

Data Protection Information for Business Partners

in accordance with Article 13 DSGVO

Data protection is an important concern for us. Below we inform our business partners in accordance with the requirements of the European General Data Protection Regulation (DSGVO) and the Federal Data Protection Act (BDSG-neu) about how we collect, store and process your personal data at AP&S International GmbH and what rights you are entitled to. By business partner we understand our contact person for interested parties, customers, sales partners, suppliers and general partners; hereinafter collectively referred to as “business partner”.

This data protection information for all products and services offered applies to all companies affiliated with AP&S International GmbH (see point 6). Services and offers that have their own data protection information are excluded.

This data protection declaration also applies to our existing general data protection declaration, in which you will receive specific information on how we process your personal data when visiting the website or on other specific topics.

1. Person Responsible and Data Protection Officer

The person responsible (hereinafter simply referred to as “company”) for processing your personal data is:

AP&S International GmbH Obere Wiesen 9
78166 Donaueschingen Phone: +49 771 8983 0 Email: datenschutz@ap-s.de

You can reach our data protection officer (EU) by post or email at:

Wolfgang Homann
c/o bbcom secure Deutschland gmbh
Kanalstrasse 2/1
88250 Weingarten
Email: datenschutz.ap-s@bbcomsecure.de

You can contact our data protection officer (Singapore) by post or email at:

Sebastian Blasius
Luther LLP
4 Battery Rd
Bank of China Building, #25-01 Singapore 049908
Email: sebastian.blasius@luther-lawfirm.com Phone: +65 6408 8000

2. What Purpose do we Process your Data for?

As part of our cooperation with business partners, AP&S International GmbH processes personal data for the following purposes

- Initiation or implementation of a contractual relationship or the implementation of pre-contractual measures;
- Communication with business partners about products, services and projects, e.g. to process inquiries and orders from the business partner;
- Planning, implementation and management of the (contractual) business relationship between AP&S International GmbH and the business partner, e.g. to process the ordering of products

and services, to collect payments, for accounting, billing and debt collection purposes and for deliveries, and to perform maintenance activities or repairs;

- Conduct customer surveys, marketing campaigns, market analyses, sweepstakes, competitions or similar promotions and events;
- Maintain and protect the security of our products and services and our websites,
- Compliance with legal requirements (e.g. tax and commercial law retention obligations), existing obligations to carry out compliance screenings (to prevent white-collar crime or money laundering) as well as compliance with AP&S International GmbH guidelines and industry standards;
- Preventing and detecting security risks, fraud or other criminal or harmful activities;
- Settling legal disputes, enforcing existing contracts and asserting, exercising and defending legal claims.

3. On what Legal Basis do we Process your Data?

We process your personal data in accordance with the provisions of the European General Data Protection Regulation (DSGVO) and the Federal Data Protection Act (BDSG-neu). If these are necessary for the establishment of a contract, execution of the contract, fulfillment of the contract and for the implementation of pre-contractual measures, processing is lawful in accordance with Article 6 Para. 1 lit. b DSGVO.

If you give us express consent to process personal data for specific purposes (e.g. passing it on to third parties, evaluating it for marketing purposes or advertising), the lawfulness of this processing is based on your consent in accordance with Article 6 Paragraph 1 lit. a DSGVO given. Consent given can be revoked at any time with future effect.

If necessary and legally permissible, we process your data beyond the actual contractual purposes to fulfill legal obligations in accordance with Article 6 Paragraph 1 Letter c DSGVO. In addition, processing may occur to protect legitimate interests of us or third parties in accordance with Article 6 (1) (f) DSGVO. If necessary, we will inform you separately, stating the legitimate interest, if this is required by law.

