

Data Protection Declaration

The data which is to be transmitted in the course of business between Siewert & Kau and its customers will be processed and stored by means of an EDP computer system. Protecting personal data is of central importance to Siewert & Kau. Compliance with the applicable data protection regulations is therefore self explanatory as an integral element for our company. This data protection declaration will be valid for the websites of Siewert & Kau Computertechnik GmbH, Siewert & Kau Logistik GmbH and Siewert & Kau Service GmbH for which Siewert & Kau is the responsible body.

1. Definition for terminology

The data protection declaration from Siewert & Kau is based on the terminology which is utilised by the European Directive Legislator and Ordinance Legislator when issuing the General Data Protection Regulation (EU-DSGVO). Our data protection declaration should be not only easy to read and understand for the general public but also for our customers and business partners. We would hereby like to explain the terminology which has been utilised in advance in order to ensure the previous statement.

We utilise the following terms or terminology, among others, in this data protection declaration:

a) Personal data

Personal data is considered to be any information relating to an identified or identifiable natural person (hereinafter referred to as the "data subject"). An identifiable natural person is therefore viewed as one person 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 which are specific to the physical, physiological, genetic, mental, economic, cultural or social identity of this natural person.

b) Data subject

A data subject is every identified or identifiable natural person whose personal data is to be processed by the controller or person and/or body which is responsible for the data processing.

c) Processing

Processing is considered to be every procedure or set of procedures which is implemented on the personal data, whether or not by utilising automatic means, such as the collection, recording, organisation, filing, storage, saving, adaptation or amendment, retrieval, consultation, utilisation, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

d) Restriction for processing

Restriction for processing is the marking and/or identification of stored personal data with the objective of restricting its additional, future processing.

e) Profiling

Profiling is considered to be any form of automated processing of personal data which comprises utilising such personal data in order to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects which could relate to that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or changing their location.

f) 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 utilising additional information, provided that such additional information is always retained separately and is subjected to technical and organisational measures which will be able to guarantee that the personal data cannot be attributed to an identified or identifiable natural person.

g) Controller or person and/or body responsible for processing

The controller or person and/or body which is deemed to be responsible for processing is the natural or legal person, public authority, local authority, agency, facility, institution or other body which alone or jointly with others will determine the purposes and means for the processing of personal data. If the purposes and means of any such processing are to be determined by Union Law or Member State Law, then the controller or person and/or body responsible for processing or the specific criteria for its designation can be provided for under Union Law or Member State Law.

h) Order processor

The order processor is considered to be a natural or legal person, public authority, local authority, agency, facility, institution or other body which will process personal data following an order or assignment from the controller or person and/or body responsible for processing.

i) Recipient

The recipient is considered to be a natural or legal person, public authority, local authority, agency, facility, institution or other body to whom personal data is to be disclosed following an order or assignment from the controller or person and/or body responsible for processing, irrespective of whether they are considered to be a third party or not. Public authorities which may receive personal data in the context of a specific investigation mandate under Union Law or Member State Law will however not be considered as recipients.

j) Third party

A third party is considered to be a natural or legal person, public authority, local authority, agency, facility, institution or other body other than the data subject, the controller, the processor and the people who are authorised to process the personal data under the direct responsibility of the controller or person and/or body responsible for processing the personal data.

k) Consent

Consent is considered to mean freely submitted specific, informed and unambiguous indication of the data subject's wishes in the form of a statement, declaration or other unambiguous affirmative act by which the data subject signifies their consent and understanding to the processing of personal data which is deemed to be related to them.

2. Name and address of the controller or person and/or body responsible for processing the personal data

The controller or person and/or body responsible for processing the personal data within the meaning of the General Data Protection Regulation, other data protection laws applicable in the Member States of the European Union and other provisions of a data protection nature is:

Siewert & Kau Service GmbH
Walter-Gropius-Str. 12a
50126 Bergheim
02271-763-0

We have appointed a data protection officer for our company. Friedrich Böhm Consulting e.K.
Friedrich Paul Böhm
Universitätsstraße 60
44789 Bochum
0234-361850
fb@fboe.de

Right of appeal to the competent supervisory authority

If there are cases of breaches of the GDPR, then the data subjects will retain the right of appeal to a supervisory authority, in particular in the Member State of their habitual residence, their place of work or the place of the alleged breach. The right of appeal is deemed to be without prejudice to any other administrative or judicial remedy.

