

DATA PRIVACY NOTICE OF WINGAS GROUP ACCORDING TO ART. 13, 14 AND 21 GDPR

Date: December 2022

The following notice describes how and for what purpose the Companies of the WINGAS Group (hereinafter also “We”) process the personal data of its business partners and their employees.

Personal data is, according to Art. 4 No. 1 of the General Data Protection Regulation (GDPR), any information relating to an identified or identifiable natural person.

1. RESPONSIBILITY FOR DATA PROCESSING AND CONTACT DETAILS

Responsible for the processing of your personal data within the meaning of Article 4 No. 7 is one of the following companies of the WINGAS Group with which you are in contact or maintain a business relationship and, as the joint controller in each case, also WINGAS GmbH:

WINGAS GmbH, Königstor 20, 34117 Kassel, Germany
Phone: +49 561 99858 0
email: info@wingas.de

WINGAS Holding GmbH, Königstor 20, 34117 Kassel, Germany
Phone: +49 561 99858 0
email: info@wingas.de

WINGAS Holding GmbH, Vienna branch office, Am Belvedere 10, 1100 Wien, Austria;
Phone: +43 1 890 710
email: info@wingas.at

WINGAS GmbH, organizační složka Česká republika, Lomnického 1705/7, 140 00 Praha 4, Czech Republic
Phone: + 420 226 230 332
email: info@wingas.cz

WINGAS Benelux BV/SRL, Büro Belgien, 23, Square de Meeûsquare (4th.floor), B-1000 Bruxelles/Brussel, Belgium
Phone +32 2 200 00 71
email: contact@wingas.be

WINGAS Benelux BVBA Büro Niederlande, Sir Winston Churchillaan 299a, 2288 DC Rijswijk, Netherlands
Phone: +31 885 530 6286
email: contact@wingas.nl

Industriekraftwerk Greifswald GmbH, Königstor 20, 34117 Kassel, Germany
Phone: +49 561 99858 0
email: info@wingas.de

You can reach our data protection officer / our data protection team at

WINGAS GmbH, attn: data protection officer, Königstor 20. 34117 Kassel, Germany or at
datenschutz@wingas.de

2. TYPE OF PROCESSED DATA

We process the personal data or categories of personal data listed below that we receive from you and your employees in the course of our business relationship:

- Master data (surname, first name, title, function/position in the company, business phone number, business mobile phone number, business fax number, business e-mail address) or the data that you disclose to us on the business card,
- Communication data (content of contact requests, meeting records),
- Technical usage data for communication by e-mail and telephone,
- Documentation of business transactions,
- Voice recordings of calls/ customer transactions,
- Travel data and information on e.g. food preferences in the context of events,
- Other data in relation to events to which we invite you,
- Declarations on data protection (consent to the processing of personal data, assertion of data protection claims for information, correction, deletion, restriction and data portability, including the information that you transmit to us in this context).

3. DURATION OF DATA STORAGE

We store your personal data for as long as it is necessary for the purposes stated in this Data Privacy Notice. In particular, we process your personal data to fulfil our contractual and legal obligations, which may arise especially from commercial, tax, labour and company law regulations. In addition, we store your personal data if and insofar as the law provides for this, for example for the defence of legal claims within the respective limitation periods. The exact legal regulations result in turn from the respective relevant national legal system of the processing company according to number 1.

4. PURPOSES OF DATA PROCESSING AND LEGAL BASIS

We process your personal data in accordance with the relevant data protection regulations, in particular the General Data Protection Regulation (GDPR), the Federal Data Protection Act (BDSG) and the Telecommunications Telemedia Data Protection Act (TTSG).

Specifically, we process your personal data for the following purposes and on the legal basis specified in each case:

Purpose/Legitimate interest	Processed data or categories of data	Legal basis
Administration of business partner and their contact persons data for communication purposes and in order to initiate and conduct a business relationship (customer support, lead generation)	Master data; documentation of business transactions; communication data (e.g. content of contact requests, meeting records)	Art. 6 paragraph 1 points (b) and (f) GDPR
Direct marketing and direct advertising (e.g. newsletter, customer information, greetings communication)	Master data; documentation of business transactions; communication data (e.g. content of contact requests, meeting records)	Article 6 paragraph 1 points (a) and (f) GDPR
Events for and with business partners (e.g. trade fairs), Invitation and guest management, visitor registration in the company restaurant	Master data, travel data and preferences with regard to food as part of events, if applicable contact details of accompanying persons, if applicable guest car number plates	Article 6 paragraph 1 points (a), (b) and (f) GDPR
Quality assurance and proof of evidence for business transactions	Voice recordings for calls / customer transactions	Article 6 paragraph 1 points (a) and (f) GDPR
Prosecution, establishment or defense of legal claims	Master data; all data or categories of data with relevance to the claim in question.	Article 6 paragraph 1 point (f) GDPR
Administration of consents and objections to data processing (administration of declarations of consent and revocations of consent, as well as objections to data processing)	Master data, declarations by the data subjects	Article 6 paragraph 1 point (c) GDPR
Administration of claims made by data subjects (establishment of claims by data subjects to obtain access to and information on their data, to rectify and delete their data, to restrict data processing and to request data portability)	Master data, declarations by the data subjects, all data or categories of data being subject of the request.	Article 6 paragraph 1 point (c) GDPR
Effective execution of online meetings; execution of meetings to initiate and execute a business relationship related communication via Zoom/MS-Teams/Skype	Master data, business email address, IP address, browser data, photo (optional), telephone number (optional)	Article 6 paragraph 1 point (b) and (f) GDPR

5. RECIPIENTS AND CATEGORIES OF RECIPIENTS

Your personal data can be passed on to the following recipients and categories of recipients:

5.1 DATA PROCESSORS

We use service providers who process personal data on our behalf (so-called data processors, cf. Art. 4 No. 8, 28 GDPR). This includes service providers in the areas of IT, telecommunications and business services.

