

## Data privacy information for customers and suppliers

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### 1. General information

In the following, we wish to inform you about the collection of personal data as part of business correspondence. Personal data refers to all data that relates to you personally, for instance your name, address, e-mail address, video and audio data, payment details, ordered products.

The responsible party in accordance with Art. 4 (7) of the GDPR is Schulz Farben- und Lackfabrik GmbH, hereinafter called "COMPANY", represented by managing directors Michael Schulz and Andreas Spies.

We take data privacy and confidentiality very seriously and follow the applicable national and European data protection regulations. For this reason, we would like to inform you about the data privacy measures we take, which data we may store, and how we use this data.

## 2. What data is collected and how is it used?

### 2.1 Data processing for contractual purposes (Art. 6 (1b) GDPR)

We collect and process your personal data if you buy specific products or services from us or supply or deliver certain products or services to us, and we need your data for these purposes. The legal basis for processing is Art. 6 (1b) GDPR. Specifically:

- Your personal data is collected, stored, and disclosed by us if required insofar as it is necessary to provide the contracted services. Data is collected, stored, and disclosed for the purposes of fulfilling the contract and based on Article 6 (1) clause 1, lit b GPDR. Failure to provide this data can mean that the contract cannot be concluded.
- If your personal data is collected as part of a video conference, it is not stored or recorded unless there is a special documentation requirement and you have expressly declared your voluntary, informed, and revocable consent for data processing before the start of the video conference. A special documentation requirement may exist, for example, to set up IT applications or to conduct public seminars and presentations. For these instances, the recordings may be shared internally for the purposes of knowledge transfer. The use of video conferencing systems may result in data being transferred to the US as described below. To protect your privacy, you have the option of overlaying a virtual background and individually activating/deactivating video and audio.
- If we are delivering products to you, we give your details to the contracted delivery company if these are required for delivery.
- We also process – insofar as this is required to provide our service or to purchase your service – personal data that we have received from other third parties (e.g. SCHUFA and Creditreform AG) with permission (e.g. to process orders, fulfil contracts, based on legitimate interest or based on your provided consent). In addition, we process personal data legitimately obtained from publicly accessible sources (e.g. debtors' lists, land registry, commercial and association registers, press, media) and that we are permitted to process.

Insofar as there are no other legal authorisations or obligations, we only use your personal data for the purposes for which you have given your consent.

## **2.2 In the balancing of interests (Article 6 (1f) GDPR)**

If necessary, we process your data beyond the extent necessary to fulfil the contract in order to safeguard our legitimate interests or those of third parties. For example:

- Conducting telephone and video conferences (see 2.1, point 2 for details) to process contracts and initiate business contact;
- Consultation of and exchange of data with credit agencies (e.g. SCHUFA) to establish credit worthiness or default risk (Section 31 (2) German Federal Data Protection Act (BDSG) and Article 6 (1f) GDPR);
- Review and optimisation of processes to analyse needs and for direct customer contact;
- Advertising or market and opinion research provided that you have not revoked the use of your data;
- Assertion of legal claims and defence of legal disputes;
- Measures relating to business management and the further development of services and products;
- Safeguarding domiciliary rights and the protection of property;
- Investigation of criminal offences.

We will not process the collected and processed personal data for the purposes of product information without your consent or disclose this to third parties.

## **2.3 Based on your consent (Article 6 (1a) GDPR)**

Insofar as you have granted your consent to process personal data for specific purposes, the lawfulness of this processing is given based on your consent. Consent can be revoked at any time. Please note that revocation has future effect. Processing that has taken place prior to consent being revoked is unaffected.

## **2.4 Based on statutory provisions (Article 6 (1c) GDPR)**

We are also subject to various legal obligations, in other words, statutory requirements (e.g. commercial law, tax laws). For processing purposes, these include fulfilling fiscal checking and reporting duties.

## **3. Is my data disclosed to third parties such as authorities?**

The people within Schulz Farben- und Lackfabrik GmbH who receive your data need this to fulfil our contractual and statutory duties. Some data needs to be disclosed and is done so under strict contractual and statutory conditions:

- Based on legal obligation:

In certain cases we are legally obliged to disclose data to a requesting government body.

