

## Privacy Notice

### 1. Introduction

We would like to use the information below to provide you "data subject" with an overview of our processing of your personal data and your rights under data protection law. It is generally possible to use our website without entering personal data. However, if you wish to make use of special services offered by our company through our website, it may be necessary to process personal data. If it is necessary to process personal data and there is no legal basis for such processing, we will generally obtain your consent.

Personal data, such as your name, address or email address, is always processed in accordance with the EU General Data Protection Regulation (GDPR) and in accordance with the country-specific data protection regulations applicable to the "Wilhelm Vogel GmbH Antriebstechnik". The aim of this Privacy Notice is to inform you about the scope and purpose of the personal data we collect, use and process.

As the data controller, we have implemented numerous technical and organizational measures to ensure the most complete possible protection of the personal data processed via this website. Nevertheless, Internet-based data transmissions can in principle have security gaps so that absolute protection cannot be guaranteed. For this reason, you are free to submit personal data on alternative ways, such as by phone or by post to us.

### 2. Data controller

The data controller, as defined by the GDPR, is:

Wilhelm Vogel GmbH Antriebstechnik  
Stattmannstr. 1, 72644 Oberboihingen, Deutschland  
Phone: +49 70 22 60 01-0  
Fax: +49 70 22 60 01-250

E-mail: [info@vogel-antriebe.de](mailto:info@vogel-antriebe.de)

Data controller's representative: Herr Dipl.-Ing. Volker Uhlmann, Herr Dipl.-Ing. Alexander Schuster

### **3. Data protection officer**

You can reach the data protection officer as follows:

Michael Weinmann

Phone: +49 173 7632962

E-mail: michael.weinmann@dsb-office.de

You may contact our data protection officer directly at any time if you have any questions or suggestions regarding data protection.

### **4. Definitions**

This Privacy Notice is based on the terminology used by the European legislature and legislature in the adoption of the General Data Protection Regulation (GDPR). Our privacy policy should be easy to read and understand, both for the public and for our customers and business partners. To ensure this, we would like to explain in advance the terminology used. Among other things, we use the following terms in this privacy policy.

We use the following terms in this Privacy Notice, among others:

#### **1. Personal data**

Personal data means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

#### **2. Data subject**

A Data subject is any identified or identifiable natural person whose personal data is processed by the controller (our company).

#### **3. Processing**

Processing is any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organization, filing,

storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

#### **4. Restriction of processing**

Restriction of processing is the marking of stored personal data with the aim of limiting their future processing.

#### **5. Profiling**

Profiling is any form of automated processing of personal data which consists in using such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects relating to that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or change of location.

#### **6. Pseudonymisation**

Pseudonymisation is the processing of personal data in such a way that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures which ensure that the personal data cannot be attributed to an identified or identifiable natural person.

#### **7. Data processor**

Data processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

#### **8. Recipient**

A recipient is a natural or legal person, public authority, agency, or other body to whom personal data are disclosed, whether a third party or not. However, public authorities that may receive personal data in the context of a specific investigative task under Union or Member State law shall not be considered as recipients.

#### **9. Third party**

Third party means any natural or legal person, public authority, agency or body other than the data subject, the controller, the processor and the persons who, under the direct responsibility of the controller or the processor, are authorized to process the personal data.

## 10. Consent

Consent means any freely given specific and informed indication of the data subject's wishes in the form of a statement or other unambiguous affirmative act by which the data subject signifies his or her agreement to the processing of personal data relating to him or her.

## 5. Legal basis for processing

Art. 6 (1) lit. a) GDPR (icw § 25 (1) German Telecommunications-Telemedia Data Protection Act (TTDSG)) serves our company as the legal basis for processing operations where we obtain consent for a specific processing purpose.

If the processing of personal data is necessary for the performance of a contract to which you are a party, as is the case, for example, with processing operations that are necessary for the delivery of goods or the provision of another service or consideration, the processing is based on Art. 6 (1) lit. b) GDPR. The same applies to processing operations that are necessary for the implementation of pre-contractual measures, for example in the case of enquiries about our products or services.

If our company is subject to a legal obligation by which the processing of personal data becomes necessary, such as for the fulfilment of tax obligations, the processing is based on Art. 6 (1) lit. c) GDPR.

In rare cases, the processing of personal data might become necessary to protect vital interests of the data subject or another natural person. This would be the case, for example, if a visitor were to be injured on our premises and as a result their name, age, health insurance data or other vital information had to be passed on to a doctor, hospital or other third party. In this case, the processing would be based on Art. 6 (1) lit. d) GDPR.

