

## Transparent Information Art. 12 DS-GVO

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We are aware of the importance of the personal information you entrust us with and we consider it one of our most important responsibilities to ensure the confidentiality of your information.

According to the data protection basic regulation (DS-GVO), which enters into force on 25.05.2018, we would like to comply with our obligation to provide personal data and inform you transparently about the type, scope and purposes of the personal data collected by us and clarify the rights to which they are entitled.

### **1. Contact details of the controller**

Responsible according to the General Data Protection Regulation is:

ADKOM Elektronik GmbH  
Oberhaeuser Str. 12  
D-73098 Rechberghausen  
Fon: +49-(0)7161-9589-0  
E-Mail: [info@adkom.de](mailto:info@adkom.de)

As data protection officer is ordered:

Mr. Stephan Hartinger  
Coseco GmbH  
Fon: +49-(0)8232 80988-70  
E-Mail: [datenschutz@coseco.de](mailto:datenschutz@coseco.de)

### **2. What sources are used to collect personal information?**

We process personal data that we receive directly from our customers as part of our business relationship. In addition, we process personal data that we collect from other companies, for example, to execute orders, to fulfill contracts or on the basis of your consent.

On the other hand, we process personal data that we have legitimately gained and are able to process from publicly available sources (eg trade and association registers, press, media, Internet).

For us relevant personal data may be:

#### **Customer contact information**

As part of the business start-up phase and during the business relationship, in particular through personal, telephone or written contacts initiated by you or by one of our employees, further personal data, e.g. information about contact channel, date, occasion and result; (electronic) copies of correspondence and information about participation in direct marketing activities.

#### **Credit-advice**

Business creditworthiness documents: Income / surplus accounts, balance sheets, business evaluation, type and duration of self-employment.

### **3. What are your data processed for (purpose) and on what legal basis?**

We process the aforementioned personal data in accordance with the provisions of the EU General Data Protection Regulation (DS-GVO) and the Federal Data Protection Act (BDSG-new):

When processing personal data for which we obtain the consent of the data subject, Art. 6 para. 1 lit. a of the General Data Protection Regulation serves as the legal basis.

In the processing of personal data required to fulfill a contract of which the data subject is a party, Art. 6 para. 1 lit. b) DS-GVO serves as legal basis. This scheme also covers processing operations necessary to carry out pre-contractual actions.

Insofar as it is necessary to process personal data in order to fulfill a legal obligation to which our company is subject to, Art. 6 para. 1, sentence 1 c) DS-GVO serves as the legal basis.

If the processing is necessary to safeguard the legitimate interests of our company or a third party and if the interests, fundamental rights and freedoms of the person concerned do not outweigh the former interest, then Art. 6 (1) (1) (f) DS-GVO serves as the legal basis for the processing. The legitimate interest of our company lies in the execution of our business activities.

### **4. Disclosure of data to third parties**

Within our organization, only the individuals and entities receive your personal information that they need to fulfill our contractual and legal obligations. We transmit data to third parties if we need them to fulfill a contractual obligation.

A transfer to third parties, beyond the purposes mentioned under point 3, does not take place.

In addition, we transmit data to third parties if there is a legal obligation to do so. This is the case when government institutions (such as government agencies and agencies) ask for information in writing, a judicial order is available, or a legal basis allows disclosure.

If we are in advance, e.g. in the case of purchase on account, we reserve the right to obtain an identity and credit information from specialized service companies (credit reference agencies) to safeguard our legitimate interests.

Within our group of companies, your data may be transmitted to specific companies if they contribute to the fulfillment of a contractual obligation.

Within our group of companies a transmission to the following companies can take place: M-Tronic Design and Technology GmbH

### **5. Disclosure of data to third countries**

A transfer of personal data to so-called third countries outside the EU / EEA area does not take place.

## 6. Storage duration of the data / deletion periods

We process and store your personal data as long as it is necessary for the fulfillment of our contractual obligations and for all other purposes mentioned under point 3 or as provided for by the statutory retention periods.

If the data is no longer required for the fulfillment of contractual or legal obligations, these are regularly blocked and deleted for further processing in accordance with the statutory provisions.