4. What Information and Personal Data do we Process from you:

For the aforementioned purposes, AP&S International GmbH may process the following categories of personal data:

- Contact information, such as first and last name, business address, business telephone number, business mobile phone number, business fax number and business email address
- Payment data, such as information required to process payment transactions or prevent fraud, for credit card payments including credit card information and card security numbers
- Information whose processing is necessary within the scope of a project or the establishment of a contract, execution and fulfillment of the contract with AP&S International GmbH
- Further information that is voluntarily provided to us by our contacts, such as other project participants, internal and external contacts or special implementation requests
- Previously purchased products or services and their history
- Information collected from publicly available sources, information databases or credit agencies
- To the extent necessary as part of compliance screenings: information on relevant court proceedings and other legal disputes in which business partners are involved.

5. Who Receives your Data?

We only pass on your personal data within our company to those areas and people who need this data to fulfill contractual and legal obligations or to areas and people to implement processing within the scope of our legitimate interest in accordance with Article 6 Para. 1 lit. f DSGVO.

When processing your personal data, we also use service providers, for example, in the maintenance and upkeep of our software programs and IT infrastructure or in defending against cybercrime. Your personal data will also be passed on to appropriate third parties on our behalf and will be processed by them. This is done on grounds of instructions based on order processing contracts in accordance with Article 28 DSGVO. We ensure that the processing of personal data is carried out in accordance with the provisions of the DSGVO and that your data is protected and processed in accordance with the applicable data protection regulations. Categories of recipients include, for example, companies that support us in the following areas: IT services, defense against cybercrime, data storage and linking, marketing, market research, processing payment transactions, providing products and services, online marketing, carrying out trade fairs and events, shipping logistics as well as compliance with applicable requirements and legal regulations (e.g. reconciliation with anti-terror lists for exports). We only share the minimum amount of personal data that our service providers need to provide their services.

In certain cases, we also pass on your personal data to business partners who represent our products nationally and internationally as dealers or distributors. If we receive an inquiry and, for example, record a visiting contact at trade fairs with their request for further information, which can be assigned to a specific trading partner of ours in terms of content, geography, or topic, we forward the personal data to this business partner for processing. Our business partner will then contact you instead of us. When we share personal data with other business partners, we require them to protect and process your data in accordance with applicable data protection regulations. Data processing and transfer is based on Article 6 Paragraph 1 Letter f DSGVO. The legitimate interest lies in an efficient and customer-oriented sales structure and optimal customer support for our products and services. If you do not wish this to be passed on, you can let us know at any time and revoke such sharing. However, it may then be the case that we cannot carry out your request or order in this case.

Otherwise, data will only be passed on to recipients outside the company or affiliated companies if legal provisions allow or require this or if the transfer is necessary for the processing and thus for the fulfillment of the contract. For projects as a general contractor for the construction of production facilities, this includes all trades and services and the associated transfer of the personal data required for this, which are necessary to fulfill the projects and which are commissioned or used by the company to fulfill the order. This also includes pre-contractual measures that are carried out at your request and which require disclosure to third parties for implementation.

A transfer can also take place based on your explicit consent or if we are authorized to provide information. Recipients of personal data can also be public bodies and institutions if there is a legal or official obligation (e.g. public prosecutor's office, police, supervisory authorities, tax office). Your data will not be passed on to other third parties without your express consent, for example for advertising purposes.

6. Data Transfer of Personal data to Affiliated Companies

AP&S International GmbH may transfer personal data for the purposes mentioned above to other Global Plus GmbH group companies or companies affiliated with Global Plus GmbH (hereinafter referred to as Global Plus GmbH), but only if this is necessary to fulfill the purposes mentioned above (see also points 2, 3 and 5).

We only share the minimum necessary personal data with other Global Plus GmbH companies, for example to provide the products and services you have requested, to manage and improve our products, services and day-to-day operations. Global Plus GmbH companies can also be outside the EU and the EEA (third countries) and have lower legal data protection requirements than those of the EU. Personal data will only be transmitted to Global Plus GmbH recipients in third countries if they have either concluded EU standard contractual clauses with us or have introduced binding corporate rules at EU data protection level or, for recipients based in the USA, are certified under the EU/US privacy shield. Further information can be obtained from the contact stated under point 1.

