

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

Information sheet on data protection for business customers, specialist wholesalers, specialist tradespeople, installation companies, planners, architects, companies in the building and housing industry, as well as private end consumers.

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Dear business partners,

Your data are secure with **Kermi GmbH**, Plattling, Germany. Protecting the personal data that you have entrusted us with within the scope of our contractual relationship is a major priority. Already in the past, we used your data exclusively for the dutiful compliance with our cooperation obligations and to inform you of upcoming trade fairs and new products, always with a high confidentiality standard. Thus your data was handled very carefully by us even before the new General Data Protection regulation came into effect on 25.5.2018.

With this we want to inform you in line with Articles 13,14 and 21 of the GDPR about the processing of your personal data and your entitlements and rights according to the data protection regulations.

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

The responsible party is:

Kermi GmbH, Pankofen-Bahnhof 1, 94447 Plattling, Germany

Phone: +49 9931-501-0

Internet: www.kermi.de

E-mail address: info@kermi.de

You can reach our corporate data protection officer at:

Kermi GmbH, Pankofen-Bahnhof 1, 94447 Plattling, Germany

Phone: +49 9931-501-300

E-mail address: datenschutz@kermi.de

2. What sources and data do we use?

We process personal data that we receive from you in the scope of our business relationship.

Additionally, we process personal data that we legally receive from other companies or other third parties (e.g. for the implementation of orders, for fulfillment of contracts, or based on an approval by you).

We also process personal data that we gained legally from publicly available sources and that we are allowed to process.

Relevant personal data of contact persons are name, contact and communication data (telephone number, e-mail address, etc.). In addition, this may also include order data (e.g. delivery order, service order), data from the fulfillment of contractual obligations (e.g. sales data, credit lines, product data, etc.), advertising and sales data, contractual and documentation data (e.g. order data, business correspondence), register data, payment transaction data (account number, bank details), data about

your use of media offered by us (e.g. time of visit to our websites, apps or newsletters, clicked pages by us or entries) as well as other data comparable to the stated categories.

3. What is the purpose of processing your data (purpose of processing) and on what legal basis?

We process personal data in line with the specification of the European General Data Protection Regulation (GDPR) and the Bundesdatenschutzgesetz (German Federal Data Protection Act) for the purpose of initiating contracts, implementing contracts and handling of contracts:

a) For fulfillment of contractual obligations (Art. 6 (1) lit. b) GDPR)

The processing of personal data (Art. 4 (2) GDPR) takes place for the provision of services in the area of remote maintenance, the support of optimal product selection for the concerned installation situation of our products and customer services, as well as delivery of our products in the area of heating, air conditioning, ventilation and sanitary installations, in particular for implementation of our contracts with you and carrying out your orders, as well as all activities required for the operation and administration of a company.

The purpose of the data processing is primarily based on the specific products and services, within this scope personal data may be transferred to third parties as part of your commissioning, through Kermi, of quantity survey and installation companies, planning and architectural companies or marketing service providers and suppliers insofar as this involves companies that must be included for the implementation of the contract.

For additional detailed information about the purpose of data processing, see the respective contract documents and terms and conditions.

The contact data of involved third parties that become known due to the commissioning (of specialist tradespeople, installation companies and planning offices) as well as detailed information about the construction project and addresses of the end user within the three-step sales approach serve to ensure optimal order processing for the satisfaction of the end user.

By this we mean, or this particularly applies to the following situations:

- Carrying out the necessary technical co-ordination efforts with the specialised tradesperson that are required for a target-oriented offer.
- Discussion of the technical safety situations to avoid damage to the life and limb to the concerned fitter or end customer.
- To keep the risk of economic damage to the tradesperson as limited as possible
- Instruction and or inspection and approval by our field staff at the construction site of the customer to detect and amend safety deficiencies as early as possible.

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

As far as required, we process your data beyond the actual fulfillment of the contract for the justified protection of our interests regarding:

- Verification and optimisation of the processes for needs analysis and direct customer contact;
- Advertising or market and opinion research, insofar as you have not objected to the use of your data;
- Claims for legal rights and defence during legal disputes;

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

Insofar as you have given us consent for the processing of personal data for specific purposes (e.g. transfer of data to third parties, evaluation of data for marketing purposes), then this processing is legal based on your consent. Granted consent can be withdrawn at any time.

Please note that the withdrawal only takes effect in the future. Processing that took place before the withdrawal is not affected by this.

d) Due to compliance with a legal obligation Art. 6 (1) lit. c) GDPR) or the public interest (Art. 6 (1) lit. e) GDPR)

In addition, we are subject to various legal obligations, i.e. statutory requirements (e.g. trade law, tax laws, etc.) If data are processed in this regard then exclusively based on these requirements.

