

## Data Protection Information for Business Partners

Information about the processing of personal data in the context of business relationships with customers, suppliers and other business contacts

### 1. What information does this document contain for you?

thyssenkrupp nucera AG & Co. KGaA ("we") is in a business relationship with you or your employer/client, e.g. the initiation or execution of a contractual relationship as part of our business activities. In this context, we process your personal data as far as this is necessary.

We make sure that we comply with the requirements of the applicable data protection acts. Below is a detailed overview of how we handle your data and your rights.

### 2. Who is responsible for the data processing and who is the Data Protection Officer?

The controller for the data processing is:

thyssenkrupp nucera AG & Co. KGaA  
Freie-Vogel-Str. 385 a  
44269 Dortmund  
Germany  
Email: [info@thyssenkrupp-nucera.com](mailto:info@thyssenkrupp-nucera.com)

The Data Protection Officer of thyssenkrupp nucera AG & Co. KGaA can be reached at:  
Email: [dataprotection@thyssenkrupp-nucera.com](mailto:dataprotection@thyssenkrupp-nucera.com)

### 3. What categories of data do we process and where do they come from?

We process personal data that you provide to us as part of the business relationship. If our business relationship is with your employer or client, we also collect the personal data from you or your employer or client. This includes the following data or categories of data:

- Master data (e.g. name and salutation, title, job title/description)
- Contact details (e.g. telephone number, fax number, email address, address)

- Communication data (e.g. content and information on personal, telephone or written communication)
- Payment data (e.g. payment details, account data, invoice information)

Moreover, we process the following categories of personal data that we generate independently or receive from third parties (group companies, credit agencies, (personnel) service providers):

- Master data (e.g. customer number)
- Contract data (e.g. contract ID, contract history)
- Communication data (e.g. consulting protocols)
- Payment data (e.g. payment history, information on payment history, creditworthiness)

#### 4. Who receives your data?

Your data will be processed within thyssenkrupp nucera AG & Co. KGaA by the employees involved in the initiation/implementation of the business relationship and the execution of the respective business processes.

Within our group of companies your data will be transmitted to certain group companies when they perform centralized data processing tasks for the group's affiliated companies (for example centralized contact data management, centralized contract management, file disposal, payment and claims management).

In addition, to fulfill our contractual and legal obligations, we sometimes use different external service providers who are required by data processing agreements to observe data protection laws, Art. 4 No. 8 GDPR. These are service providers in the following areas:

- IT services
- Logistics
- Claims management
- Marketing
- Legal advice

In addition, we transmit your data to other recipients outside the company who process your data at their own responsibility, Art. 4 No. 7 GDPR. For example, this may include the following categories of responsible persons:

- Public institutions due to statutory provisions (e.g. tax authorities)
- Third parties such as credit institutions, credit bureaus - if a transfer of legitimate interest is permissible

## 5. For what purposes do we process the data and what is the legal basis?

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We process your data in compliance with the provisions of the EU General Data Protection Regulation (GDPR), the German Bundesdatenschutzgesetz (BDSG) and all other applicable laws and regulations.

We primarily process personal data for the fulfillment of contractual obligations (Art. 6 para. 1 lit. b GDPR), more precisely for the purpose of initiating, executing or fulfilling a contract. This includes, for example, placing orders, internal sales, shipping and payment of merchandise or contract negotiations.

Unless you are not yourself a contracting party (for example, you are an employee of a business partner), processing for the same purposes takes place as a legitimate interest in accordance with Art. 6 para. 1 lit. f GDPR. With your employer/client, we are in the initiation or execution phase of a contractual relationship as part of our business activities. We are processing your personal data due to your activity for your employer/client.

