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## **Baumüller Holding GmbH & Co. KG**

Ostendstraße 80-90, 90482 Nürnberg, Telefon: +49(0)911 5432-0, Fax: +49(0)911 5432-130,  
www.baumueller.com

### **Art. 13 GDPR: Information for Business Partners**

The purpose of this document is to inform you, as one of our current or prospective business partners or a contact appointed by one of our current or prospective business partners, about how we will collect, use and disclose your personal data.

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

The following party is responsible for collecting and processing your data (the “controller”):

**Baumüller Holding GmbH & Co. KG**

**Ostendstraße 80-90**

**90482 Nürnberg**

**datenschutzbeauftragter@baumueller.com**

#### **2. What categories of data does Baumüller Holding GmbH & Co. KG use in its business relationships?**

We process the following types of personal data concerning our business partners, which include both suppliers and customers: basic details (first name, last name, position, company identity) and the contact details of our dedicated contact (business address, phone numbers, fax number and email address).

We also process any agreements made during the contractual relationship (communication history, contractual agreements, prices, negotiated goods, services, order history and associated offers and orders).

The personal data concerning you or your employees will usually be collected from you personally when making an offer or concluding a contract or during an ongoing business relationship, or it will be provided by your employer as part of its business relationship with Baumüller Holding GmbH & Co. KG.

The data concerning the history of our business relationship (e.g. communication, contract details, contact details) will accumulate throughout our joint business relationship and will be stored in our customer relationship management system (CRM).

In certain circumstances, such personal data may also be collected from other bodies due to legal regulations or a legitimate interest. This particularly includes the credit score requests that may be submitted to credit agencies in certain cases. In the vast majority of cases, however, this information will only concern the company with which Baumüller Holding GmbH & Co. KG has a contractual relationship and not any natural persons, unless you are one of our direct business partners acting and operating in your own name (e.g. as a registered merchant or as a natural person for your own account).

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### **3. What is the purpose and legal basis of data processing?**

**Baumüller Holding GmbH & Co. KG will only process your data if it is permitted or even obliged to do so by law, or if you have given your optional and express consent to data processing.**

Data processing for the performance of contracts:

**If you, as a natural person, are one of our clients (customers) or contractors (e.g. subcontractors, service providers or suppliers), we will collect and process the data indicated above exclusively for the purpose of initiating contracts (e.g. when preparing offers) and performing contracts (e.g. when providing or billing services). In such cases, the legal basis will be point (b) of Art. 6 (1) GDPR.**

Data processing due to legal obligations:

**Your personal data may have to be processed in accordance with various legal obligations, such as those specified in tax law, commercial law, foreign trade law and sanctions. In such cases, the legal basis will be point (c) of Art. 6 (1) GDPR.**

Data processing due to a legitimate interest:

**If you are employed by one of our customers (corporate clients) or contractors (service providers, subcontractors or suppliers), we will collect and process the business data indicated above exclusively for the purpose of initiating and performing contracts with your employer. We will process your data on the basis of our legitimate interest in contacting you and performing contracts with you as a representative of your employer. In such cases, the legal basis will be point (f) of Art. 6 (1) GDPR.**

**If you are one of our business partners or employed by one of our business partners, we may also use your contact details to send you advertising by post or over the phone.**

**We assume that you consent to such. When it comes to using your contact details, Baumüller Holding GmbH & Co. KG will weigh up whether its own legitimate interests outweigh yours in each case. The legal basis will be point (f) of Art. 6 (1) GDPR; Baumüller Holding GmbH & Co. KG has a legitimate interest in advertising to its business partners.**

**If you submit a declaration of consent, we will process your personal data to prove that you have consented to the data processing in question as part of our accountability stipulated in Art. 5 (2) GDPR.**

**If you exercise your rights as a data subject under the GDPR, we will also process your personal data to prove that we have complied with the GDPR when dealing with your request as part of our accountability stipulated in Art. 5 (2) GDPR.**

**In addition, we may forward the personal data contained in your request to our external data protection officer, who advises us on all data protection issues and, in particular, helps us deal with requests from data subjects who wish to exercise their rights under the GDPR.**

**In such cases, the legal basis will be point (f) of Art. 6 (1) GDPR.**

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Data processing on the basis of your consent:

**In addition, your personal data may be processed on the basis of your optional consent pursuant to point (a) of Art. 6 (1) GDPR.**