4. Who receives my data?

Within the company, your data are shared with the departments that need them for fulfilling our contractual and legal obligations. Contract processors commissioned by us (Art, 28 GDPR) can also receive data for these stated purposes.

Regarding the transfer of data to recipients outside the company, it should be noted that we only transfer your data if permitted or required by legal regulations, you have consented or we are authorised to provide this information. Under these conditions, recipients of personal data can include. e.g.:

- Public authorities and institutions (e.g. tax and revenue offices, public prosecutor, police, supervisory authorities in case of a legal or public obligation.
- Other companies to which we transfer personal data for implementation of the business relationship with you (depending on the contract: e.g. installation companies, planners, architects, suppliers, etc.)
- Subsidiary and affiliated companies of Kermi GmbH, Plattling, Germany, that are directly involved through your order in the production process and implementation of the product delivery.

Additional data recipients can be the bodies for whom you have given us consent for the data transfer.

5. How long will my data be stored?

As far as required, we process and store your personal data for the duration of our business relationship, which can, for example, include the initiation and handling of a contract, or for the fulfillment of the contractual purpose.

Furthermore, we are subject to various legal obligations to retain and document data, derived among others from the Handelsgesetzbuch (HGB – German Commercial Code) and the Abgabenordnung (AO – Fiscal Code). The periods of retention or documentation specified there range from two to ten years.

Finally, the storage duration is also affected by the statutory periods of limitation, for example according to Articles 195 et seqq. of the Bürgerliches Gesetzbuch (BGB – German Civil Code) usually three years but in some instances up to thirty years.

6. Are data transferred to third countries or international organisations

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Currently, no data are transmitted to third-party states.

7. What are my data protection rights?

Each concerned person has the right to **Access** acc. to Art. 15 GDPR, the right to **Rectification** acc. to Art. 16 GDPR, the right to **Erasure** acc. to Art. 17 GDPR, the right to **Restriction of Processing** acc. to Art. 18 GDPR and the right to **Data Portability** acc. to Art. 20 GDPR. The right to access and the right to erasure are subject to the limitations according to Articles 34 and 35 BDSG. In addition, there is the right to lodge a complaint with a data supervisory authority (Art. 77 GDPR in conjunction with Art. 19 BDSG).

The address of the supervisory authority responsible for our company is: Der Bayerische Landesbeauftragte für den Datenschutz, P.O.Box 22 12 19, 80502 Munich, Germany Tel: +49 (0) 89 212672-0, E-mail: poststelle@datenschutz-bayern.de

8. Do I have an obligation to provide data?

Based on our business relationship you must only provide the personal data required for the substantiation, implementation and termination of a business relationship or which we are legally obligated to collect. In general, without this data we shall have to decline the conclusion of the contract or implementation of the order or will no longer be able to implement an existing contract and may have to terminate it.

9. To which extent is there automated decision making for individual cases?

For the substantiation and implementation of the business relationship, we generally do not apply fully automated decision making acc. to Art. 22 GDPR. Should we apply this method in individual cases, we shall inform you separately insofar as this is legally required.

10. To which extent are my data used for profiling (scoring)?

We do not process your data with the purpose of evaluating specific personal aspects (profiling).

Information about your right to object according to Article 21 of the General Data Protection Regulation (GDPR)

1. Individual case-related right to object

You have the right to object at any time for reasons derived from your personal situation to the processing of personal data concerning you based on Article 6 (1) lit. e) GDPR (data processing for the public interest) and Article 6 (1) lit. f) of General Data Protection Regulation (data processing based on the weighing of interests), this also applies to profiling according to Article 4 (4) GDPR based on this stipulation.

Should you object, we shall no longer process your personal data, unless we can prove compelling protectable reasons for the processing that outweigh your interests, rights or freedoms, or the processing serves the claim, implementation or defence of legal interests.

2. Right to object to data processing for direct advertising purposes

In individual cases we process your personal data to practice direct advertising. You have the right to object at any time to the processing of personal data concerning you for the purpose of such advertising; this also applies to profiling insofar as it is connected to such direct advertising.

If you object to processing for the purpose of direct advertising, we shall no longer process your data for these purposes.

The objection does not have to follow a specific form and should preferably be addressed to:

Kermi GmbH

Pankofen-Bahnhof 1
94447 Plattling, Germany
++49 (0) 9931 501-300
datenschutz@kermi.de

We will be glad to personally provide you with additional information regarding the protection of your data.

Sincerely yours
Kermi GmbH