Finally, processing operations could be based on Art. 6 (1) lit. f) GDPR. Processing operations which are not covered by any of the aforementioned legal bases are based on this legal basis if the processing is necessary for the protection of a legitimate interest of our company or a third party, provided that the interests, fundamental rights and freedoms of the data subject do not outweigh. We are permitted to carry out such processing operations in particular because they have been specifically mentioned by the European law. In this respect, the legislature took the view that a legitimate interest could be assumed if you are a customer of our company (Recital 47, Sentence 2 GDPR)..

Our offer is inherently aimed at adults. Persons under 16 years of age may not transmit any personal data to us without the consent of their parents or legal guardians. We do not request personal data from children and adolescents, do not collect it and do not pass it on to third parties.

## 6. Disclosure of data to third parties

Your personal data will not be conveyed to third parties for purposes other than those listed below.

We will only share/convey your personal data with third parties if:

- you have given us your express consent to do so in accordance with Art. 6 (1) lit. a) GDPR,
- the disclosure is permissible in accordance with Art. 6 (1) lit. f) GDPR to protect our legitimate interests and there is no reason to assume that you have an overriding interest worthy of protection in the non-disclosure of your data,
- in the event that a legal obligation exists for the disclosure pursuant to Art. 6 (1) lit. c) GDPR, as well as

In the context of the processing operations described in this privacy statement, personal data may be transferred to the USA. Companies in the USA only have an adequate level of data protection if they have certified themselves under the EU-US Data Privacy Framework and thus the adequacy decision of the EU Commission pursuant to Art. 45 GDPR applies. We have explicitly mentioned this in the privacy policy for the service providers concerned. In order to protect your data in all other cases, we have concluded commissioned processing agreements based on the standard contractual clauses of the European Commission. If the standard contractual clauses are not sufficient to establish an adequate level of security, your consent can serve as the legal basis for the transfer to third countries in accordance with Article 49 (1) a) of the GDPR. This sometimes does not apply in the case of a data transfer to third countries for which the European Commission has issued an adequacy decision pursuant to Art. 45 of the GDPR.

## 7. Technology

### 7.1 SSL/TLS-encryption

This site uses SSL or TLS encryption to **guarantee** the security of data processing and to protect the transmission of confidential content, such as orders, login data or contact enquiries that you send to us as the operator. You can recognize an encrypted connection by the fact that the address bar of the browser contains a "https://" instead of a "http://" and by

the lock symbol in your browser bar.

We use this technology to protect your transmitted data.

## **7.2 Data collection when visiting the website**

If you only use our website for informational purposes, i.e. if you do not register or otherwise provide us with information, we only collect the data your browser sends our server (in what is known as "server log files"). Our website collects a range of general data and information each time you access a website or an automated system. This general data and information is stored in the server's log files. It may be collected.

- the browser types and versions used
- the operating system used by the accessing system
- the website from which an accessing system accesses our website (so-called referrer)
- the sub-pages accessed via an accessing system on our website
- the date and time of access to the website
- an internet Protocol (IP) address
- the internet service provider of the accessing system

When using this general data and information, we do not draw any conclusions about your person. Rather, this information is required to

- deliver the contents of our website correctly,
- optimise the contents of our website as well as to advertise it,
- ensure the permanent operability of our IT systems and the technology of our website, and
- provide law enforcement authorities with the information necessary to prosecute in the event of a cyber-attack.

Therefore, the data and information collected will be used by us for statistical purposes only and for the purpose of increasing the data protection and data security of our enterprise to ensure an optimal level of protection for the personal data we process. The data of the server log files is stored separately from any personal data provided by a data subject.

The legal basis for data processing is Art. 6 (1) lit. f) GDPR. Our legitimate interest follows from the purposes for data collection listed above.

## **7.3 Hosting by Strato**

We host our website at Telekom Deutschland GmbH, Landgrabenweg 151, 53227 Bonn (Telekom).

When visiting our website your personal data (e.g. IP addresses in log files) are processed on the servers of Telekom.

The use of Strato is based on Art. 6 (1) lit. f) GDPR. Our legitimate interest is the high-performance provision of our website.

We have concluded a corresponding agreement with Telekom on the basis of GDPR for commissioned processing. This is a contract required by data protection law, which ensures that Strato only processes the personal data of our website visitors according to our instructions and in compliance with the GDPR.

Additional information and Strato`s privacy policy can be found at <https://www.telekom.de/ueber-das-unternehmen/daten...>

## **8. Contents of our website**

### **8.1 Contact support / Contact form**

Personal data is collected when contacting us (e.g. via contact form or e-mail). Which data is collected in the case of the use of a contact form can be seen from the respective contact form. This data is stored and used exclusively for the purpose of answering your request or for contacting you and the associated technical administration. The legal basis for processing the data is our legitimate interest in responding to your request in accordance with Art. 6 (1) lit. f) GDPR. If your contact is aimed at concluding a contract, the additional legal basis for processing is Art. 6 (1) lit. b) GDPR. Your data will be deleted after final processing of your request; this is the case if it can be inferred from the circumstances that the matter concerned has been conclusively clarified and the deletion does not conflict with any legal obligations to retain data.