**For example, you will only receive email newsletters containing information about our company and services if you have given us your prior express consent.**

**Under no circumstances will we pass on your data to unauthorized third parties. You are free to withdraw your consent at any time with future effect in accordance with Art. 7 (3) GDPR.**

**To do this, please use the email address indicated above under the “controller”.**

### **4. Are you obliged to provide your data?**

**When performing contracts with you directly as our contractual partner in accordance with point (b) of Art. 6 (1) GDPR, or when processing your personal data due to your position as a contact appointed by one of our customers or service providers and suppliers in accordance with point (f) of Art. 6 (1) GDPR, we will only process absolutely necessary business data concerning you to enable the fulfillment of our underlying contractual and customer relationships.**

**We would not be able to contact you or establish a contractual relationship without this data. Needless to say, this does not include any data processing that is performed for advertising purposes or based on your consent; such data processing is always optional. You may withdraw your consent at any time with future effect. If you do not wish to receive advertising by post or over the phone, you may opt out.**

### **5. Who will receive your data?**

**As regards those within Baumüller Holding GmbH & Co. KG, your personal data will only be received by the persons and departments who need it to fulfill our contractual and legal obligations or pursue our legitimate interests.**

**Outside of our group of companies, your personal data will only be received by the persons and departments involved in the fulfillment of our contractual and legal obligations or the pursuit of our legitimate interests (e.g. authorities, subcontractors). Needless to say, we will conclude the necessary data processing agreements in accordance with Art. 28 GDPR.**

### **6. Will your data be sent to a third country?**

**We will only send personal data to recipients outside the European Economic Area (EEA) if the European Commission has confirmed an adequate level of data protection in the third country in question, if an adequate level of data protection has been agreed with the data recipient (e.g. by means of EU standard contractual clauses) or if you have consented to such.**

### **7. How long will your data be stored?**

**Your personal data will be stored for as long as necessary to perform the underlying contract, after which it will be deleted unless the controller is subject to a legal obligation that prevents such, e.g. the documentation and retention obligations stipulated in the German Commercial Code (HGB) and the German Fiscal Code (AO). Your personal data may be stored for longer in some cases (e.g. court / official proceedings). If we are no longer in a business relationship**

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with you and do not expect to establish any such relationship, your data will be deleted within the permissible period.

### **8. What are your rights as a data subject?**

In accordance with Art. 15 (1) GDPR, you have the right to request free information about the personal data that Baumüller Holding GmbH & Co. KG holds on you. If the legal requirements are met, you will also have the right to rectification (Art. 16 GDPR), erasure (Art. 17 GDPR) and the restriction of processing (Art. 18 GDPR) with regard to your personal data. If the data processing is based on point (e) or (f) of Art. 6 (1) GDPR, you will also have the right to object in accordance with Art. 21 GDPR.

If you object to data processing, your data will no longer be processed in the future, unless the controller can demonstrate compelling and legitimate reasons for further processing that outweigh your interest in the objection. If you have provided the processed data yourself, you will have the right to data portability in accordance with Art. 20 GDPR. If the data processing is based on your consent in accordance with point (a) of Art. 6 (1) GDPR, you may withdraw your consent at any time with future effect without this affecting the lawfulness of any processing performed up to that point. If you would like to exercise any of the above rights, or if you have any questions or complaints, please contact the “controller” named above in writing or by email.

You also have the right to lodge a complaint with a data protection supervisory authority (Art. 77 GDPR). The competent data protection supervisory authority is the one in the federal state in which you live or in which the controller is based.

### **9. Contact details – data protection officer**

Our data protection officer will be happy to provide you with more information on data protection issues. Please refer to the following contact details:

**datenschutz süd GmbH**

**Password: “Baumüller Nürnberg GmbH”**

**Wörthstraße 15**

**D-97082 Würzburg**

**Email: [office@datenschutz-sued.de](mailto:office@datenschutz-sued.de)**

**Tel.: +49 931 304 976 0**

**Website: [www.datenschutz-nord-gruppe.de](http://www.datenschutz-nord-gruppe.de)**

**Email: [office@datenschutz-sued.de](mailto:office@datenschutz-sued.de)**

### **10. Changes to this information for business partners**

**This privacy statement was last updated on March 1st, 2021.**