

Data protection information for business partners Our handling of your data and your rights



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

Who is responsible for data processing and who can I contact?

Berkenhoff GmbH
Berkenhoffstr. 14
D-35452 Heuchelheim

Fon: +49 (0) 641 601 0
Fax: +49 (0) 641 601 222
Mail: [info\(at\)bedra.com](mailto:info(at)bedra.com)

Contact details of the data protection officer:

Sebastian von der Au
Hopfengarten 10
33375 Versmold
Phone: 05423 964900
Email: [datenschutz\(at\)floss-consult.de](mailto:datenschutz(at)floss-consult.de)

2. What sources and data do we use?

We only process personal data that we receive in the course of our business relationship with you. We receive the data directly from you. Depending on whether we are in contact with you as a private individual or as a person working in the business sector, we process the following personal data from you:

- Contact information (first and last name, address, telephone number, mobile phone number, fax number and e-mail address). In the B2B area, this is the business information.
- Company and your position in it, if applicable
- Information on any existing contractual relationship
- Payment data (bank details, tax number/VAT ID, credit card information, card verification number, credit rating data)

3. For what purposes and on what legal basis my data is processed

We process your personal data in compliance with the relevant data protection provisions of the EU General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG) and all other relevant laws.

a. For the fulfillment of contractual obligations or for pre-contractual measures (Art. 6 para. 1 lit. b GDPR)

We process your data to fulfill our contracts with you and to carry out pre-contractual measures at your request.

The purposes of data processing depend in detail on the contractual basis.

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

We may also be able to process the personal data provided by you on the basis of legitimate interest. These are, among others:

- Credit information when concluding a contract via credit agencies to check creditworthiness
- Intra-group data exchange for administrative purposes

- Defense against dangers and liability claims and avoidance of legal risks
- Storage and use of contact details of contact persons for the digitization of files
- Assertion of legal claims and avoidance of legal disadvantages (e.g. in the event of insolvency).
- Inclusion of your contact data in a blacklist if you have revoked or objected to an advertising measure.

**c. Based on your consent
(Art. 6 para. 1 lit. a GDPR)**

If you have given us your consent to process personal data, the respective consent is the legal basis for the processing specified therein. Examples of this are

- Newsletter mailing,
- Surveys
- Invitations to events
- Advertising campaigns

You can revoke your consent at any time and without giving reasons with effect for the future. This also applies to declarations of consent that you gave us before the GDPR came into force, i.e. before May 25, 2018. The withdrawal of consent is only effective for the future and does not affect the legality of the data processed until the withdrawal.

**d. Due to legal requirements
(Art. 6 para. 1 lit. c GDPR)**

The purposes of data processing may also result from legal requirements in individual cases. These legal obligations include, among others:

- The fulfillment of retention and identification obligations
- Requirements for the prevention of money laundering, tax control and reporting obligations and the
- Data processing in the context of requests from authorities

e. In the context of automated decision-making

We also use automated processes to a permissible extent in the context of decision-making. We also use analysis tools to provide you with targeted information and advice on products

4. Who receives my data?

Within our company, only those persons and departments receive your personal data who need it to fulfill our contractual and legal obligations or the above-mentioned purposes.

Your data will be passed on within our Group companies if a company belonging to the Group performs the data processing tasks centrally for the companies affiliated in the Group. *We legitimize this by using suitable legal bases and corresponding data protection agreements with these companies.*

In addition, the following bodies may receive your data:

- Public bodies and institutions in the event of a legal or official obligation (e.g. tax authorities)
- Processors to whom we transfer your personal data depending on the purpose (e.g. support/maintenance of IT systems, data destruction, payment transactions, accounting)
- Other bodies for which you may have given us your consent to transfer data

5. How long will my data be stored?

Personal data is stored for as long as is necessary to fulfill the above-mentioned purposes. Of particular relevance here are the statutory retention obligations under the German Commercial Code (HGB) and the German Fiscal Code (AO), which provide for retention for up to ten years.

6. Will my data be transferred to a third country?

Your personal data will not be transferred to third countries. If data transfer is necessary, it will only take place on the basis of the aforementioned purposes and legal bases. In addition, a transfer will only take place if an adequacy decision of the Commission exists for the respective third country, we have concluded standard contractual clauses with the service provider or other suitable guarantees in accordance with Art. 44 et seq. GDPR are in place. When using the EU standard contractual clauses, we also carry out the necessary transfer impact assessments and checks of supplementary guarantees.

7. Are you obliged to provide your data?

As part of our business relationship, you must provide the personal data that is necessary for the establishment and execution of a business relationship and the fulfillment of the associated contractual obligations or that we are legally obliged to collect.

Without this data, we will generally have to refuse to conclude or execute the contract and terminate the contractual relationship.

8. Would you like to complain about the handling of your data?

You have the option of contacting our data protection officer or any data protection supervisory authority. The data protection supervisory authority responsible for us is:

The Hessian Commissioner for Data Protection and Freedom of Information

represented by

Prof. Dr. Alexander Roßnagel

Gustav-Stresemann-Ring 1

65189 Wiesbaden

Phone: 0611-1408 0

Email: poststelle@datenschutz.hessen.de

9. What data protection rights do I have?

You have the following rights with regard to the processing of your personal data: **information, correction, deletion, blocking, data transfer** and the right to **restrict** processing. You also have the right to **receive** the data you have provided in a structured, commonly used and machine-readable format.

If our data processing is based on a legitimate interest and you have reasons against this processing of your personal data due to your particular personal situation, you have the **right** to object to the processing. In such a case, we will only process your data if our legitimate interest prevails in a balancing decision.

Furthermore, if our processing is based on your consent, you have the right to withdraw this consent.