The basis for data processing is Article 6 Para. 1 lit. b DSGVO, which justifies the processing of data to fulfill a contract or pre-contractual measures, as well as Article 6 Para. 1 lit. 2, 3 and 5).

7. Data Transfer to a Third Country

The transfer of personal data to a country or an international organization outside the European Union (EU) or the European Economic Area (EEA) takes place only in accordance with the requirements of Article 44 ff. DSGVO, subject to legal or contractual permissions. This means that the country in question has an adequacy decision by the EU Commission in accordance with Article 45 DSGVO, suitable guarantees for data protection in accordance with Article 46 DSGVO or binding internal data protection regulations in accordance with Article 47 DSGVO.

Data will be transferred to locations outside the European Economic Area EU/EEA (so-called third countries) if it is necessary to carry out a contractual obligation towards you or if it is within the scope of a legitimate interest of us or a third party or you have given us your consent. Your data may also be processed in a third country in connection with the involvement of service providers as part of order processing. Information about the suitable or appropriate guarantees and the possibility of how and where to obtain a copy of them can be obtained upon request via the contact specified in paragraph 1.

8. How Long is the Data Stored?

If necessary, we process and store your personal data for the duration of our business relationship or to fulfill contractual purposes. This includes, among other things, the initiation and execution of a contract. In addition, we are subject to various retention and documentation obligations, which arise, among other things, from the Commercial Code (HGB) and the Tax Code (AO). The prescribed storage and documentation periods are two to ten years, but in certain cases up to thirty years.

We also store and use your data for a reasonable period of time after completion of the order to keep you up to date about our services and offers and to provide you with information about them. This is done on the basis of Article 6 Paragraph 1 Letter f DSGVO. Mandatory legal provisions - in particular retention periods - remain unaffected. After this period, we will securely delete personal data. If data is needed for analytical, historical, or other legitimate business purposes after this period, we will take appropriate steps to anonymize that data.

9. Children

Our offer is generally aimed at adults. Persons under the age of 18 should not provide us with personal information without the consent of their parent or guardian.

10. Necessity of Providing Personal Data

The provision of personal data for the purpose of establishing, executing and fulfilling a contract or for carrying out pre-contractual measures is generally neither required by law nor contractually. You are therefore not obliged to provide any information about personal data. Please note, however, that these are generally required for the decision to conclude a contract, the fulfillment of the contract or for pre-contractual measures. If you do not provide us with personal data, we may not be able to make a decision under contractual measures. We recommend that you only provide personal data that is necessary for the conclusion of the contract, the fulfillment of the contract or pre-contractual measures.

11. Automatic Decision Making

In principle, we do not use fully automated decision-making in accordance with Article 22 of the DSGVO to establish, fulfill or implement the business relationship or for pre-contractual measures. If we use these procedures in individual cases, we will inform you separately or obtain your consent.

12. What Rights do I Have Regarding my Personal Data?

You can request information on the data stored about you at the addresses listed under point 1. In addition, you can request the correction and, under certain conditions, the deletion of your data. You also have the right to restrict the processing of your data and the right to obtain the data you provided in a structured, common and machine-readable format.

Right to Object

If we process your data to protect legitimate interests, you can object to this processing for reasons relating to your particular situation. We will then no longer process your personal data unless we can demonstrate compelling legitimate reasons for the processing that outweigh your interests, rights and freedoms or the processing serves to assert, exercise or defend legal claims.

If the processing of data is based on your consent, you are entitled under Article 7 DSGVO to revoke your consent to the use of your personal data at any time. Please note that the revocation will only take effect in the future. Processing that took place before the revocation is not affected by this. Please also note that we may have to retain certain data for a certain period of time to comply with legal requirements.

In individual cases, we process your personal data to conduct direct advertising. You have the right to object to processing for the purpose of such advertising at any time. This also applies to profiling insofar as it is connected to this direct advertising. If you object to processing for the purposes of direct advertising, we will no longer process your personal data for these purposes.

You have the option of contacting our data protection officer or a data protection supervisory authority with a complaint.