## **9. Processing of customer and supplier data**

### **Type and purpose of processing:**

In order to process customer orders and in the context of procurement processes, we process personal data of our customers and suppliers as well as the individual contact

persons at our customers/suppliers. We store the data in our ERP system and use it in all processes of service fulfilment and procurement. Furthermore, we use the data to actively address customer relationships and to support suppliers, including an internal supplier evaluation.

### **Lawfulness:**

To fulfil contractual obligations (Art. 6 (1) (b) GDPR) The processing of data is carried out for the performance of our contract Due to legal requirements (Art. 6 (1) (c) GDPR) We are subject to various legal obligations that entail data processing. These include, for example:

- Tax laws as well as statutory accounting
- Comply with requests and requests from regulators or law enforcement agencies
- Fulfilment of control and reporting obligations under tax law

In addition, the disclosure of personal data may become necessary in the context of official/judicial measures for the purposes of gathering evidence, criminal prosecution or enforcement of civil law claims. As part of the balancing of interests (Art. 6 para. 1 f GDPR) To the extent necessary, we process your data beyond the actual performance of the contract in order to safeguard our legitimate interests or those of third parties. Examples of such cases include:

- Processing in the CRM system to actively address customers
- Supplier Evaluation
- Assertion of legal claims and defense in legal disputes

### **Receiver:**

Employees for contact with you and contractual cooperation (including the fulfilment of pre-contractual measures). Your data may be passed on to service providers who act for us as processors, e.g. support or maintenance of EDP or IT applications and data destruction. All service providers are contractually bound and in particular obliged to treat your data confidentially. Data will only be passed on to recipients outside our company in compliance with the applicable data protection regulations. Recipients of personal data may be, for example:

- Public bodies and institutions (e.g. financial or law enforcement authorities) in the event of a legal or regulatory obligation
- Credit and financial service providers (processing of payment transactions)

- Tax consultant or economic and wage tax and tax auditor (statutory audit mandate)

### **Storage period:**

We process and store your personal data for as long as this is necessary for the fulfilment of our contractual and legal obligations. If the data is no longer required for the fulfilment of contractual or legal obligations, it will be deleted on a regular basis. Exceptions arise as follows:

- insofar as statutory retention obligations are required, e.g. the German Commercial Code (HGB) and the German Fiscal Code (AO). The retention and documentation periods specified there are usually six to ten years;
- for the preservation of evidence within the framework of the statutory statute of limitations. According to §§ 195 et seq. of the German Civil Code (BGB), these limitation periods can be up to 30 years, with the regular limitation period being 3 years.
- Others, if necessary.

If the data processing is carried out in the legitimate interest of us or a third party, the personal data will be deleted as soon as this interest no longer exists. In this case, the exceptions mentioned above apply.

### **Transfer to third countries:**

Your data will only be processed within the European Union and countries within the European Economic Area (EEA).

### **Withdrawal of consent:**

You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you which is carried out on the basis of Article 6(1)(f) of the GDPR (data processing on the basis of a balancing of interests); this also applies to profiling based on this provision within the meaning of Article 4 No. 4 GDPR. If you lodge an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

### **Deployment required or required:**

As part of the contractual relationship, you must provide the personal data that is necessary for the establishment, execution and termination of the contractual relationship and for the

fulfilment of the associated contractual obligations or that we are legally obliged to collect. Without this data, we will generally not be able to conclude or execute the contract with you.

## **10. Data protection for applications and in the application process**

### **Type and purpose of processing:**

We collect and process the personal data of applicants for the purpose of handling the application process. The processing may also be carried out electronically. This is particularly the case if an applicant submits relevant application documents to the controller by electronic means, for example by e-mail or via a web form on the website.

### **Lawfulness:**

The processing of data is carried out for the purpose of preparing an employment contract with the applicant. The legal basis for data processing is the implementation of pre-contractual measures to which the data subject is a party (Art. 6 (1) (b) GDPR)

### **Receiver:**

Recipients of your information are human resources employees for contact with you and contractual cooperation (including the fulfilment of pre-contractual measures) as well as managers involved in the decision-making process. Your data may be passed on to service providers who act for us as processors, e.g. support or maintenance of EDP or IT applications and data destruction. All service providers are contractually bound and in particular obliged to treat your data confidentially. Data will only be passed on to recipients outside our company in compliance with the applicable data protection regulations.

