

## **DATE PROTECTION DECLARATION OF LEDLENSER GMBH & CO KG, SOLINGEN**

Hereinafter, we give you an overview of the processing of personal data by our companies and describe the circumstances in which the data is processed. We draw your attention to your rights under data protection law.

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

*Ledlenser GmbH & Co. KG  
Kronenstr. 5 - 7  
42699 Solingen  
Germany*

*Represented by:  
Ledlener Beteiligungs GmbH  
Headquarters: Solingen, Germany  
Local court: Wuppertal, HRB 24774  
Managing Director: Michael Reuter, Kai Milewski*

### **2. Data Protection Officer**

*Christoph Strieder  
Ahrstraße 1  
42697 Solingen  
Telephone: +49-212-3820860  
Email: [datenschutz@anwalt-strieder.de](mailto:datenschutz@anwalt-strieder.de)*

### **3. Data collection and usage**

We process personal data that we receive from clients (e.g. IT service providers or other service providers who we use to fulfil our tasks) within the framework of an initiation or implementation of an employment relationship.

If and insofar as this is necessary for the provision of our services, we process personal data which we have legitimately received from third parties (e.g. for the execution of orders, for the fulfilment of contracts or on the basis of a consent given by you).

These include:

Suppliers, subcontractors, third parties in the context of purchasing and material procurement, authorities, organization, tax consultants, auditors, lawyers, third parties for debt collection, banks.

On the other hand, we process personal data which we are permitted to obtain and process from publicly accessible sources (e.g., debtor registers, land registers, commercial and association registers, press, media, Internet).

Personal data, during the creation of master data, or during the course of its use and processing can be:

Name, address/other contact details (phone e-mail address), birth date/place, gender, nationality, marital status, legal capacity, residential status (rent/own), social security data, health data (including

socially relevant data), account data, payment transaction data, life and pension insurance data, occupational disability and long-term care insurance data, private and public health insurance data, insurance numbers

When using digital processes (e.g. email correspondence, processing of data via our Internet sites), it may involve order data processing for which we enter into data processing contracts.

### **3. For what we process your data (purpose/legal basis of processing)**

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

#### **a. For the fulfilment of contractual obligations (Article 6 paragraph 1(b) of GDPR)**

The processing of personal data takes place to ensure the continued provision of our services within the framework of the execution of our contracts or for the execution of pre-contractual measures, which take place on your request.

The processing of personal data of third parties takes place to facilitate the execution and processing of contractual relationships with such third parties, usually service providers or contractual partners from whom we obtain operating resources or whose services we make use of during and for the execution and maintenance of our business activities; exclusively for the initiation, establishment or processing of the contractual relationship in this regard.

The purpose of data processing depends on the content of the respective order.

It may also concern the execution and settlement of other contractual relationships with third parties whose services are used for business operations.

#### **b. Within the framework of the balancing of interests (Article 6 paragraph 1(f) of GDPR)**

We also process your data beyond the actual fulfillment of the contract in order to protect our legitimate interests or those of third parties. Examples:

- Assertion of legal claims and mounting a defense in legal disputes
- Ensuring IT related security and operations
- Prevention of criminal offences
- Measures for building and maintaining system security (e.g. access controls)
- Measures to ensure ownership
- Measures for management of business and further development of services and products

#### **c. On the basis of your consent (Article 6 paragraph 1(a) of GDPR)**

If you have given us your consent to process personal data for specific purposes, this processing is legal on the basis of your consent. Your consent may be revoked at any time. You can also revoke such declarations of consent which were given to us before the EU-GDPR came into effect, i.e. before 25 May 2018. However, such a revocation is only effective for the future. This means that the legality of data processing that took place before such a revocation remains unaffected by the revocation.

#### **d. Due to legal requirements (Article 6 paragraph 1(c) of GDPR) or when it is in the public interest (Article 6 paragraph 1(e) of GDPR)**

In addition, as a company we may be subject to legal obligations (e.g. money laundering laws or tax laws). The purposes of the processing therefore, also include any control and reporting obligations to the extent required by law.

#### **4. Who will receive my data?**

Within our company, all departments that are necessarily entrusted with the fulfilment of contractual and legal obligations and come into contact with your data will have access to it. This means that such data can also be processed by service providers or our agents if and insofar as this satisfies the legal requirements for such processing, should such processing be necessary.