Otherwise, personal data is only disclosed to government institutions and authorities as part of compulsory national legislation or if disclosure is required in the event of attacks on the network infrastructure for legal or criminal prosecution. The legal basis for processing is Article 6 (1c) GDPR or Section 24 (2) No. 1 German Federal Data Protection Act (BDSG).

- To external service providers for data processing:

If service providers come into contact with personal data relating to our customers or suppliers, this is generally as part of order processing. This is expressly provided for in law. Schulz Farben- und Lackfabrik GmbH is also responsible for protecting your data in this event – where applicable in addition to the processor. The service provider works exclusively in accordance with our instructions, which we ensure by means of strict contractual regulations, by technical and organisational measures and by means of additional checks.

Schulz Farben- und Lackfabrik GmbH appoints service providers as processors. These are service providers in the categories of IT services (e.g.

for communication services, technical and administrative tasks and to analyse usage), telecommunication, protection of property, advice and consultation, and sales and marketing.

Data privacy regulations on personal data processing on behalf of another party are observed.

- Credit agencies (e.g. SCHUFA, Verband der Vereine Creditreform e.V., see no. 12 below) to establish creditworthiness or risk of default.

Furthermore, we do not disclose any data to third parties unless you have provided your express consent, disclosure is clearly necessary to provide a supply or service, or this disclosure is legally required. There is no intended transfer of your data beyond this to a third country or international organisation.

The company regularly uses services for data processing, for example business software, communication services, social media, and video conferencing systems, which may transfer the collected data to another country. Please note that these services may transfer data outside of the European Union and the European Economic Area and to a country that does not provide an adequate level of data protection. If data is transferred to the USA there is the risk that your data may be processed by US authorities for inspection and monitoring purposes without you being entitled to any means of legal redress. This may be the case for a range of purposes such as for storage or processing.

#### **4. Customer data: Credit agency note**

##### **4.1 Data transfer to credit agencies**

As part of a contractual relationship with you, we disclose personal data to credit agencies such as the Verband der Vereine Creditreform e.V. ("Crediterform"), Hellersbergstraße 12, 41460 Neuss. This data relates to the application, performance, and termination of this business relationship, to conduct that is in breach of the contract or fraudulent behaviour.

##### **4.2 Legal basis for disclosing data to credit agencies**

The legal bases for these disclosures are Article 6 (1b) and Article 6 (1f) GDPR. Disclosures based on Article 6 (1f) may only take place insofar as they are necessary to safeguard the legitimate interests of the responsible party of third party and do not outweigh the interests or basic rights and freedoms of the person whose personal data is being protected.

**5. How long is my data stored?**

We store data for as long as legally required or as long as needed to deliver the service you have requested or for as long as specified when you granted consent.

**6. Do I have a right to access and rectification of the data stored about me?  
What other rights do I have regarding the data stored about me?**

You can request, at no charge, information about the scope, origin and recipients of the data stored about you and the storage purpose; according to data privacy laws, you are also entitled to the rectification, deletion or restriction of your data processing, a right to object to processing and a right to data portability. We would like to advise you that you have a right to appeal to a supervisory authority.

**7. Can I revoke my consent to the use of my data?**

You are entitled to revoke your consent to the use of your data at any time. Simply send an email to [info@schulz-farben.de](mailto:info@schulz-farben.de) or communication to the following address:

Schulz Farben- und Lackfabrik GmbH

An der Altnah 10

55450 Langenlonsheim, Germany

Data processing that has taken place based on your consent is lawful at the time of revocation.

**8. Who can I contact if I have any questions on data protection?**

If you have any questions or suggestions, you can contact the data protection officer at Schulz Farben- und Lackfabrik GmbH:

Ebner Business Partners

Peter P. Ebner

St. Kathariner Weg 12

55595 Gutenberg,

Germany

[ebner-business-partners@t-online.de](mailto:ebner-business-partners@t-online.de)

**9. How long is this data privacy statement valid?**

This data privacy statement is current and is dated January 8, 2021. We reserve the right to amend this data privacy statement at any time with future effect.