3. Cookies

Some of the Internet pages utilise so-called cookies. Cookies do not cause any damage to your computer and do not contain viruses. Cookies are only intended to make our offer more user-friendly, effective and secure. Cookies are small text files which are entered on your computer and are stored by the browser.

Most of the cookies we utilise are so-called "session cookies". They will be automatically deleted at the end of your visit. Other cookies will remain stored on your end device until you delete them. These cookies enable us to recognise your browser again on your next visit.

You can set your browser in such a way that you will be informed in advance about the use of cookies and can decide in individual cases whether to accept individual cookies or generally exclude them as well as activating the automatic deletion of the cookies when the browser is closed. If you decide to deactivate the cookies, then the functionality of this website can be restricted.

Cookies which are required in order to implement the electronic communication process or the provision of certain functions that you have requested (e.g. shopping cart function) will be stored on the basis of Article 6(1) lit. f GDPR. The website operator retains a legitimate interest in storing cookies for the technically, error-free and optimised provision of its services. Insofar as other cookies (e.g. cookies for analysing your surfing behaviour) are stored, then these will be dealt with separately in this data protection declaration.

This website utilises cookies. We utilise cookies in order to personalise content and advertisements, to provide social media features and to analyse traffic and access to our website. We also share information about your use of our website with our partners for social media, advertising and analytics. Our partners can possibly combine this information with other data which you may have provided to them or which they have collected in the course of your use of the provided services.

Cookies are small text files which are utilised by websites in order to make the user experience more efficient.

According to the law, we can may store cookies on your device when they are strictly necessary for the operation of this website. We require your permission for all other types of cookies.

This website utilises various types of cookies. Some cookies are placed by third parties which subsequently appear on our pages.

You can amend or withdraw your consent at any time from the cookie statement which is located on our website.

4. Collection of general data and information

The website of Siewert & Kau collects a series of general data and information every time a data subject or automated system calls up the website. This general data and information will be stored in the server's log files. The following data can be collected: (1) The browser types and versions utilised, (2) the operating system utilised by the accessing system, (3) the website from which an accessing system accesses our website (so-called referrer), (4) the sub-websites which are accessed via an accessing system on our website, (5) the date and time of access to the website, (6) an Internet protocol address (IP address), (7) the Internet service provider of the accessing system and (8) other similar data and information which will serve to avert danger in the event of attacks on our information technology systems.

Siewert & Kau does not draw any conclusions about the data subject when utilising this general data and information. Rather, this information is needed more in order to (1) Deliver the contents of our website correctly, (2) to optimise the contents of our website as well as the advertising for these, (3) to ensure the long-term operability of our information technology systems and the technology of our website as well as

(4) to provide law enforcement authorities with the information necessary for prosecution in the event of a cyber attack for a criminal prosecution process. Siewert & Kau will anonymously analyse collected data and information on one hand for statistical purposes and, on the other hand, for the purpose of increasing the data protection and data security within our company, so as to always be able to ensure an optimal level of protection for the personal data which we process. The anonymous data of the

server log files will always be stored separately from any personal data which has been provided by a data subject.

5. Storage of data when visiting our website

When our website is visited, then the IP address assigned by the Internet service provider (ISP) of the data subject, the date as well as the time of registration will be stored. Storage of this data will be executed against the background that only in this way can the misuse of our services be prevented and, if necessary, this data will thereby make it possible to clarify criminal offences which have been committed. In this respect, the storage of this data is therefore necessary for the protection of the data controller which will process the data. As a matter of principle, this data will not be passed on to third parties unless there is a legal obligation to pass it on or the passing on serves the purpose of criminal prosecution.

