



## Data protection information pursuant to the EU General Data Protection Regulation (GDPR) for customers and suppliers

As at: May 2018

With the following information we are providing you, as an employee and contact person for our customers and suppliers, an overview of how we process your personal data and your rights as part of the General Data Protection Regulation and the German Federal Data Protection Act (BDSG).

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

a) Joint controller within the meaning of Art. 4 No. 7 GDPR are the following companies:

Company	Contact
Busch SE	Schauinslandstraße 1, 79689 Maulburg
Busch Dienste GmbH	Tel. +49 7622 / 681-0
Busch Produktion GmbH	Fax. +49 7622 / 5484
Dr.-Ing. K. Busch GmbH	E-Mail: <a href="mailto:info@busch.de">info@busch.de</a>

b) Data protection officer

You can contact our external data protection officer via email: [dpo@buschvacuum.com](mailto:dpo@buschvacuum.com) or by using the postal address listed above and adding "Datenschutzbeauftragter".

### 2. Why are data processed and what legal basis is used to process personal data?

We process personal data in line with the provisions in the EU General Data Protection Regulation (GDPR) and the national data protection regulations:

#### a) Processing is necessary for the performance of a contract (section (b) of Article 6(1) GDPR)

In particular, in connection with customer orders, suppliers, service partners and employees.

#### b) Processing is necessary for the purposes of legitimate interests (point (f) of Article 6(1) GDPR)

If necessary, we process your data above and beyond fulfilling the contract to protect legitimate interests of ours or a third party, namely:

- Disclosure of data within the Busch group
- Advertisement insofar as you have not objected to the use of your data
- Reviewing and improving processes for needs assessment and direct customer contact including customer segmentation and calculation of the likelihood of concluding a contract
- Exercising legal claims and defense if a legal dispute arises
- Ensuring information security and IT operations of the company
- Measures for securing buildings and system security (e.g. access control)
- Measures for exercising property rights
- Measures for business management and further development of services and products
- Controlling and risk management within the Busch group

**c) You have given consent (section (a) of Article 6(1) GDPR)**

If you have given us your consent to process personal data for certain purposes (e.g. contact, direct marketing, newsletter), it is legal for us to process this data based on your consent. You can revoke consent at any time. This also applies to the revocation of declarations of consent that were given to us before the EU General Data Protection Regulation came into effect, i.e. before 25 May 2018. Please note that the revocation will only take effect in the future. Processing that took place before the revocation is not affected by this. You can request an overview of the consent you have given us at any time.

**d) Processing is necessary for compliance with a legal obligation (section (c) of Article 6(1) GDPR)**

We are also subject to diverse legal obligations, viz. legal requirements (e.g. sanctions list audits). Identity checks, fulfilment of tax and social security controlling and reporting obligations, fraud and money laundering prevention and evaluating and managing risks in the Busch group are among the reasons for processing.

**3. Who receives my data?**

Within the responsible Busch company, those offices that require your personal data to fulfil our contractual and legal obligations or to safeguard legitimate interests receive access.

Companies related to the Busch group and service providers and subcontractors we use may also receive access to the data for these purposes. We may only transfer your data if legal regulations require this, if you have given consent, we are authorized by law to disclose or transfer data and/or processors we commission guarantee compliance with confidentiality and the provisions of the General Data Protection Regulation and the German Federal Data Protection Act.

Under these conditions, the following recipients may receive data:

- Companies associated with the Busch group
- Busch Dienste GmbH as the central data center of the Busch group
- Third party cloud and ASP service providers
- Credit rating services
- Public offices for fulfilment of statutory reporting obligations, e.g. financial authorities, social insurance agencies, law enforcement
- Processing bank information
- Support/maintenance of EDV/IT applications
- Archiving
- Document processing
- Compliance services
- Sanctions list audit
- Data destruction
- Auditing services
- Leasing companies
- Collection service providers
- Card payment services (credit cards) and payment transactions with banks
- Marketing service providers
- Reporting systems
- Telephony
- Website management (hosting/maintenance)
- Insurance



#### 4. Are data transferred to a third country or an international organization?

Data transmission to countries outside of the EU or the EEA (so-called third countries) only takes place if this is necessary to execute your orders (e.g. materials procurement, manufacturing, logistics), is prescribed by law (e.g. reporting requirements), you have given us consent or if it is within the context of job processing. Furthermore, data exchange also takes place with companies associated with the Busch group in third countries.

