

## Customer Privacy Policy

### Handling of data and your rights

#### Information pursuant to Art. 13, 14 and 21 of the General Data Protection Regulation (GDPR)

This privacy policy is to inform you, our customers, of the processing of your personal data by us as well as your rights in accordance with the EU General Data Protection Regulation (GDPR) effective from May 25, 2018. This policy will be updated as necessary and published at:

[https://www.cctop.de/dokumente/AGBAV\\_stratEDI\\_EN.pdf](https://www.cctop.de/dokumente/AGBAV_stratEDI_EN.pdf)

#### 1. Who is responsible for the data processing and who can I contact?

We are responsible, the stratEDI GmbH, Lusebrink 9, 59285 Gevelsberg, phone (02332) 66600-0, e-mail: [info@stratedi.de](mailto:info@stratedi.de)

Contact details of the privacy officer:

Olaf Tenti, GDI Gesellschaft für Datenschutz und Informationssicherheit mbH, Körnerstraße 45, 58095 Hagen, e-mail: [datenschutz@gdi-mbh.eu](mailto:datenschutz@gdi-mbh.eu)

#### 2. What sources and data do we use?

We process data that we receive from the registry for our ClearingCenter <https://www.cctop.de/>. We receive the data directly from you as part of the registration process. Specifically, we process the following data:

- Master data from the contract documents (e.g. name, address, contact details and bank details)
- Data relating to the implementation of the contract (e.g. contractual object, delivery address, method and manner of payment)
- Correspondence (e.g. correspondence with you)
- Advertising and sales data (e.g. potentially interesting products for you).

#### 3. What are the objectives for processing your data (purpose of processing) and the legal basis thereof?

In the following, we will inform you about the objectives and legal basis for processing your data.

##### 3.1. For the fulfillment of contractual obligations (Art. 6 (1) (b) GDPR)

Your data is processed by us as part of the implementation of our agreements with you, i.e. in particular to execute your orders. The purposes of data processing depend on the specific product and the contract documents.

### **3.2. Within the context of balancing of interests (Art. 6 (1) (f) GDPR)**

We may also use your information based on a balance of interests to safeguard the legitimate interests of us or of third parties. This is done for the following purposes:

- To assist our employees in technical support, customer service and support and sales
- General business management and development of services and products
- Advertising, market research and public opinion polling
- Exercise of legal claims and defense in legal disputes
- Prevention and investigation of criminal offences
- guarantee of customer's IT security and IT operations

Our interest in the processing concerned results from the respective purposes and is, hence, of an economic nature (efficient performance of tasks, sales, avoidance of legal risks). Insofar as the specific purpose allows, the processing of your data is pseudonymous or anonymous.

### **3.3. On the basis of your consent (Art. 6 (1) (a) GDPR)**

Unless you have given us consent to the processing of personal data, the relevant consent is advisory and supporting. In addition, you may have agreed to receive advertising material on e-mail or by telephone.

You may revoke your consent at any time with effect for the future. This also applies to declarations of consent which you have given us prior to the validity of the GDPR, i.e. before 25 May 2018. The revocation is only effective for future processing.

### **3.4. On the basis of legal requirements (Art. 6 (1) (c) GDPR)**

We are subject to various legal obligations, i.e. legal requirements (e.g. commercial code, tax laws).

## **4. Who receives my data?**

Your data will be accessed only if a legal basis allows it. Within our organisation, your data will be disclosed only to those entities, which will need it to fulfill our contractual and legal obligations or to perform their respective duties (e.g. support team, sales and marketing). In addition, the following entities can receive your data:

- processors employed by us (Art. 28 GDPR), in particular in the area of IT services and logistics, who process your information for us according to instructions
- public bodies and institutions (e.g. tax authorities) in the event of a legal or regulatory obligation as well as
- other bodies to whom we can transfer your data under your prior consent (in particular companies affiliated with us)

## **5. How long is my data stored?**

Where necessary, we process your personal data for the duration of our business relationship, which also includes the initiation and execution of a contract. Moreover, we are subject to various storage and documentation obligations, which result, inter alia, from the German Commercial Code (HGB) and the Tax Code (AO). The deadlines for storage and documentation range from two to ten years.

Finally, the storage period is also determined according to the statutory limitation periods, which, for example, pursuant to para. 195 et. seq. of the German Civil Code (Bürgerliches Gesetzbuch, BGB) can generally amount to three years and in certain cases up to thirty years.

## **6. Is data transmitted to a third country or to an international organisation?**

We only transfer your data to countries outside the European Economic Area - EEA (Third Countries), if the execution of your orders or law require it or if you have given us your consent.

## **7. What other privacy rights do I have?**

Under the relevant legal requirements, you have the right to information (Art. 15 of the GDPR, Section 34 of the Federal Data Protection Act (BDSG) in its version effective from 25 May 2018), right to correction (Art. 16 GDPR), to deletion (Art. 17 GDPR, Section 35 BDSG), to limitation of processing (Art. 18 GDPR) and to data portability (Art. 20 GDPR). Moreover, you have a right of appeal to the data protection supervisory authority (Art. 77 GDPR, Section 19 BDSG).

## **8. Am I obliged to provide data?**

As part of our business relationship, you only need to provide the personal information that is required to establish, conduct and terminate a business relationship or which we are legally required to collect. Without this information, we generally refuse to conclude the contract or to execute the order or are unable to complete an existing contract and hence terminate it, if necessary.

## **9. Is there an automated decision-making on a case-by-case basis?**

In principle, we do not use automated decision-making pursuant to Art. 22 GDPR to establish and fulfil the business relationship. If we use these procedures in individual cases, we will inform you about this separately, provided that this is required by law.

## **10. To what extent are my data used for profiling?**

We process your data partly automatically in order to evaluate certain personal aspects (so-called "profiling") according to Art. 4 No. 4 GDPR). For example, we use profiling in the following cases: We may evaluate your data to determine your potential interest in our products and services. This evaluation is based on statistical methods using current and past customer data. We use the results to be able to address you in a more on-demand and targeted manner.

## **11. Which rights of objection do I have? (Art. 21 GDPR)**

### **a) Case-specific right of objection**

You have the right, for reasons relating to your own particular situation, to object at any time to the processing of your personal data pursuant to Art. 6 (1) (f) of the GDPR (data processing based on a balancing of interests). This also applies to a profiling based on this provision within the meaning of Art. 4 No. 4 of the GDPR, which can be used, for example, for customer service and support and for sales purposes.

If you object, we will no longer process your personal information unless we can establish compelling legitimate grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defense of legal claims.

### **b) Right of objection to your personal data being used for marketing purposes**

We can also process your data for direct advertising according to the applicable law. You have the right to object at any time to the processing of your personal data for the purpose of such advertising. This also applies to the profiling, insofar as it relates to such direct advertising. If you object to the processing for purposes of direct advertising, we will no longer process your personal data for these purposes. The objection is not subject to any condition as to form. Our contact details can be found in section 1.