The controller or person and/or body responsible for processing the personal data will provide any data subject at any time, upon request, with information relating to what personal data is stored about the data subject. Furthermore, the controller or person and/or body responsible for processing the personal data will always correct or delete personal data at the request or indication of the data subject, provided that this does not conflict with any statutory retention obligations which are in force. All members of staff of the controller or person and/or body responsible for processing the personal data will be available to the data subject as contact people in this context.

6. Contact possibility via the Internet website

The Internet website of Siewert & Kau does not contain any input masks for the storage of personal data.

7. Routine deletion, erasure and blocking of personal data

The controller or person and/or body responsible for processing the personal data will only process and store the personal data of the data subject for the period of time which is deemed necessary in order to achieve the purpose of storage or where provided for by the European Directive and Regulation or other legislator in laws or regulations to which the controller or person and/or body responsible for processing the personal data is subjected to. If the purpose of storage ceases to apply or if a storage period which is prescribed by the legislator for European directives, guidelines or regulations or another competent legislator expires, then the personal data will be routinely blocked or deleted in accordance with the statutory provisions.

8. Rights of the affected person

a) Right to receive confirmation

Every data subject retains the right, as granted by the European Directive Legislator and Regulation Legislator, to obtain confirmation from the controller or person and/or body responsible for processing the personal data as to whether personal data relating to them is being processed. If a data subject wishes to exercise this right of confirmation, then they can, at any time, contact any member of staff of the controller or person and/or body responsible for processing the personal data.

b) Right to receive information

Every person affected by the processing of personal data retains the right, which has been granted by the European Directive Legislator and Regulation Legislator, to obtain at any time from the controller or person and/or body responsible for processing the personal data, free of charge, information about the personal data which has been stored about them and a copy of that information. Furthermore, the European Directive Legislator and Regulation Legislator has granted the data subject access to the following information:

- The purpose for processing
- The categories for personal data which will be processed
- The recipients or categories of recipients to whom the personal data have been, or are still being disclosed, in particular the recipients located in third-party countries or at international organisations
- If possible, the planned duration for how long the personal data will be stored or, if this is not deemed to be possible, then the criteria for how this duration will be specified
- The existence of a right of rectification or deletion of personal data concerning you or for limitation of the processing by the responsible person or body or an objection right against this processing
- The existence of a right to complain to a supervisory authority
- When the personal data is not collected from the data subject: Any available information relating to the origin of the data
- The existence of an automatic decision making process, including profiling pursuant to Article 22 (1) and (4) GDPR and – at least in these cases – meaningful information relating to the logic involved as well as the scope and intended effects of such processing for the data subject
- Furthermore, the data subject will retain the right to obtain information as to whether personal data has been transferred to a third country or to an international organisation. Insofar as this is the case, then the data subject will also retain the right to obtain information relating to the appropriate safeguards in relation to the transfer. If a data subject wishes to exercise this right to information, then they can, at any time, contact any member of staff of the controller or person and/or body responsible for processing the personal data.

c) Right to correction

Every person affected by the processing of personal data will retain the right granted by the European Directive Legislator and the Regulation Legislator to obtain the correction or rectification without delay of inaccurate personal data relating to them. Furthermore, the data subject will retain the right to request the completion of incomplete personal data, including by means of a supplementary declaration, taking into account the purposes of the processing.

If a data subject wishes to exercise this right of correction, then they can, at any time, contact any member of staff of the controller or person and/or body responsible for processing the personal data.

Right to deletion (right to be forgotten)

Every person affected by the processing of personal data retains the right, which has been granted by the European Directive Legislator and Regulation Legislator to demand from the controller or person and/or body responsible for processing the personal data that

the personal data concerning them be erased without delay, where one of the following grounds applies and insofar as the processing is not necessary:

- The personal data was collected or otherwise processed for such purposes for which it is no longer necessary.
- The data subject revokes the consent on which the processing was based pursuant to Article 6(1)(a) GDPR or Article 9(2)(a) GDPR and there is no other legal basis for the processing in force.
- The data subject submits an objection pursuant to Article 21(1) GDPR against the processing and there are no precedents for legitimate reasons for the processing, or the data subject submits an objection pursuant to Article 21(2) GDPR against the processing .
- The personal data has been illegally processed.
- Deleting the personal data is required for fulfilling the legal obligation according to the Law of the Union or the Law of the Member States , which the controller or person and/or body responsible for processing the personal data is subjected to.
- The personal data has been collected in relation to information society services provided pursuant to Article 8 (1) GDPR.

