

Information on data protection for Suppliers

With the following information, we would like to give you an overview on the processing of your personal data by us and your rights under data protection law.

Who is responsible for data processing and who can I contact?

Responsibility lies with

FRÄNKISCHE Industrial Pipes GmbH & Co. KG
Hellinger Straße 1
97486 Königsberg/Bayern
Represented by the general managers Mr. Otto Kirchner (managing associate),
Mr. Julius Kirchner (managing associate)
and Mr. Guido Wey (managing director)

You can reach our internal Data Protection Officer under

RISCREEN GmbH
Hauptplatz 37
85276 Pfaffenhofen an der Ilm
datenschutz@fraenkische.de

Which sources and which data do we use?

We process personal data which we receive from our suppliers in connection with our business relationship. Moreover, we process personal data legitimately obtained from publicly accessible sources (such as registers of commercial establishments and associations, press, Internet) or which have been legitimately transmitted to us from other companies of the Fränkische Group or third parties (for example a credit bureau) to the extent necessary for rendering our services.

Relevant personal data are personal details (name, address and other contact data) and legitimisation data (such as data from ID cards). In addition, these may also be contract data (such as a payment order), data resulting from the performance of our contractual obligations such as turnover data in payment transactions, information about your financial status (such as

data on credit standing, scoring/rating data, documentation data (such as an excerpt from the Commercial Register) and other data comparable with the above-mentioned categories.

What is the purpose of processing your data (processing purpose) and on which legal basis does this take place?

We process personal data in accordance with the provisions of the EU General Data Protection Regulation (GDPR) and the German Federal Law on Data Protection (BDSG).

a. so as to comply with contractual obligations (Art. 6 paragraph 1 lit b) GDPR)

Data are processed for the purpose of discharging our obligations from a purchasing, leasing or rental agreement or for performing precontractual measures as a result of queries.

b. in connection with a balancing of interests (Art. 6 paragraph 1 lit f) GDPR)

To the extent necessary, we will process your data beyond the scope of the actual performance of the contract so as to protect justified interests of our own and of third parties. Examples:

- Consultation of and exchange of data with credit bureaus (such as SCHUFA) so as to determine credit standing or default risks in connection our purchasing processes,
- lodging legal claims and defence in case of legal disputes,
- Ensuring IT security and the IT operations of the company,
- prevention and investigation of criminal acts,
- video surveillance to exercise domiciliary rights, to collect evidence in case of break-ins or fraud (also see Sec. 4 BDSG),
- measures for securing buildings and systems (such as admission control),
- measures to protect our domiciliary right,
- measures to control our operations,
- risk control in Fränkische Group.

c. based on your consent (Art. 6 paragraph 1 lit. a) GDPR)

To the extent you have consented to the processing of personal data by us for certain purposes (such as an application to become a registered supplier in the supplier portal), such processing is legitimate on the basis of your consent. Consent once given may be withdrawn at any time. This also applies to the withdrawal of declarations of consent given to us before the effective

date of the GDPR, i.e. before 25 May 2018. Withdrawal of consent will have an effect only for the future and does not affect the legitimacy of data processed until that date.

- d. based on statutory regulations (Art. 6 paragraph 1 lit c) GDPR) or if in the public interest (Art. 6 paragraph 1 lit e) GDPR)

Moreover, we, as a company, are subject to various legal obligations, i.e. statutory requirements (such as the Law on Money Laundering, tax laws). The purposes of processing include, among others, the assessment of creditworthiness, checking identity, prevention of fraud and money laundering, compliance with obligations of control and reporting under tax law and the assessment and management of risks in the Fränkische Group.

Who will receive your data?

Within the company, those units will be granted access to your data that need them in order to comply with our contractual and statutory obligations, e.g. Purchasing. Service providers and agents appointed by us may also receive the data for these purposes. These are companies in the categories IT services, logistics, printing services, telecommunication, and collection of receivables.

As far as passing on data to recipients outside our company is concerned, it must first be kept in mind that we will pass on only necessary personal data, observing all regulations on data protection. As a matter of principle, we may pass on information about our suppliers only if this is required by law, the individual concerned has given consent or we have otherwise been granted authority. Under these circumstances, recipients of personal data may, for example, be:

- Public authorities and institutions (such as tax authorities, authorities prosecuting criminal acts) if based on a statutory or regulatory obligation,
- other companies belonging to the Fränkische Group for the purposes of risk management on the basis of statutory or official obligations,
- creditors or liquidators submitting queries in connection with a foreclosure,
- auditors,
- service providers whom we involve in connection with contract data processing relationships.

