



## **Eni Schmiertechnik GmbH**

### **Information according to Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)**

Dear business partners,

We are writing to inform you, under Articles 13, 14 and 21 of the GDPR, about the way we process your personal data and your entitlements and rights under the data protection rules.

#### **1. Who is responsible for data processing and whom can you contact about it?**

##### **The controller is:**

Eni Schmiertechnik GmbH  
Paradiesstraße 14  
97080 Würzburg  
Tel. +49 93190 0980  
mbx.enide.datenschutz@eni.com

##### **Our data protection officer can be reached at:**

Eni Schmiertechnik GmbH  
Paradiesstraße 14  
97080 Würzburg  
Tel. +49 93190 0980  
dpo@eni.com

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

We process personal data received from you through our business relationship.

We also, where necessary in providing our services, process personal data that we have obtained by authorised means from other companies or from third parties (e.g. for the purpose of fulfilling orders or contracts or on the basis of your consent).

We also process personal data that we have obtained by authorised means from publicly accessible sources (such as trade and association registers and the media) and that we are permitted to obtain and to process.

The relevant personal data supplied by business partners and their contacts are:

- personal details (name, address, date of birth);
- contact details (phone number, email address, etc.).

They may also include:

- data about visitors and participants (e.g., signatures, attendance time, photographs);
- data about orders (e.g., contact partners, legal representatives);
- advertising and sales data;
- data about contracts and documentation (e.g., business correspondence);
- data about your use of the electronic media we offer (e.g., IP address, time of logins to our websites or newsletter, any of our web pages you have clicked on and entries made) and
- other similar data.

They may also, in particular cases, include special categories of personal data (sensitive data).

## **3. For what purpose do we process your data (purpose of the processing) and on what legal basis?**

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

### **a) For the performance of contractual obligations (Art. 6. Sec. 1 (b) GDPR)**

Personal data is processed (Art. 4. Sec. 2 GDPR) in order to perform services and deliver goods, especially for the performance of our contracts and the execution of orders, and all activities required for the operation and administration of a company.

The purposes of the data processing are primarily guided by the specific products or services concerned.

As the case may be, you can obtain further details of the purpose of the data processing from the contract documents and the terms of trade.

#### **b) Based on the balancing of legitimate interests (Art. 6. Sec. 1 (f) GDPR)**

Where necessary, we process your data, beyond the actual fulfilment of the contract, in order to protect legitimate interests of ourselves or third parties. For example:

- for testing and optimising procedures followed to analyse requirements and contact business partners directly;
- for advertising or market and opinion research, unless you have refused to allow use of your data for these purposes;
- pursuing legal claims and presenting a defence in legal disputes;
- ensuring IT security and securing IT operations;
- prevention and investigation of crimes;
- for video monitoring in control operations, and to collect evidence of criminal acts;
- measures to secure buildings and installations (e.g. controlling entrances);
- measures to ensure domiciliary rights;
- measures of business governance and for the further development of services and products.

#### **c) Where you have given consent (Art. 6. Sec. 1 (a) GDPR)**

Where you have given us your consent to process personal data for certain purposes (e.g., transferring data to third parties, evaluating data for marketing purposes), processing is lawful on the basis of your consent. Once given, consent can be withdrawn at any time.

Please be aware that the withdrawal of consent applies only to the future; processing that has taken place before consent was withdrawn is not affected.

#### **d) Where necessary for compliance with a legal obligation (Art. 6. Sec. 1 (c) GDPR) or in the public interest (Art. 6. Sec. 1 (e) GDPR)**

We are also bound by a number of legal obligations, namely statutory requirements (e.g. commercial law, tax laws, etc.). Where data relating to any of these is processed, it is done solely on the basis of these requirements.

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

Within the company, the offices receiving your data are the ones that need them in order to fulfil our contractual and statutory obligations. Processors engaged by us (Art. 28 GDPR) may receive data for these purposes. These are companies providing IT services, logistics, printing services, telecommunications, collection services, consultation and consulting, and sales and marketing.

As regards the dissemination of data to recipients outside the company, it should be noted that we only transmit your data if this is permitted or requested under statutory provisions, if you have consented to this or if we are authorised to provide such information. Subject to these conditions, recipients of personal data may be, for example:

- public authorities and institutions (e.g., financial administration, the public prosecutor's office, the police, supervisory authorities) in case of statutory or official obligation;
- other companies to which we transfer personal data in the context of, or in pursuit of, the business relationship with you (depending on the nature of the contract, this may also include credit agencies, banks, loan insurance agencies and business partners).

Other data recipients may be those for whom you have given us your consent for data transfers.

## 5. How long are your data stored?

Where necessary, we process and store your personal data for the duration of our business relationship, which may also include the initiation and execution of a contract, and fulfilment of the purposes of the contract.

Additionally, we are subject to various obligations relating to conservation and documentation, for instance under the German Commercial Code (Handelsgesetzbuch, HGB)<sup>1</sup> and the German Tax Code (Abgabenordnung, AO)<sup>2</sup>. The time limits they set for storage or documentation are two to ten years.

Finally, the duration of storage is also determined by the statutory limitation periods, normally lasting for three years according to Artt. 195 ff. of the German Civil Code (Bürgerliches Gesetzbuch, BGB), for example, but in certain cases for up to thirty years.

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

Data are only transmitted to third countries (outside the European Economic Area, EEA) where this is necessary to carry out your instructions or where it is legally required or you have given us your consent. We will give you specific details where the law so requires.

## 7. What are your data protection rights?

Every person affected has the right of **access** to the personal data processed under Art. 15 GDPR, the right to **rectification** under Art. 16 GDPR, the right to **erasure** under Art. 17 GDPR, the right to **restriction of processing** under Art. 18 GDPR and the right to **data portability** under Art. 20 GDPR. The right of access and the right to erasure are subject to the restrictions set out in Artt. 34 and 35 of the BDSG. There is also a right to lodge a complaint to a supervisory authority for data protection (Art. 77 GDPR in conjunction with Art. 19 BDSG).

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<sup>1</sup> Artt. 238, 257 Sec. 4 HGB.

<sup>2</sup> Art. 147 Sec. 3, 4 AO.

**8. Is there an obligation for you to provide data?**

In the context of our business relationship, the only personal data you have to provide are those needed to establish, carry out and terminate a business relationship, or those which we are legally required to collect. Without these data we will normally have to refuse to conclude or execute the contract, or may be unable to continue with an existing contract and have to terminate it.

**9. How much automated individual decision-making is there?**

In accordance with Art. 22 GDPR, we do not in principle use fully automated decision-making to establish and conduct the business relationship. If we employ these procedures in individual cases, we will inform you separately, where this is required by law.

**10. How far are my data used for profiling (scoring)?**

We do not at present process your data automatically for the purpose of evaluating particular personal aspects (profiling).

## **Information about your right to object under Art. 21 GDPR**

### **1. The right to object in individual cases**

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. Sec. 1 (e) GDPR (data processing in the public interest) and Article 6. Sec. 1 (f) GDPR (data processing in the pursuit of legitimate interests).

If you raise an objection, we will no longer process your personal data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

### **2. The right to object to data processing for direct marketing purposes**

In certain cases we process your personal data for the purpose of direct marketing. You have the right to object at any time to the processing of personal data about yourself for such marketing purposes.

If you object to processing for direct marketing purposes, we will no longer process your personal data for these purposes.

The objection can be made informally and should be addressed to:

Eni Schmiertechnik GmbH  
Paradiesstraße 14  
97080 Würzburg  
Tel. +49 93190 0980  
mbx.enide.datenschutz@eni.com