If one of the aforementioned reasons applies, and a data subject wishes to arrange for the erasure of personal data which has been stored by Siewert & Kau, then they can, at any time, contact any member of staff of the controller or person and/or body responsible for processing the personal data. The member of staff of Siewert & Kau will arrange for the deletion request to be complied with immediately. If the personal data has been made public by Siewert & Kau and our company is responsible pursuant to Article 17(1) GDPR, then Siewert & Kau will implement all reasonable measures, including technical measures, in order to compensate other data controllers for processing the personal data published, taking into account the available technology and the cost of implementation, in order to inform the data subject that they have requested from those other data controllers to erase all links to or copies or replications of the personal data, unless the processing is not deemed to be required. The members of staff of Siewert & Kau will arrange the necessity in individual cases.

e) Right to limitation of processing

Every person affected by the processing of personal data retains the right, which has been granted by the European Directive Legislator and Regulation Legislator to demand from the controller or person and/or body responsible for processing the personal data the limitation of data processing when one of the following prerequisites exists:

The accuracy of the personal data is contested by the data subject for a period enabling the controller or person and/or body responsible for processing the personal data to verify the accuracy of the personal data.

The processing is unlawful, the data subject objects to the erasure of the personal data and requests instead the restriction of the use of the personal data.

The controller or person and/or body responsible no longer needs the personal data for the purposes of the processing, but the data subject needs it for the assertion, exercise or defence of legal claims.

The data subject has objected to the processing pursuant to Article 21(1) of the GDPR and it is not yet clear whether the legitimate grounds of the controller or person and/or body responsible will override those of the data subject.

If one of the aforementioned prerequisites applies, and a data subject wishes to arrange for the limitation or restriction of personal data which has been stored by Siewert & Kau, then they can, at any time, contact any member of staff of the controller or person and/or body responsible for processing the personal data. The members of staff of Siewert & Kau will arrange for the restriction of processing.

f) Right to data transferability

Any person who is affected by the processing of personal data will retain the right, as granted by the European Directive Legislator and the Regulation Legislator, to receive the personal data concerning them, which has been provided by the data subject to a controller or person and/or body responsible for processing the personal data, in a structured, commonly used and machine-readable format. The data subject will also retain the right to transmit such data to another controller or person and/or body responsible for processing the personal data without hindrance from the controller to whom the personal data has been provided, provided that the processing is based on consent pursuant to Article 6(1)(a) of the GDPR or Article 9(2)(a) of the GDPR or on a contract pursuant to Article 6(1)(b) of the GDPR and the processing is executed by automated means, unless the processing is necessary for the performance of a task which has to be executed in the public interest or in the exercise of official authority vested in the controller. Furthermore, when exercising the right to data transferability pursuant to Article 20(1) of the GDPR, the data subject retains the right to demand that the personal data be transferred directly from one controller to another controller, where technically feasible and provided that this does not adversely affect the rights and freedoms of other individuals.

g) Right to objection

Every person affected by the processing of personal data retains the right, which has been granted by the European Directive Legislator and Regulation Legislator, to object at any time, on grounds relating to their own particular situation, to the processing of personal data concerning them which has been executed on the basis of Article 6(1) Letter e or f GDPR. This also applies to profiling which is based on these provisions.

Siewert & Kau will no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the assertion, exercise or defence of legal claims.

If the Siewert & Kau processes personal data for the purpose of direct marketing, then the data subject will retain the right to object at any time to processing of personal data which has been processed for the purpose of such marketing. This will also apply to profiling insofar as it is related to such direct marketing. If the data subject objects to Siewert & Kau with regard to the processing for direct marketing purposes, then Siewert & Kau will no longer process the personal data for these purposes.

In addition, the data subject will retain the right, on grounds relating to their particular situation, to object to processing of personal data concerning them which has been executed by Siewert & Kau for scientific or historical research purposes, or for statistical purposes pursuant to Article 89(1) of the DSGVO, unless such processing is necessary for the performance of a task which is to be executed in the public interest.