5.2 DISCLOSURE TO THIRD PARTIES

Except in the above mentioned cases of processing on behalf, we transfer your personal data to third parties if:

- you have given your explicit consent pursuant to Art. 6 para. 1 sentence 1 lit. a GDPR;
- this is necessary for the fulfilment of a contract with you pursuant to Art. 6 para. 1 sentence 1 lit. b GDPR,
- there is a legal obligation for the data transfer according to Art. 6 Para. 1 S.1 lit. c GDPR.

The data disclosed may be used by the third parties for the defined purposes only.

6. TRANSFER OF DATA TO A THIRD COUNTRY OR TO AN INTERNATIONAL ORGANISATION

A transfer of your personal data to a third country or an international organisation will only take place if this is necessary in the context of order processing and the requirements of Art. 44 et seq. GDPR are met.

We transfer your personal data to the following third countries (countries outside the European Economic Area - EEA): United Kingdom.

We will only transfer your personal data if

- the recipient provides appropriate safeguards in accordance with Art. 46 GDPR for the protection of personal data,
- you have explicitly agreed to the transmission, after we have informed you of the risks, in accordance with Art. 49 para. 1 lit. a GDPR,
- the transmission is necessary for the fulfilment of contractual obligations between you and us
- or another exception from Art. 49 GDPR applies.

Safeguards under Art. 46 GDPR can be so-called standard contractual clauses. In these standard contractual clauses, the recipient assures to protect the data sufficiently and thus to ensure a level of protection comparable to that provided by the GDPR.

7. OBLIGATION TO PROVIDE DATA

As part of our business relationship, you only have to provide the personal data that is necessary for the establishment and implementation of a business relationship or that we are legally obliged to collect. Without this data, we will generally have to refuse to conclude the contract or execute the order, or we will no longer be able to perform an existing contract and may have to terminate it.

For other purposes within our business relationship, there is only an obligation to provide data if this is absolutely necessary for this specific purpose.

8. AUTOMATED DECISION MAKING AND PROFILING

We do not use your personal data for automated decision-making, including profiling.

9. DATA SUBJECT RIGHTS

9.1 INFORMATION, CORRECTION, DELETION, RESTRICTION OF PROCESSING, DATA PORTABILITY

Every data subject has the right to information under Art. 15 GDPR, the right to rectification under Art. 16 GDPR, the right to erasure under Art. 17 GDPR, the right to restriction of processing under Art. 18 GDPR and the right to data portability under Art. 20 GDPR. In order to exercise the aforementioned rights, you can contact us as stated in section 1 (Responsibility for data processing and contact details).

9.2 RIGHT TO OBJECT PURSUANT TO ART. 21 GDPR

You have the right, for reasons arising from your particular situation, to object at any time to the processing of personal data related to you, which is based on Art. 6 Subs. 1 Sentence 1 lit. e and Art. 6 Subs. 1 Sentence 1 lit. f GDPR (data processing on the basis of legitimate interest), to insert this also applies to any profiling based on this provision within the meaning of Article 4 No. 4 GDPR. If you file an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

If we process your personal data for the purpose of direct marketing, you have the right to object at any time to the processing of your personal data for the purpose of such marketing. If you object to the processing for direct marketing purposes, we will no longer process your personal data for these purposes.

The objection can be made in any form and should be addressed to the contacts stated in section 1 (Responsibility for data processing and contact details). You will not bear any costs other than the transmission costs according to the basic tariff.

9.3 WITHDRAWAL OF A CONSENT

If you give us your consent to the processing of your personal data, you can revoke this consent at any time. As a result, we will no longer continue the data processing based on this consent for the future. The lawfulness of the processing carried out on the basis of the consent until the revocation remains unaffected.

Please address the revocation of consent to the contacts specified in section 1 (Responsibility for data processing and contact details).

10. RIGHT TO COMPLAIN TO THE SUPERVISORY AUTHORITY

According to Art. 77 para. 1 GDPR, you have the right to complain to a supervisory authority if you believe that the processing of your personal data is not lawful, in particular that it violates the GDPR. In this case, you have the choice of contacting the supervisory authority, in particular in the member state of your place of residence, your place of work or the place of the alleged violation. Irrespective of the aforementioned right to lodge a complaint, we will also accept your request ourselves (for contact details, see section 1. Responsibility for data processing and contact details).

11. ACTUALITY AND CHANGES TO THIS DATA PRIVACY NOTICE

This Data Privacy Policy is currently valid and was last amended as of December 2022.

Due to the further development of our website and offers on it or due to changed legal or official requirements, it may become necessary to change this Data Privacy Notice.