

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

Data Protection – thyssenkrupp Presta AG  
12 / 2018

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

Thyssenkrupp Presta AG 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, (R&D, production and distribution of steering systems).

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 data processing and who is the data protection officer?

**Controller** for data processing is

thyssenkrupp Presta AG  
Essanestrasse 10, FL 9492 Eschen  
Phone: +423 377 2244  
Fax: +423 377 2244  
Email: [contact.presta@thyssenkrupp.com](mailto:contact.presta@thyssenkrupp.com)

Our **data protection officer** can be reached at

Data Protection Officer  
thyssenkrupp Presta AG  
Essanestrasse 10, FL 9492 Eschen  
Phone: +423 377 2244  
Email: [datenschutz.presta@thyssenkrupp.com](mailto:datenschutz.presta@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 categories (data):

- Customers (address data, incl. phone, fax and email data)
- Interested parties/non-customers (address data, interests, proposal data)
- Trade representatives/agents/brokers/agencies (address, business and contract data; contact information)
- Suppliers/service providers/other business partners (address data; contact coordinates; bank details, contract data)

- Calendar management data; settlement and performance data
- Contacts for the aforementioned groups
- Plant entrance: video surveillance, access control data, authorized economic operator (AEO): name, address data, birth date

Moreover, we also process the following categories of personal data that we generate independently or that we receive from third parties (such as Group companies):

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

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

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

We primarily process personal data for the fulfillment of contractual obligations (Article 6 (1) (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 yourself are not a contracting party (for example, you are an employee of a business partner), data are processed for the same purposes as a legitimate interest pursuant to Article 6 (1) (f) GDPR. We are in the initiation or execution phase of a contractual relationship with you or your employee/client as part of our business activities. We process your personal data due to your activity for your employer/ client.

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

- Adherence to statutory storage obligations
- Adherence to statutory legal reporting obligations

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

- Maintaining business relationships with existing customers
- Organizing events (e.g. admission control)
- Asserting legal rights 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)
- Video surveillance is conducted for vandalism protection and to ensure adherence to house rules.
- Entrance surveillance is conducted for vandalism protection, to ensure adherence to house rules, as an authorized economic operator (AEO) and as proof of attendance and performance
- Centralized data processing within the group of companies

In addition, we may potentially process personal data for which consent to the processing thereof was given by the data subject (Art. 6 (1) (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?

Within our group of companies, your data will be transferred to certain companies if they centrally perform data processing duties for companies affiliated with the group (e.g. centralized contact data management, centralized contract management).

In addition, to fulfill our contractual and legal obligations, we make use of various external service providers who are required by data processing agreements to observe data protection laws, Art. 4 (8) GDPR. These are service providers in the following areas:

- IT services
- File and data carrier destruction
- Service providers subject to proof of performance
- Logistics control

Moreover, we also transfer your data to other recipients outside the company who process your data at their own responsibility, Art. 4 (7) GDPR. For example, this may include the following categories of controllers:

- Public institutions on the basis of statutory requirements (e.g. tax authorities)
- Third parties such as credit institutions, credit bureaus - if a transfer is permissible based on a legitimate interest

## 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. Generally, this is on the basis of legal demonstration and retention obligations, which are regulated in the Liechtenstein Person and Company Law [Personen- und Gesellschaftsrecht; PGR] 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, if we are unable to process your personal data, we will not be in a position to perform the necessary pre-contractual measures or execute the contractual relationship with you or your employer/client.

## 8 Which data protection rights can you assert as the data subject?

According to Art. 15 GDPR, you have the right to request information about the data stored about you. In addition, according to Art. 16 and 17 GDPR, you have the right to rectification or erasure of your data. Furthermore, according to Art. 18 and 20 GDPR, right to data portability, you may also have a right to restrict the processing of your data and a right to release the data you provided in a structured, commonly used and machine-readable format.

If you have given us consent to the processing of your personal data, you can revoke this consent at any time in accordance with Art. 13 (2) (c) GDPR. The legality of the processing of your data on the basis of your consent until such revocation remains unaffected.

To exercise your rights, please contact the controller or data protection officer listed under clause 2.

In addition, within the context of processing personal data as a means to safeguard the aforementioned legitimate interests, you also have a right of objection, which is explained in more detail at the end of this privacy policy. Pursuant to Art. 77 GDPR, you also have the option to lodge a complaint with a data protection authority. The right to object is without prejudice to any other administrative or judicial remedy. The data protection authority responsible for us depends in particular on your habitual residence, place of work or place of the alleged infringement.

A list of data protection authorities for the EEA can be found here:

[https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en)

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### **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 (1) (f) GDPR (data processing on the basis of a balancing of interests); this also applies to any profiling based on this provision as defined in Article 4 (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 for the purposes of 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 preferably be addressed to the controller or data protection officer listed in the privacy statement under clause 2.