In order to exercise the right to object, the data subject can directly contact any member of staff of Siewert & Kau or another member of staff. The data subject is also free to exercise their right to object by means of automated procedures by utilising technical specifications in the context of the use of information society services, notwithstanding Directive 2002/58/EC.

h) Automated decisions in individual cases including profiling

Every person who is affected by the processing of personal data will retain the right, granted by the European Directive Legislator and the Regulation Legislator, not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning them or similarly significantly affects them, provided that the decision (1) is not necessary for entering into, or the performance of, a contract between the data subject and the controller or person and/or body responsible, or (2) is authorised by Union Law or Member State Law to which the controller or person and/or body responsible is subjected to and that such law lays down appropriate measures in order to safeguard the data subject's rights and freedoms and legitimate interests, or (3) is executed with the data subject's explicit consent.

If the decision (1) is required for entering into, or the performance of, a contract between the data subject and the data controller or person and/or body responsible, or (2) it is executed with the data subject's explicit consent, then Siewert & Kau will always implement suitable measures in order to safeguard the data subject's rights and freedoms and legitimate interests, which include at least the right to obtain the data subject's involvement on the part of the controller or person and/or body responsible, to express their point of view and contest the decision. If a data subject wishes to exercise this right of automatic decision, then they can, at any time, contact any member of staff of the controller or person and/or body responsible for processing the personal data.

i) Right to revocation of a data protection legal consent

Many data processing procedures are only possible with your explicit consent. You can revoke your already provided consent at any time. An informal email notification submitted to us is sufficient for this purpose. The legality of the data processing procedures executed until the revocation will however remain unaffected by the revocation.

Right to object to data collection in special cases and to direct advertising (Article 21 GDPR)

If data processing is executed on the basis of Article 6(1) lit e GDPR, then you retain the right to object to the processing of your personal data at any time on grounds relating to your particular situation; this also applies to profiling based on these provisions. The respective legal basis on which the processing is to be based can be found in this data protection declaration. When you submit an objection, then we will no longer process your personal data concerned unless we can demonstrate compelling legitimate grounds for the processing which will override your interests, rights and freedoms, or the processing serves the purpose of asserting, exercising or defending legal claims (objection under Article 21(1) of the GDPR).

If we process personal data for direct marketing purposes, then you retain the right to object at any time to the processing of personal data concerning you for the purpose of any such advertising; this also applies to profiling, insofar as it is associated with any such direct advertising. If you object, then your personal data will subsequently no longer be used for the purpose of direct advertising (objection pursuant to Article 21 (2) GDPR).

9. Data protection for applications and in the application procedures

The controller or person and/or body responsible for processing the personal data will collect and process the personal data of applicants for the purpose of handling the application procedure. Processing can also be executed electronically. This is particularly the case when an applicant submits the relevant application documents to the controller or person and/or body responsible for processing the personal data electronically, for example by email or via a web form on the website. If the controller or person and/or body responsible for processing the personal data concludes a contract of employment with an applicant, then the transmitted data will be stored for the purpose of processing the employment relationship in compliance with the statutory provisions. If the controller or person and/or body responsible for processing the personal data does not conclude a contract of employment with the applicant, then the application documentation will be automatically deleted two months after the notification of the rejection decision, provided that no other legitimate interests of the controller or person and/or body responsible for processing the personal data conflict with such deletion. Other legitimate interest in this sense is, for example, a duty to provide verification in proceedings under the General Equal Treatment Act (AGG).

10. Legal basis for processing

Article 6 lit. a GDPR serves our company as the legal basis for processing procedures in which we obtain consent for a specific processing purpose.

If the processing of personal data is required for fulfilling a contract to which the data subject is a party, as is the case, for example, with processing procedures which are necessary for the delivery of goods or the provision of another service or consideration, then the processing is based on Article 6 I lit. b GDPR. The same will apply to processing procedures which are required for executing pre-contractual measures, for example in the case of enquiries about our products or services.