Other recipients of data may be those bodies for which you have given us your consent to data transfer or to which we may transfer data on the basis of the balancing of interests.

Will the data be transferred to a third country or an international organisation?

Data transfer to bodies in states outside the European Union (so-called third countries) will take place to the extent

- this is required for performance of the contractual relationship (such as processing orders),
- it is required by law (such as obligatory reporting under tax law) or
- you have given us your consent.

Moreover, transfer to bodies in third countries is intended in the following cases:

- If necessary in individual cases, your personal data may be transmitted to an IT service provider in the United States or another third country to ensure that the IT department of the company remains operative, observing the level of the European data protection rules.
- With the consent of the data subject or as a result of statutory provisions on controlling money laundering, the financing of terrorism and other criminal acts and within the scope of the balancing of interests, personal data (such as legitimisation data) will be transferred in individual cases, observing the data protection level of the European Union.

For how long will my data be stored?

We process and store your personal data as long as it is required to meet our contractual and statutory obligations.

If the data are no longer required for the performance of contractual or statutory obligations, these will be erased on a regular basis unless – temporary – further processing is necessary for the following purposes:

Compliance with obligations of retention under commercial or tax law which, for example, may result from the German Commercial Code (KwG), the German Fiscal Code (AO) and the German Law on Money-Laundering (GwG). As a rule, the time limits specified there for retention or documentation are 2 to 10 years.

- Preservation of evidence under the statutory regulations regarding the statute of limitations. According to Secs. 195 et seqq. German Civil Code (BGB), this statute of limitations may be up to 30 years, the regular statute of limitations being 3 years.

What are your rights with regard to data protection?

Every data subject has the right to information pursuant to Article 15 GDPR, the right to rectification pursuant to Article 16 GDPR, the right to erasure pursuant to Article 17 GDPR, the right to restriction of processing pursuant to Article 18 GDPR, the right to objection pursuant to Article 21 GDPR and the right to data portability pursuant to Article 20 GDPR. As far as the right to obtain information and the right to erasure are concerned, the restrictions pursuant to Secs. 34 and 35 BDSG are applicable. Moreover, there is a right to appeal to a competent data protection supervisory authority (Article 77 GDPR in conjunction with Sec. 19 BDSG).

Are you obliged to provide data?

Within the scope of our business relationship, you are obliged to provide those personal data which are required for commencing, executing and terminating a business relationship and for compliance with the associated contractual obligations or the collection of which is imposed upon us by law. Without these data, we will generally not be able to enter into agreements with you, to perform under such an agreement or to terminate it.

If you should fail to provide the necessary information and documents, this may prevent us from entering into the desired business relationship or to continue with such a relationship.

To what extent will decision-making be automated?

As a matter of principle, we do not use fully automated decision-making processes pursuant to Article 22 GDPR. In the event that we should use such processes in individual cases, we will inform you of this and of your rights in this respect separately if prescribed by law.

Will profiling take place?

Your data will be processed automatically in part with the objective of assessing certain personal aspects (profiling). For example, we will use profiling of the following case:

As a result of statutory and regulatory regulations, we are obliged to fight money laundering, the financing of terrorism and criminal acts jeopardising property. In that respect, data will be analysed.



Information about your right to object pursuant to Article 21 GDPR**Right to object based on individual cases**

You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you which is based on Article 6 paragraph 1 lit e) GDPR (data processing in the public interest) and Article 6 paragraph 1 lit f) GDPR (data processing on the basis of the balancing of interests); this also applies for profiling as defined in Article 4 point 4 GDPR.

If you do object, we will no longer process your personal data unless we have compelling justified reasons for such processing which override your interests, rights and freedoms. This will especially be the case where processing is required for asserting, exercising or defending legal rights.

Recipient of an objection

Such an objection may be submitted informally, stating your name, address and date of birth and should, if possible, be addressed to:

FRÄNKISCHE Industrial Pipes GmbH & Co. KG
Hellinger Straße 1
97486 Königsberg/Bayern

datenschutz@fraenkische.de