If service providers in third countries are used, these must be required to comply with the level of data protection in the EU by agreeing to standard EU contractual clauses, in addition to written instructions. Appropriate contractual agreements have been concluded with companies associated with the Busch group.

#### 5. How long are my data stored?

We process and store your personal data as long as it is required to fulfil our contractual and statutory obligations. We delete your personal data as soon as it is no longer required for the aforementioned purposes. It is possible that personal data will be stored during the period in which claims against our companies can be made (statutory limitation periods from three, up to thirty years). We also store your personal data as long as we are legally obligated to. Obligations to provide supporting documents and retention requirements result in line with trade, tax and social security regulations.

#### 6. To what extent do you use automated decision-making (including profiling)?

As a general rule, we do not use any automated decision-making pursuant to Article 22 GDPR to establish and implement the business relationship.

#### 7. Does "profiling" take place?

In order to provide you with targeted information and advice regarding products and services, we may use web analytics tools, and in particular tracking technology. These enable demand-oriented communication and advertising. For more information on this matter, we would refer you to our data protection statement on our website, where you can also find information about the use of cookies. Due to legal regulations, we are obligated to perform comparisons with existing sanctions lists. These measures also serve to protect you.

#### 8. What data protection rights do I have?

If personal data concerning you is processed, you, as the employee, are the data subject as defined by the GDPR and you are due the following rights with respect to us as the controller. If you would like to exercise your rights or wish to receive more information, please contact us or our data protection officer:

##### a) Rights in accordance with Article 15 et seqq. GDPR

(1) You have the right to **access** in accordance with Article 15 GDPR. Under certain circumstances, you have the right to **rectification** in accordance with Article 16 GDPR, the **right to restriction of processing** in accordance with Article 18 GDPR and the **right to erasure** ("right to be forgotten") in accordance with Article 17 GDPR. In addition, you have the right to the data you have provided being disclosed in a structured, commonly used and machine-readable format (**right to data portability**) in accordance with Article 20 GDPR, in as far as processing takes place with the aid of automated procedures and is based on consent in accordance with point (a) of Article 6(1) or point (a) of Article 9(2) GDPR, or a contract pursuant to point (b) of Article 6(1) GDPR. With regard to the right to access and



the right to erasure, the restrictions in accordance with Sections 34 and 35 of the German Federal Data Protection Act (Bundesdatenschutzgesetz, BDSG) apply.

#### **b) Revoking consent according to Article 7(3) GDPR**

If processing is based on consent, you can revoke your consent to the processing of personal data at any time. This also applies to the revocation of declarations of consent that were given to us before the EU General Data Protection Regulation came into effect, i.e. before 25 May 2018. Please note that the revocation will only take effect in the future. Processing that took place before the revocation is not affected by this.

#### **c) Right to lodge complaints**

You have the option of contacting us or a supervisory authority for data protection to lodge a complaint, in particular in the member state of your place of residence, your place of work, or the place of the suspected breach (Article 77 GDPR in conjunction with Section 19 BDSG).

#### **d) Right to object according to Article 21 GDPR**

In addition to the rights specified above, you are also entitled to a right to object as follows:

##### **(1) Case-specific right to object**

You have the right to at any time submit an objection to the processing – which takes place based on point (f) of Article 6(1) GDPR (data processing on the basis of a balancing of interests) – of personal data concerning you, for reasons that arise from your particular situation; this also applies for profiling based on this provision as defined by Article 4(4) GDPR.

If you submit an objection, we will not process your personal data unless we are able to prove binding legitimate grounds for such processing that override your interests, rights and freedoms, or the processing serves the establishment, exercise or defense of legal claims.

##### **(2) Right to object to processing of data for marketing purposes**

In individual cases we process your personal data for direct marketing purposes. You have the right to object at any time to the processing of personal data concerning you for the purposes of such marketing; this also applies to profiling insofar as this is associated with direct marketing. If you object to processing for the purposes of direct marketing, we will no longer process your personal data for this purpose.

→ The objection may be submitted in any format to the body detailed under Section 1 of this data protection statement.

### **9. Supervisory authority**

The supervisory authority relevant for the German Companies of the Busch-Group, which is headquartered in Maulburg, Germany can be contacted as follows:

#### **Der Landesbeauftragte für den Datenschutz und die Informationsfreiheit**

##### Postal address:

PO box 10 29 32

D-70025 Stuttgart

Tel.: +49 711 615541-0

Fax: +49 711 615541-15

Email: [poststelle@lfdi.bwl.de](mailto:poststelle@lfdi.bwl.de)