



**thyssenkrupp**

## Information for Business Partners

Data protection – thyssenkrupp System Engineering GmbH  
October 2019

# 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?

The thyssenkrupp System Engineering ("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. 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 processing and who is the data protection officer (DPO)?

**Controller** for the processing is

thyssenkrupp System Engineering GmbH  
CHRO, Member of the Executive Board of  
thyssenkrupp System Engineering, Felix Bader  
Weipertstraße 37  
74076 Heilbronn  
Telefon: 07131 / 1569 17 0

Our **data protection officer** can be reached at the same address (attention: Data protection officer) or via email: [datenschutzbeauftragter.tksy@thyssenkrupp.com](mailto:datenschutzbeauftragter.tksy@thyssenkrupp.com).

## 3. Which data categories 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 of personal, telephone or written communication)

Moreover, we process the following categories of personal data that we generate independently or receive from third parties (e.g. affiliates / subsidiaries of tk AG):

- Master data (e.g. customer number)
- Contract data (e.g. contract ID, contract history)
- Communication data (e.g. consulting protocols)

#### 4. For what purposes and on what legal basis is data processed?

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

We primarily process personal data for the fulfillment of contractual obligations (Article 6 paragraph 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 Article 6 paragraph 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 (Article 6 paragraph 1 lit. c GDPR) for the following purposes:

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

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

- Maintenance of the business relationship with existing customers (e.g. customer satisfaction survey)
- Organization of events (for example, admission control)
- Asserting legal claims and defense in legal disputes
- Inclusion in our contact database, human relations after business contact (e.g. after leaving your business card)
- Direct marketing to customers or employees of customers (e.g. information about products and events, newsletters)

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

- Direct marketing to interested parties/other business contacts (e.g. information about products and events, newsletters)

#### 5. Who receives your data?

Your data will be processed within the thyssenkrupp System Engineering GmbH 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 companies when they perform centralized data processing tasks for the group's affiliated companies (e.g. centralized contact data management, centralized contract management, file disposal).

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, Article 4 No. 8 GDPR. These are service providers in the following areas

- IT services
- Logistics

In addition, we transmit your data to other recipients outside the company who process your data at their own responsibility, Article 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

## 6. 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 the Commercial Code and the Tax Code. According to these codes, the storage periods are up to ten years. In addition, it may be necessary to retain personal data for the time during which claims can be asserted against us (statutory limitation period of up to thirty years).

## 7. 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.

## 8. Which data protection rights can you claim as the person affected?

You have the right to request **information** about the data stored about you, Art. 15 GDPR. In addition, you may request the **rectification** or **erasure** of your data, Art. 16, 17 GDPR. You may also be **entitled to restrict the processing** of your data and a **right to release the data you provided** in a structured, common, machine-readable format, provided this does not affect the rights and freedoms of others, Art. 18, 20 GDPR.

If you have given us consent to the processing of your personal data, you can **revoke this consent** at any time. The legality of the processing carried out based on the consent until the revocation remains unaffected.

To exercise your rights, please contact the responsible body or data protection officer listed under section 2.

In addition, you have a **right of objection**, which is explained in more detail at the end of this privacy policy.

You also have the option to file a **complaint with a data protection authority**, Art. 77 GDPR. The right of appeal is without prejudice to any other administrative or judicial remedy. The data protection authority responsible for us is:

State of Nordrhein-Westphalen  
Landesbeauftragter für Datenschutz und Informationsfreiheit Nordrhein-Westfalen (Data protection officer state of Nordrhein-Westphalen)  
P.O. Box 20 04 44  
40102 Düsseldorf  
Tel.: + 49(0)211/38424-0  
Fax: +49(0)211/38424-10  
E-Mail: poststelle@ldi.nrw.de

Status as of: **November 2018**

**Information about your right of objection according to Art. 21 of the General Data Protection Regulation (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 Article 6 para. 1 f of the GDPR (data processing on the basis of a balance of interests); this also applies to any profiling based on this provision as defined in Article 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 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 and should ideally be addressed with the responsible body or data protection officer listed in the privacy statement under section 2.