you have granted us your consent to process personal data, such consent is the legal basis for the processing referred to there. You can withdraw your consent at any time with future effect. This does not affect the legality of the data processing carried out on the basis of the consent until such consent was withdrawn.

2.2 Necessary for the performance of a contract (GDPR Article 6 (1)(b))

We process your personal data to the extent necessary to provide the contractual services. The data is necessary for us to fulfil our contractual obligations.

2.3 Necessary for compliance with a legal obligation (GDPR Article 6 (1)(c))

We process your personal data if it is necessary to comply with the following legal obligations:

- Control and reporting obligations under tax law
- Audit carried out by tax or other authorities
- Compliance with legal retention periods

2.4 Necessary for the purposes of legitimate interests (GDPR Article 6 (1)(f))

We also process your data to protect our legitimate interests, namely for the following purposes:

- Optimisation of our business processes, e.g. by maintaining a database of suppliers and prospects
- Centralisation or outsourcing of corporate functions
- Mitigation of default risks in our business processes by consulting credit reference agencies (such as Creditreform, Bürgel)
- Assertion of and defence against legal claims – market research purposes

3. Categories of personal data processed by us

The following data is processed:

- Surname, name
- Contact details (e.g. email address, postal address, telephone number)
- Professional data (e.g. business interests, profession, industry, position, duties, and powers) – bank details – tax ID
- Order history
- Credit rating
- Other information required in order to process the order

4. Who will receive your data?

We share your personal data with the following bodies:

- Contractually affiliated external companies, other cooperation partners and external service providers, particularly in the areas of IT services, logistics, courier services, printing services, external computer centres, support/maintenance for IT applications, archiving, document processing, accounting and controlling, data destruction, purchasing/procurement, customer management, letter shops, marketing, telephony, website management, tax consulting, auditing services, financial institutions, insurance companies
- Public bodies and institutions should there be a legal or official obligation under which we are obliged to provide information, report or transfer data, or if transferring the data is in the public interest
- Bodies and institutions on the basis of our legitimate interest or the legitimate interest of the third party (e.g. to authorities, credit reference agencies, debt collection agencies, law firms, courts, appraisers, companies belonging to the Group, committees, and supervisory bodies)
- Other bodies for which you have granted us your consent for the data transfer

Insofar as these are bodies located outside the EU or EEA, we ensure an appropriate level of data protection, for example by concluding corresponding contracts with the data recipient.

5. How long will we store your data?

Your data is stored as long as storage is necessary for the respective purpose. We delete transaction-related data (e.g. relating to a specific contractual or order relationship) after the respective transaction has concluded and the retention period has elapsed, unless this data is

subject to legal retention obligations (e.g. the six or ten year retention period as per Section 257 of the German Commercial Code).

6. Your rights as a data subject

You have the right of access as per GDPR Article 15, the right to rectification according to GDPR Article

16, the right to erasure as per GDPR Article 17, the right to restriction of processing as per GDPR Article 18, and the right to data portability as per GDPR Article 20. In principle, there is the right to object to our processing of your personal data as per GDPR Article 21. However, this right to object only applies if there are very specific grounds relating to your particular situation, whereby rights of our company may conflict with your right to object.

7. Your right to lodge a complaint with the competent supervisory authority

You have a right to lodge a complaint with the data protection supervisory authority (GDPR Article 77).