

## Business Partner Privacy Information

This data protection information for business partners informs you about the processing of your personal data by Rudolf Henrichsmeyer formaplan GmbH & Co. KG - referred to below as formaplan. According to Art. 4 lit. 1 of the General Data Protection Regulation (GDPR), your personal data includes all information that relates or may relate to your person, in particular by means of allocation to an identifier such as a name or an organisation or customer number with which your person can be identified.

We make this privacy information available to business partners ("**Notice**") in order to explain as the data controller the data processing procedures regarding our suppliers, customers and business partners (collective, "**Business Partners**") and their employees associated with formaplan.

### Scope:

This notification applies if you are an independent business partner of formaplan (e.g. a consultant) or if you are an employee of a business partner who acts on behalf of the business partner with formaplan.

### Categories of personal data and data sources:

formaplan processes the following personal data from your company or from third parties (e.g. your superior, authorities or public resources):

- **Personal data relating to independent business partners:** name, business contact information, services or products offered, contract information, communication content (such as e-mails or business letters), payment information, billing information, and business relationship history.
- **Personal data relating to employees of a business partner:** name, business contact details, employer's name, title/position and communication content (such as e-mails or business letters)

### Data processing purposes, legal basis and consequences:

Your personal data will be processed for the purposes of fulfilling the contractual relationship with the business partner (including the fulfilment of contractual obligations, invoice processing, communication and compliance with statutory provisions) for marketing and CRM activities and for fraud prevention.

formaplan processes data in accordance with the following legal bases:

- Performance of the contractual relationship with the business partner (Art. 6 lit. b GDPR);
- Legitimate interest of formaplan, the companies of the Henrichsmeyer Group or third parties (e.g. government agencies or courts) (Art. 6 lit. f GDPR). The legitimate interest may be in particular the group-wide exchange of information, marketing and CRM activities, prevention of fraud, IT abuse, money laundering, operation of a whistle-blower system, physical security, IT and network security, internal investigations or even potential mergers and acquisitions;
- Consent (Art. 6 lit. a GDPR);
- Compliance with legal obligations (Art. 6 lit. c GDPR);

The provision of personal data is necessary and voluntary for the conclusion and/or execution of the business partner contract. However, if you do not provide this data, it could delay or even prevent business partner management and administrative processes.

**Recipient categories:**

formaplan may use service providers who act as processors to provide IT and other administrative support (e.g. service providers who offer support with accounts payable accounting or IT hosting and maintenance support). These service providers may have access to your personal information to the extent necessary to provide such services.

Any access to your personal data is limited to the persons who need the information to complete your activities.

formaplan may disclose your personal data if this is required or requested by government authorities, courts of law, external authorities or similar third parties.

**Retention period:**

Your personal data is stored by formaplan as long as necessary by formaplan and our service provider, until our obligations are fulfilled. The data is backed up for as long as is necessary for the purpose in accordance with the applicable data protection law. Once formaplan no longer needs the data to fulfil contractual or legal obligations, it will be removed from our systems and records and/or measures will be taken so that your personal data is properly anonymized and rendered no longer identifiable, unless we need to retain your personal data in order to comply with legal or regulatory obligations to which formaplan is subject. For example, legally prescribed retention periods resulting from [specify commercial code, tax code], which are usually between 6 and 10 years or we must provide evidence within the limitation period, which is usually 3 years, but can also last up to 30 years.

**Your rights:**

Should you have given your consent to certain processing activities, you can revoke this at any time with effect for the future. This revocation will not affect the prior processing of data.

In accordance with the data protection laws in force, you have the right: a) to inspect your personal data; b) to request the rectification of your personal data; c) to request the deletion of your personal data; d) to impose restrictions on the processing of your personal data; e) to request the transfer of your personal data; f) to object to the processing of your personal data. Note that the above rights may be limited by national law.

- a) **Right to information:** You have the right to receive confirmation from us as to whether we process your personal data and gain access to this data. The access information shall include, inter alia, the purpose of the processing, the categories of personal data, the data subjects and the recipients or categories of recipients. However, this is not an absolute right and the interests of others may restrict your right of access.

You have the right to obtain a copy of the personal data processed.

For further copies requested by you, we have the right to charge a reasonable fee for the administrative costs.

- b) Right of rectification: You have the right to ask us to correct any inaccurate personal data concerning you. Depending on the purpose of the processing, you have the right to obtain incomplete personal data completed by means of an additional declaration.
- c) Right to deletion (right to forget): Under certain circumstances you have the right to delete personal data concerning you.
- d) Right to limited processing: Under certain circumstances, you have the right to obtain from us a restriction on the processing of your personal data. Under these circumstances, the relevant data will be marked and processed only for a specific purpose.
- e) Right to data transmission: Under certain circumstances, you may have the right to receive the personal information you provide in a structured, commonly used, and machine-readable format and may freely transfer that information to another company.

To exercise your rights, please contact us as described in the "Questions" section.

You also have the right to lodge a complaint with the competent supervisory authority.

#### **Right of objection pursuant to Article 21 of the Basic Data Protection Regulation**

The data subject shall have the right to object at any time, on grounds relating to his/her particular situation, to the processing of personal data concerning him/her carried out pursuant to Article 6(1)(e) or (f).

Since formaplan processes and uses your personal data primarily for the purposes of the contractual relationship with you, the company has a justified interest in principle to process your data, which will, however, cancel your request for limitation.

To exercise this right, please contact us as stated in the "Questions" section.

formaplan does not perform automatic decision making.

#### **Questions:**

If you have any questions regarding this communication or your rights, please contact us at [datenschutz@formaplan.de](mailto:datenschutz@formaplan.de)

You can reach the data protection officer of formaplan at the e-mail address below;

*Igor Smulski, Ecoprotec GmbH, [datenschutz@formaplan.de](mailto:datenschutz@formaplan.de)*