

Customer information letter

Our handling of your data and your rights

Information according to Art. 13 and 21 GDPR

The following information is intended to provide you with an overview of the processing of your personal data by us and your rights arising from this. Which data is processed in detail and how it is used depends largely on the services requested or agreed in each case. Therefore, not all of the statements contained here may apply to you.

In addition, this data protection information may be updated from time to time. You can find the latest version at any time on our website at [Privacy \(prefag.de\)](https://www.prefag.de/Privacy)

[Who is responsible for data processing and who can I contact?](#)

Responsible within the meaning of the GDPR is

PREFAG Carl Rivoir GmbH & Co. KG
Prefagstr. 4
75045 Walzbachtal
E-Mail: info@prefag.de
Telefon: +49 (0) 7203-870

[You can reach our company data protection officer at](#)

Datenschutzbeauftragter der PREFAG Carl Rivoir GmbH & Co. KG
Allgäuer Straße 30
87700 Memmingen
E-Mail: datenschutz@prefag.de
Telefon: +49 (0) 8331- 1040

[We process your data for the following purposes and on the following legal basis](#)

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

1. For the fulfilment of contractual obligations (Art. 6 para. 1 letter b GDPR)

The processing of data is carried out for the purpose of implementation:

- of our contract
- of ancillary contractual services (e.g. warranty notifications or collection by the manufacturer)

2. Due to legal requirements (Art. 6 para. 1 letter c GDPR)

We are subject to various legal obligations that entail data processing. These include, for example

- tax laws and statutory accounting
- the fulfilment of requests and requirements from supervisory or law enforcement authorities
- the fulfilment of tax control and reporting obligations

In addition, the disclosure of personal data may become necessary in the context of official/judicial measures for the purposes of gathering evidence, criminal prosecution or the enforcement of civil law claims.

3. As part of the balancing of interests (Art. 6 para. 1 f GDPR)

Where necessary, we process your data beyond the actual fulfilment of the contract to protect our legitimate interests or those of third parties. Examples of such cases are

- Assertion of legal claims and defence in legal disputes
- Processing in the CRM system

Who receives my data?

Within our company

- Employees for the contact with you and the contractual cooperation (including the fulfilment of pre-contractual measures)

In the context of order processing

Your data may be passed on to service providers who work for us as processors.

All service providers are contractually bound and in particular obliged to treat your data confidentially.

Other third parties

Data will only be passed on to recipients outside our company in compliance with the applicable data protection regulations. Recipients of personal data may be, for example

- Public bodies and institutions (e.g. financial or law enforcement authorities) in the event of a legal or official obligation
- Credit and financial service providers (processing of payment transactions)
- Tax consultant or business and payroll tax and tax auditor (statutory audit mandate)

Is data transferred to a third country or an international organisation?

Your data will only be processed within the European Union and countries within the European Economic Area (EEA).

How long will my data be stored?

We process and store your personal data for as long as this is necessary for the fulfilment of our contractual and legal obligations. If the data is no longer required for the fulfilment of contractual or legal obligations, it is regularly deleted.

There are exceptions,

- insofar as statutory retention obligations are to be fulfilled, e.g. German Commercial Code (HGB) and German Fiscal Code (AO). The retention and documentation periods specified there are generally six to ten years;
- for the preservation of evidence within the framework of the statutory limitation periods. According to §§ 195 ff of the German Civil Code (BGB), these limitation periods can be up to 30 years, whereby the regular limitation period is 3 years.
- Others if applicable.

If the data processing is carried out in the legitimate interest of us or a third party, the personal data will be deleted as soon as this interest no longer exists. The aforementioned exceptions apply.

What data protection rights do I have?

You have the right of access under **Article 15 GDPR**, the right to rectification under **Article 16 GDPR**, the right to erasure under **Article 17 GDPR**, the right to restriction of processing under **Article 18 GDPR**, the right to object under Article 21 GDPR and the right to data portability under Article 20 GDPR.

Restrictions may apply to the right to information and the right to erasure in accordance with Sections 34 and 35 BDSG.

The competent supervisory authority here is:

In addition, you have the right to lodge a complaint with a competent data protection supervisory authority (**Article 77 GDPR in conjunction with Section 19 BDSG**). The supervisory authority responsible for us is

The State Commissioner for Data Protection and Freedom of Information Baden-Württemberg
Königstraße 10 a, 70173 Stuttgart
Tel.: (0711) 61 55 41-0
Fax: (0981) 61 55 41-15

Is there an obligation to provide data?

As part of the contractual relationship, you must provide the personal data that is required for the commencement, execution and termination of the contractual relationship and for the fulfilment of the associated contractual obligations or that we are legally obliged to collect. Without this data, we will generally not be able to conclude or fulfil the contract with you.

Information about your right to object on a case-by-case basis in accordance with Article 21 of the General Data Protection Regulation (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(1)(f) GDPR (data processing on the basis of a balancing of interests); this also applies to profiling based on this provision within the meaning of Article 4(4) GDPR.

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

Recipient of the objection

The objection can be made informally with the subject "Objection", stating your name, address and date of birth, and should be addressed to:

PREFAG Carl Rivoir GmbH & Co. KG

Prefagstr. 4

75045 Walzbachtal

E-Mail: info@prefag.de

Telefon: +49 (0) 7203-870