## 7. Data protection rights of the data subject

If you have questions about your personal data, you can always contact us in writing. You have the following rights under DS-GVO:

### **The right to information (subsection Art. 15 DS-GVO)**

You have the right at any time to obtain information about which categories and information about your personal data are processed by us for what purpose and for how long and according to which criteria these data are stored and whether automated decision-making including profiling is used in this context. You also have the right to know which recipients or categories of recipients your information has been disclosed or yet to be disclosed; in particular for beneficiaries in third countries or international organizations. In this case you also have the right to be informed about appropriate guarantees in connection with the transmission of your personal data.

In addition to the right of appeal to the supervisory authority and the right to information about the origin of your data, you have the right to cancellation, rectification and the right to restriction or opposition to the processing of your personal data.

In all cases mentioned above, you have the right to request from the data processor a free copy of your personal data processed by us. We are entitled to charge a reasonable administration fee for any additional copies you request or that go beyond the informational rights of the data subject.

### **The right to rectification (Article 16 of the DS-GVO)**

You have the right to demand the immediate correction of your incorrect personal data and to request the completion of incomplete personal data also by means of a supplementary declaration, taking into account the purposes of the processing.

If you would like to exercise the right of rectification, you can contact our data protection officer or the controller at any time.

### **The right to cancellation (Article 17 of the DS-GVO)**

You have the right to request the immediate deletion of your data ("right to be forgotten") especially if the storage of the data is no longer necessary, you revoke your consent to processing, your data has been unlawfully processed or illegally collected and a legal obligation to delete under EU or national law.

However, the right to be forgotten does not apply where there is an overriding right to freedom of expression or information, where data retention is necessary for the fulfillment of

a legal obligation (e.g. retention obligations), for archival purposes preclude the removal or for filing, exercise or defense of legal claims.

#### **The right of restriction (Article 18 of the DS-GVO)**

You have the right to request the data controller to restrict your processing of data if the accuracy of the data is disputed by you, if the processing is unlawful, if you refuse to delete your personal data and if you require a restriction of processing and the need for the processing purpose ceases or if you have objected to the processing referred to in Article 21 (1), as long as it is not certain that our legitimate reasons prevail over you.

#### **The right to data portability (Article 20 of the DS-GVO)**

You have the right to transfer your personal data, which you have provided to our company in the form of a standard format, so that you can have your personal data forwarded to another person without hindrance, if, for example, you have consent and processing by means of an automated process Procedure takes place.

#### **The right of opposition (Article 21 of the DS-GVO)**

You have the right to object to the processing of your personal data at any time, except in the presence of legitimate reasons. For example, legitimate grounds for data processing exist where the interests, rights and freedoms of the data subject prevail or processing serves to assert, defend and exercise rights. In addition, you can also at any time express a separate, explicit right to object to the processing of your personal data for the purpose of direct mail.

#### **Right of appeal to the Data Protection Supervisory Authority (Article 77 DS-GVO in conjunction with Section 19 BDSG)**

You are granted the right to complain to the competent authority if you believe that your personal data has been infringed.

#### **Right to revoke a data protection consent (Art. 7 (3) DS-GVO)**

You may withdraw your consent to the processing of your personal data at any time without giving reasons. This also applies to the revocation of declarations of consent issued to us prior to the entry into force of the EU General Data Protection Regulation.

### **8. Legal or contractual prescriptions for the provision of personal data and possible consequences of non-provision**

We point out that the provision of personal data in certain cases (such as tax regulations) is required by law or may result from contractual arrangements (such as details of the contractor). For example, it may be necessary for a contract to conclude that the data subject / contractor must provide his / her personal data in order for us to be able to process his request (for example, order) at all. An obligation to provide personal data arises especially when concluding a contract. If no personal data is provided in this case, the contract cannot

be concluded with the data subject. Prior to any provision of personal data by the data subject, the data subject may contact our data protection officer or the controller. The data protection officer or the controller then informs the data subject whether the provision of the personal data required is required by law or contract or for the conclusion of the contract and whether the data subject's concerns imply the provision of the personal data or what consequences a non-provision of the desired data has for the person concerned.

**9. Legislative existence of automated decision-making (including profiling)**

As a responsible company, we refrain from automatic decision-making or profiling in our business relationships.