If our company is subjected to a legal obligation by which the processing of personal data becomes a requirement, such as for example for the fulfilment of tax obligations, then the processing will be based on Article 6 I lit. c GDPR.

In some seldom cases, the processing of personal data could become a requirement in order to protect the vital interests of the data subject or another natural person. This would be the case, for example, when a visitor were to be injured on our premises and, as a result their name, age, health insurance details or other vital information had to be subsequently passed on to a doctor, hospital or other third party. Then the processing would be based on Article 6 I lit. d GDPR.

Finally, processing procedures could be based on Article 6 I lit. f GDPR. Processing procedures which are not covered by any of the aforementioned legal principles will be based on this legal basis when the processing is required in order to protect a legitimate interest of our company or a third party, provided that the interests, fundamental rights and freedoms of the data subject are not therefore overridden. Such processing procedures are permitted to us in particular because they were specifically mentioned by the European legislator. In this respect, they have taken the view that a legitimate interest could be assumed when the data subject is a customer of the controller (recital reason 47, Sentence 2 GDPR).

11. Legitimate interests in the processing which will be pursued by the controller, responsible party or a third party

If the processing of personal data is based on Article 6 I lit. f of the GDPR, then our legitimate interest is the performance of our business activities for the benefit of the well-being of all our members of staff and our shareholders.

12. Duration for which the personal data is to be stored

The criteria for the duration of the storage of personal data is the respective statutory retention period. The corresponding data is routinely deleted after the expiry period when it is no longer required for the fulfilment of the contract or the initiation of the contract.

13. Legal provisions or contractual regulations for the provision of personal data; necessity for the conclusion of the contract; obligation of the data subject to provide the personal data; possible consequences of not providing the data

We will inform you accordingly that the provision of personal data is sometimes required by law (e.g. tax regulations) or can also result from contractual regulations (e.g. information relating to the contractual partner). Sometimes, and in order to conclude a contract, it can be required for a data subject to provide us with personal data which must subsequently be processed by us. For example, the data subject is obliged to provide us with personal data when our company intends to conclude a contract with them. Failure to provide the personal data would therefore mean that the contract with the data subject could not be concluded. Before the data subject will provide personal data, the data subject must always contact one of our members of staff. Our member of staff will subsequently inform the data subject on a case-by-case basis for whether the provision of the personal data is required by law or by contract,

or whether it is required for the conclusion of a contract, whether there is an obligation to provide the personal data and what the consequences of not providing the personal data would be.

14. Existence of automated decision-making

In our role as a responsible company, we do not utilise automated decision-making or implement any profiling processes.

15. Utilising Google Analytics

This website uses Google Analytics, a web analytics service which is provided by Google Inc (Google Ireland Limited, Gordon House, 4 Barrow St, Dublin, D04 E5W5, Ireland).

Google Analytics utilises so-called "cookies", text data files which are stored on your computer and enable an analysis for the use of the website. The information generated by the cookie relating to your use of this website is generally sent to a Google server in the USA and stored there.

If an IP anonymisation has been activated on this website, then your IP address will therefore be shortened by Google within the member states of the European Union or in other contracting states which are subjected to the agreement relating to the European Economic Area. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and shortened there. On behalf of the operator of this website, Google will then utilise this information in order to evaluate your use of the website, in order to compile reports relating to the website activity and to provide the website operator with additional services which are associated with website and Internet usage. The IP address transmitted by your browser in the context of Google Analytics will not be merged with other Google data.

You can prevent the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this,

then you may not be able to use the full functionality of this website. Furthermore, you can also additionally prevent Google from collecting the data generated by the cookie and relating to your utilisation of the website (including your IP address) as well as processing this data by Google by downloading and installing the browser available under the following. The current link is <http://tools.google.com/dlpage/gaoptout?hl=de>.

As an alternative to the browser plugin or within browsers on mobile devices, please click on the following link in order to set an opt-out cookie which will prevent the collection by Google Analytics within this website in the future (this opt-out cookie only works in this browser and only for this domain, if you delete your cookies in this browser, then you will need to click this link again:

Deactivating Google Analytics

General information on Google Analytics and data protection can be found at www.google.com/intl/de/analytics/privacyoverview.html.