We will only pass on your data if required to do so by law, if you have given your legally effective consent, if contract data processors commissioned by us or you guarantee compliance with the requirements of the EU data protection basic ordinance/the Federal Data Protection Act in the same way, or if this is necessary to fulfil a contract or pre-contractual measures that are taken at your request or to fulfil a legal obligation or to safeguard our legitimate interests.

Under these conditions, recipients of personal data may be, for example:

- public authorities and institutions, social security institutions, tax consultants, auditors, statutory and private pension insurers
- Suppliers involved in support/maintenance of EDP/IT applications, archiving, document processing, telephone service providers (office services), compliance services, controlling, data destruction, purchasing/procurement,
- Customer management Marketing, Media Technology

Reporting, research, risk controlling, expense reporting, telecom, video verification, website management.

- Pre-suppliers, suppliers of spare parts, transport companies/forwarding companies, logistics, service providers for the performance of contractually owed services (including subcontractors), debt collection, payment transactions, financial service providers where applicable, business information agencies where applicable.

Other data recipients may be those entities for which you have given your legally effective consent to transfer data in individual cases.

#### **5. Is data transferred to a third country or to an international organization?**

Data is only transferred to countries outside the EU or the EEA (so-called third countries) in exceptional cases if this is absolutely necessary in individual cases for the performance of our services due to contractual or statutory foreign procurement and you have given us a legally effective consent or if the recipient is a so-called "recognized third country", or has committed to compliance with the European data protection level through the agreement of the EU standard contract clauses, also in the context of data processing, if necessary.

If and to the extent that we use service providers in a third country, we ensure that they comply with the European data protection level in addition to instructions in writing by agreeing the EU standard contractual clauses.

#### **6. How long will my data be stored?**

We process and store your personal data as long as it is necessary for the fulfilment of our contractual and legal obligations. Depending on the type of contractual obligation, e.g. in the case of

continuing obligations, it may be necessary to store the data over the entire period of the contractual relationship for the entire period of the continuing obligation, so that the retention period only begins with the termination of such a long-term contractual relationship.

If the data is no longer required to fulfil contractual or legal obligations, it will be regularly deleted, unless further processing - possibly for a limited period - is necessary for the following purposes:

- Compliance with commercial and tax retention periods as per the German Commercial Code (HGB), Fiscal Code (AO), Money Laundering Act if applicable, and social security regulations. The period for storage and documentation specified in these regulations can range from two to ten years.

Preservation of evidence and documentation for defense against liability and enforcement of legal claims within the framework of the statute of limitations. According to §§196 ff. of the German Civil Code (BGB), these limitation periods can be up to 30 years, whereby the regular limitation period is three years.

## **7. What data protection rights do I have?**

A data subject (i.e. as the person whose data is processed) have a right to

information pursuant to Article 15 GDPR,

Correction under Article 16 GDPR

Deletion in accordance with Article 17 GDPR

Restriction of processing under Article 18 GDPR

Dissent under Article 21 GDPR

Data transferability according to Article 20 GDPR

Right of appeal to a data protection supervisory authority (Article 77 GDPR in conjunction with § 19 Federal Data Protection Act)

However, the right to information and the right of cancellation are subject to the restrictions according to §§ 34 and 35 of Federal Data Protection Act.

You can revoke your consent to the processing of your personal data provided to us at any time. This also applies to declarations of consent that you gave us before the EU-GDPR came into effect, i.e. before 25.5.2018. The revocation is only valid for the future. It does not affect the legality of the processing that took place before the revocation.

## **8. Does this process involve profiling?**

In principle, we do not use fully automated decision making according to Article 22 GDPR for the establishment and implementation of the business relationship. Should we use these procedures in individual cases, we will inform you separately, insofar as this is required by law.

### **Information on your right of objection under Article 21 of the EU GDPR**

#### **1. Right of objection on a case-by-case basis**

Pursuant to the law, you have the right, for reasons arising from your particular situation, to object at any time to the processing of personal data concerning you, which may be processed on the basis of Article 6 Paragraph 1(e) of GDPR (data processing in the public interest) or on the basis of Article 6 paragraph 1(f) of GDPR (data processing on the basis of a balance of interests); this also applies to profiling based on this provision within the meaning of Article 4 paragraph 4 GDPR.

The responsible party will no longer process the personal data that concerns you, unless the party can prove compelling legitimate reasons for the processing, which outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

The objection can be placed form-free and should be addressed by email or telephone if possible:

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