



## Privacy Policy according to General Data Protection Regulation (GDPR)

In the following we inform you about the processing of your personal data and your rights under the data protection law. Which data is processed in detail and how it is used depends largely on the nature of our business relationship with you.

### 1. Who is responsible for the data processing and to whom you can turn?

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### 2. With whom we collect the data and what data we use?

We collect and process personal data that we receive from our customers, suppliers and partners in the context of a business relationship as well as employees for the purpose of initiating and carrying out an employment relationship.

a) relevant personal data in the context of a business relationship or its initiation are:

- company
- salutation of the contact person and / or authorized representative of legal entities
- name and first name of the contact person and / or authorized representative of legal entities
- address
- phone number (landline and / or mobile)
- e-mail
- information necessary for the business relationship or its initiation

b) relevant personal data for the purpose of initiating and carrying out an employment relationship are:

- salutation
- name and first name
- address
- phone number (landline and / or mobile)
- e-mail
- curriculum vitae
- certificates or qualifications
- photo, if enclosed to the application
- information necessary for the execution and termination of the employment relationship

### 3. Which are the purpose and legal basis of processing your personal data?

The collection and processing of the data referred to in point 2 takes place

- to be able to advise our customers properly and to ensure proper order processing,
- to properly process orders from our suppliers,
- to initiate and conduct business relationships,
- for correspondence with you,
- for invoicing or for invoice settlement,
- for the purpose of establishing, carrying out and terminating employment relationships.

The processing of personal data is carried out in accordance with Art. 6 para. 1 sentence 1 lit. b) GDPR at your request and for the performance of your commission, for the proper execution of the business relationship or pre-contractual measures or for the establishment, execution and termination of employment.

Your personal data will not be used for direct marketing purposes.



#### **4. Will your data be shared with third parties?**

Your personal data will not be transmitted to third parties for purposes other than those listed below.

We only pass on your personal data to third parties if

- according to Art. 6 para. 1 sentence 1 lit. a) GDPR you have expressly given your consent (in writing by letter, fax or e-mail),
- the transfer acc. Art. 6 para. 1 sentence 1 lit. f) GDPR is required to assert, exercise or defend legal claims and there is no reason to assume that you have a predominantly legitimate interest in not disclosing your data,
- there exists a legal obligation for the transfer acc. Art. 6 para. 1 sentence 1 lit. c) GDPR,
- there exists a legal permission for data transfer and the transfer is acc. Art. 6 para. 1 sentence 1 lit. b) GDPR required for the settlement of contractual relationships with you.

#### **5. How long will your data be stored?**

We process and store your personal data as long as it is necessary for the execution of the business relationship or the employment relationship and the fulfillment of our legal obligations.

If the data is no longer required for the fulfillment of the contractual obligations, these are regularly deleted, unless their - temporary - further processing is required for the following purposes:

- Fulfillment of tax and commercial law retention and documentation obligations under HGB and AO acc. Art. 6 para. 1 sentence 1 lit. c) GDPR: the retention periods specified there are ten years.
- Preservation of evidence under the statute of limitations acc. Art. 6 para. 1 sentence 1 lit. f) GDPR. According to §§ 195 ff. of the Civil Code (BGB), these limitation periods can be up to 30 years, whereby the regular limitation period is three years.
- Presence of your consent to further storage of your data acc. Art. 6 para. 1 sentence 1 lit. a) GDPR.

We will delete the data of rejected applicants, taking account of evidence-related time limits, unless the applicant has consented to further storage for purpose of possibly starting an employment relationship in a later selection procedure.

#### **6. Which rights do you have?**

You have the right to

- a. Revocation of your consent to the processing of your personal data acc. Article 7 GDPR: You may revoke your consent to the processing of personal data at any time. Please note that the revocation only works for the future. Processing that occurred before the revocation is not affected.
- b. Information about your personal data processed by us in accordance with Article 15 GDPR,
- c. Correction of incorrect data or completion of your personal data stored by us in accordance with Article 16 GDPR,
- d. Deletion of your stored personal data acc. Article 17 GDPR,
- e. Restriction of the processing of your personal data acc. Article 18 GDPR,
- f. Data portability of your personal data acc. Article 20 GDPR,
- g. Objection to the processing of your data due to legitimate interests acc. Art. 6 para. 1 sentence 1 lit. e) and f) GDPR, as far as there are reasons for this arising from their particular situation, Article 21 GDPR.
- h. Complaint to a data protection supervisory authority acc. Article 77 GDPR

If you would like to exercise your rights under the letter a-g, please contact the controller mentioned in point 1 in writing (letter, fax or e-mail).

#### **7. Are you obligated to provide us with data?**

As part of our business relationship, you must provide the personal information required for the uptake and implementation of a business relationship and the fulfillment of contractual obligations involved. The same applies to employment relationships.



Without this data, we will generally have to refuse to conclude the contract or to execute the order or carry out the business relationship or to be unable to complete an existing contract and possibly terminate it.

#### **8. Is there automated decision-making including profiling?**

In principle, we do not use fully automated decision-making pursuant to Article 22 GDPR to establish and conduct business relationships or employment relationships. Nor do we process your data automatically with the aim of evaluating certain personal aspects (profiling).

#### **9. Important information about your right to object acc. Art. 21 GDPR**

According to Art. 21 para. 1 GDPR you have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you, which is based on Article 6 para. 1 sentence 1 lit. e) GDPR (data processing in the public interest) or Article 6 para. 1 sentence 1 lit. f) GDPR (data processing in the context of a balance of interests).

If you object, we will no longer process your personal information unless we can demonstrate compelling legitimate grounds for the processing that outweigh your interests, rights and freedoms, or the processing is for the purposes of establishing / asserting, exercising or defending legal claims.

##### **The opposition can be addressed form-free:**

- by e-mail to: [datenschutz@AuerMax.de](mailto:datenschutz@AuerMax.de)
- by letter to the controller according to point 1
- by fax to the controller according to point 1