

## **Information about the Processing of Your Personal Data by TAKRAF GmbH**

With the entry into force of the European Union's General Data Protection Regulation (GDPR) we would like to take this opportunity to inform you about how we process your personal data and what your rights are under the data protection regulations. For this purpose, we have put together the following information leaflet for you.

### **Who is responsible for data processing?**

Your personal data is collected and processed by us

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### **Whom should I contact?**

When you have questions relating to the collection, processing and/or use of your personal data as well as the assertion of your rights, please contact our data protection officer(s): [datenschutzbeauftragter@takraf.com](mailto:datenschutzbeauftragter@takraf.com).

## **What sources and data do we use?**

We process personal data that we obtain during the course of our business relationship or during initial business contact with customers, service providers, suppliers, interested parties, business partners or their representatives or authorized agents. We collect your personal data especially when you contact us by e-mail, telephone or use of any other contact forms or when you provide us with personal data as part of existing business relationships.

In addition to that, we process, as far as is necessary, personal data that we have received from other companies (e.g. for the fulfilment of orders and contracts) as permitted by law. If necessary, we process to some extent personal data that we obtain from publicly available sources (e.g. commercial register, press, internet).

Relevant personal data include, in particular, personal identification details, e.g. first and last name, title, position, address, phone number, e-mail address and fax number. Moreover, these may also include customer order data such as account details or even copies of correspondence/communication contents.

## **Purpose and legal basis of processing**

We process your personal data in accordance with the provisions of GDPR and Federal Data Protection Act (BDSG):

- e) For fulfilment of contractual obligations (Art. 6 Para. 1 b of GDPR)  
Personal data is processed for the fulfilment of a contract or for the performance of pre-contractual measures (e.g. in the course of initiating contracts), which are carried out upon request.
- f) For safeguarding legitimate interests (Art. 6 Para. 1 f of GDPR)  
If necessary, we process your data to safeguard legitimate interests pursued by us or third parties, for instance: Ensuring the IT security of our company, asserting legal claims and defence in case of legal disputes, measures to ensure building and system security and/or safeguarding Hausrecht (*right to enforce house rules*), communication with business partners relating to products and projects.
- g) On the basis of your given consent (Art. 6 Para. 1 a of GDPR)  
When you give us consent to process personal data for specific purposes, the lawfulness of such processing is based on your consent. A given consent may be revoked at any time. This also applies to revoking a declaration of consent that was given to us before the GDPR entered into force, i.e. before May 25, 2018. Please note that a revocation only takes effect for the future. Data processing, which took place prior to the revocation, is not affected by this.

h) Due to legal obligation (Art. 6 Para. 1 c of GDPR)

In addition, our company is subject to various legal obligations, i.e. legal requirements (e.g. arising in connection with Geldwäschegesetz (*Anti-money Laundering Act*) or tax laws). The purposes of processing include, among other things, the fulfilment of fiscal monitoring and reporting obligations as well as money laundering prevention.

## **Who has access to your data?**

Only those departments within our company, which require access to your data for the fulfilment of our contractual and legal obligations, for the fulfilment of orders, to respond to your inquiries and/or for safeguarding our legitimate interests, have access to such data.

Your data may only be disclosed to a third party if this is legally required, you have given your consent, this is necessary for fulfilling our contractual obligations or your orders or there is another legal basis for the disclosure. Under these conditions, the recipients of personal data may be, e.g. public entities and institutions (e.g. regulatory authorities, judicial/ law enforcement agencies), customers, service providers and agents (e.g. IT service providers, suppliers, auditors, lawyers) and affiliated companies.

## **Transmission of your data to a third country**

Data may generally be transmitted to countries outside of the EU or the EEA only if there is an adequacy decision by the EU Commission for this. If there is no adequacy decision on part of the EU Commission, then we shall ensure through contractual arrangements with our contractual partners that a sufficient level of protection for your data is guaranteed or we ask for your express consent for the transmission of your data.

## **How long will your personal data be stored?**

As far as necessary, we store and process your personal data for the duration of our business relationship, which also includes the initiation and handling of a contract. If the data is no longer required for fulfilling contractual and legal obligations and/or for safeguarding our interests, the data will be deleted on a regular basis, unless a temporary further processing is required for the following purposes:

- Fulfilment of statutory obligations, in particular commercial and fiscal obligations on safekeeping of records in accordance with the Handelsgesetzbuch (HGB: *German Commercial Code*) and Abgabenordnung (AO: *General Fiscal Law*). The periods

prescribed therein for safekeeping of records or documentation are up to ten (10) years.

- Preservation of evidence within the framework of the statutory statutes of limitations. According to Sections 195 ff. of BGB (*German Civil Code*) these periods of limitations may be up to thirty (30) years, whereby the regular period of limitation is three (3) years.

## **Am I obligated to provide data?**

During the course of our business relationship, you only need to provide such personal data that is necessary for initiating, performing and concluding a business relationship with us or which we are required to collect by law. Without such data it may be difficult or impossible to form a contract or carry out an order.

## **Rights of data subjects**

As a person affected by data processing and given the existence of the respective prerequisites, you are entitled in accordance with Art. 15 of GDPR to access information about any data we have stored concerning you, to rectification in accordance with Art. 16 of GDPR of any inaccurate data, to erasure of data in accordance with Art. 17 of GDPR, to restrict in accordance with Art. 18 of GDPR the processing of any data we have stored concerning you and to portability of your personal data in accordance with Art. 20 of GDPR.

In addition to that, you are entitled to lodge a complaint with a competent data protection supervisory authority (Art. 77 of GDPR in conjunction with Sect. 19 of BDSG).

## **Information about your right to object according to Art. 21 of GDPR**

You are entitled for reasons arising in connection with your particular situation to object at any time to the processing of personal data concerning you, which is based on Art. 6 Para. 1 f of GDPR (Data processing on the basis of legitimate interests).

Should you object, we will no longer process your personal data, unless we are able to provide compelling legitimate grounds for such processing that outweigh your interests, rights and freedoms or the processing serves the assertion, exercising and defence of legal claims.