### **Storage period:**

If we conclude an employment contract with you as an applicant, the transmitted data will be stored for the purpose of carrying out the employment relationship in compliance with the statutory provisions. If we do not conclude an employment contract with you as an applicant, the application documents will be automatically deleted six months after notification of the rejection decision, provided that deletion does not conflict with any other legitimate interests of the controller. Other legitimate interests in this sense are, for

example, a burden of proof in proceedings under the General Equal Treatment Act (AGG).

### **Transfer to third Countries:**

Your data will only be processed within the European Union and countries within the European Economic Area (EEA).

### **Deployment required or required:**

As part of the application process, you must provide the personal data that is necessary for the establishment, execution and termination of the contractual relationship and for the fulfilment of the associated contractual obligations or that we are legally obliged to collect. Without this data, we will generally not be able to adequately consider you in the decision-making process to fill vacancies.

## **11. Your rights as a data subject**

### **Right to confirmation**

You have the right to request confirmation from us as to whether personal data relating to you will be processed.

### **Right to information (Article 15 GDPR)**

You have the right to obtain information about the personal data stored about you at any time, free of charge, as well as the right to access a copy of such data from us, in accordance with the statutory provisions.

### **Right to rectification (Article 16 GDPR)**

You have the right to request the immediate rectification of incorrect personal data relating to yourself. Furthermore, the data subject has the right to request the completion of incomplete personal data, taking into account the purposes of the processing.

### **Erasure (Article 17 GDPR)**

You have the right to demand that we erase the personal data relating to you be deleted

without delay, provided that one of the reasons provided by law applies and if processing or further storage is not required.

### **Restriction to processing (Article 18 GDPR)**

You have the right to request that we restrict the processing of your data if one of the legal requirements is met.

### **Data transferability (Article 20 GDPR)**

You have the right obtain personal data relating to you that you provided us in a structured, commonly used and machine-readable format. You also have the right to transfer this data to another controller without hindrance by us, to whom the personal data was provided, provided that the processing is based on the consent pursuant to Art. 6 (1) lit. a) GDPR or Art. 9 (2) lit. a) GDPR or on a contract pursuant to Art. 6 (1) lit. b) GDPR, and the data are processed using automated procedures, unless processing is necessary to complete a task, is in the public interest or is carried out in the exercise of an official authority assigned to us.

Furthermore, when exercising your right to data transferability pursuant to Art. 20 (1) GDPR, you have the right to have personal data transferred directly from one controller to another, provided this is technically feasible and does not impede the rights and freedoms of other persons.

### **Objection (Article 21 GDPR)**

You have the right to lodge an objection to the processing of personal data relating to you for reasons relating to your particular situation where this is done on the basis of Art. 6 (1) lit. e) (data processing in the public interest) or lit. f) (data processing on the basis of the weighing of legitimate interests) GDPR.

This also applies to profiling based on these provisions pursuant to Article 4 Number 4 GDPR.

Should you lodge an objection, we will no longer process your personal data unless we can demonstrate compelling and legitimate reasons for such processing that outweigh your interests, rights and freedoms, or where processing serves the assertion, exercise or defence of legal claims.

In individual cases, we process your personal data for direct marketing purposes. You have the right to object at any time to the processing of personal data for the purpose of such advertising. This also applies to profiling where this is connected to this kind of direct marketing. Should you object to the processing of your data for direct marketing purposes, we will no longer process your personal data for this purpose.

In addition, you have the right to object to our processing of your personal data for scientific or historical research purposes or for statistical purposes pursuant to Article 89 (1) GDPR for reasons arising from your particular situation, unless such processing is necessary for the performance of a task in the public interest.

You are free to exercise your right to lodge an objection in relation to the use of information society services, Directive 2002/58/EC notwithstanding, by means of automated procedures using technical specifications.

### **Revocation of consent regarding data protection**

You have the right to revoke any consent to the processing of personal data at any time with future effect.

### **Lodging a complaint with a supervisory authority**

You have the right to complain to a supervisory authority responsible for data protection about our processing of personal data.

## **12. Routine storage, erasure and blocking of personal data**

We process and store your personal data only for the period of time necessary to meet the storage purpose or as required by the legal provisions to which our company is subject.

If the storage purpose no longer applies or if a required retention period expires, personal data will be routinely blocked or erased in accordance with the statutory provisions.

## **13. Duration of storage of personal data**

The criterion for the duration of the retention of personal data is the respective legal retention period. Once this period expires, the data in question will be routinely erased, provided it is no longer required for the fulfilment or initiation of the contract.

## **14. Version and amendments to the Privacy Notice**

This Privacy Policy is currently valid as of: Sept. 2023.

Due to the further development of our Internet pages and offers or due to changed legal or official requirements, it may become necessary to change this Privacy Policy. You can access and print out the current data protection declaration at any time on the website under "<https://www.vogel-antriebe.de/datenschutz/>".

This privacy statement has been prepared with the assistance of the privacy software Audatis MANAGER.