If necessary, we also process personal data to fulfill statutory requirements (Art. 6 para. 1 lit. c GDPR) for the following purposes:

- Preservation of statutory storage requirements
- Preservation of legal reporting and documentation obligations

Furthermore, we process personal data in order to safeguard the following legitimate interests (Art. 6 para. 1 lit. f GDPR):

- Maintenance of the business relationship with existing customers (for example making contact with regard to customer satisfaction, customer loyalty, after-sales service)
- Inclusion in our contact database, contact maintenance in connection with a business contact (for example after surrendering your business card)
- Direct marketing to existing customers or employees of existing customers with regard to existing or past business relationships by post, e-mail, telephone (for example information on products and events, newsletters)
- Organization of events (for example admission control, exchange of guest lists with event partners, taking photographs, publications, press work)

In addition, we potentially process personal data for which we received consent (Art. 6 para. 1 lit. a GDPR). We will collect them separately and in the following cases:

- Direct marketing to interested parties or other business contacts (for example information on products and events, newsletters by post, e-mail, telephone)

The possibility of and the conditions for data processing on the basis of Art. 6 para. 1 lit. f GDPR to object is explained in more detail at the end of this data protection information.

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## 6. Are you required to provide your data?

There is no contractual or legal obligation to provide personal data. However, without processing your personal data, we are not in a position to carry out the necessary pre-contractual measures or execute the contractual relationship with you or your employer/client.

## 7. How long will your data be stored?

We process your personal data as long as it is necessary for the above referenced purposes. After completion of the business relationship your data will be stored as long as we are legally obligated to do so. This is regularly the result of legal proof and retention obligations, which are regulated in applicable (national) laws and regulations. In addition, it may be necessary to retain personal data for the time during which claims can be asserted against us.

## 8. Will your data be transmitted to a third country (outside the EU/EEA)?

To the extent necessary for the above purposes, we also transmit data to group companies or service providers outside the European Economic Area (EEA).

This is done in compliance with data protection requirements, in particular the assurance of an adequate level of data protection. The assurance is provided by a suitable guarantee (e.g. in the form of a standard data protection clause according to Art. 46 para. 2 lit. c GDPR, which is agreed with the respective recipient). You may request additional information, in particular copies of these appropriate guarantees, by using the contact details mentioned in section 2.

## 9. Which data protection rights can you assert as an affected person?

You have the **right to request information** about the data stored about you, Art. 15 GDPR. In addition, you have the **right to request the rectification or erasure** of your data, Art. 16, 17 GDPR. You may also have the **right to restrict the processing** of your data, Art. 18 GDPR, and the **right to data portability**, Art. 20 GDPR, provided that this does not adversely affect the rights and freedoms of other persons.

**If you have given us your consent to the processing of your personal data, you can revoke this at any time without any formal requirements and without any adverse effects.**

Please note that the revocation has no effect on the legality of the data processing carried out before the revocation and that it does not extend to data processing for which another authorization exists and which may therefore also be carried out without your consent.

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

For reasons that arise from your particular situation, you have the right to object to the processing of your personal data at any time pursuant to Art. 6 para. 1 f GDPR (data processing on the basis of a balance of interests); this also applies to any profiling based on this provision as defined in Art. 4 No. 4 GDPR.

If you file your objection, we will no longer process your personal data unless we can establish compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing is for the purposes of asserting, exercising or defending legal claims.

In individual cases, we may also process your personal data according to Art. 6 para. 1 lit. f GDPR in order to generate direct mail. You have the right to object to the processing of your personal data used for such advertising at any time; this also applies to profiling insofar as it is associated with such direct mail advertising.

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

The objection can be informal.

To exercise your rights, please contact us using the contact details provided in section 2.

## **10. Where can you file a complaint?**

Without prejudice to any other administrative or judicial remedy, as an affected person, you have the right to lodge a complaint with a supervisory authority if the data subject considers that the processing of personal data relating to them infringes the GDPR (Art.

77 GDPR). You can exercise this right with a supervisory authority in the Member State of your habitual residence, place of work, or place of the alleged infringement.

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