


Management Manual / IMS	Doc. no.:	Rev.	
Data Protection Information for Customers & Prospects according to Art. 13, 14 and 21 of the General Data Protection Regulation (GDPR)	FM_DS_007	02	

Since data protection is very important to us, we wish to inform you in the following about how we process your data and about your rights.

1 Who is responsible for data processing?

Tontarra Medizintechnik GmbH

Daimlerstraße 15
78573 Wurmlingen/Germany

Andreas Birk

Data Protection Coordinator
Telephone: +49 7461 965 76-76
Datenschutz@tontarra.de

2 Contact information for the Data Protection Officer

Hilt Evolution

Edmund Hilt

Data Protection Officer
Nelkenstraße 36
71272 Renningen/Germany
Telephone: +49 7159 49647-67
ehilt@hilt-evolution.de

3 Purpose and legal basis of processing

Your personal data are processed according to the provisions of the General Data Protection Regulation (GDPR), the Federal Data Protection Act (BDSG) and other relevant data protection regulations. Please see our contract documents, forms, declarations of consent and other information provided to you (for instance on the website or in the business terms and conditions) for further details and amendments to the purpose of processing.

3.1 Consent (point (a) of Art. 6(1) GDPR)

If you have given us your consent for the processing of personal data, your voluntary consent constitutes the legal basis for the processing identified therein. You may withdraw your consent at any time with future effect.


3.2 Performance of contract obligations (point (b) of Art. 6(1) GDPR)

We process your personal data for the performance of our contracts with you, in particular within the scope of our order processing and fulfilment, quotation processing and within the framework of marketing promotions and trade fairs. Your personal data are also processed for the purpose of measures and activities within the scope of pre-contractual relationships.

3.3 Compliance with legal obligations (point (c) of Art. 6(1) GDPR)

We process your personal data when this is required to comply with legal obligations (such as commercial and tax laws). Furthermore, we may process your data for the verification of identity, to comply with controlling and reporting obligations under tax law, in the archiving of data for data protection and data security purposes, and for audits by tax and other authorities. The disclosure of your personal data may also become necessary in the course of official/court measures for the purpose of gathering evidence, criminal prosecution or the assertion of claims under civil law.

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3.4 Legitimate interests pursued by us or by a third party (point (f) of Art. 6(1) GDPR)

We may also use your personal data based on a weighing of interests to protect our legitimate interests or those of third parties.

This is done for the following purposes:

- The restricted storage of your data if erasure, due to the specific type of storage, is impossible or only possible with unreasonably great effort.
- Comparison against European and international anti-terrorism lists, insofar as this goes beyond the legal obligations.
- The further development of services and products as well as existing systems and processes.
- Obtaining information and exchanging data with information bureaus, insofar as this goes beyond our economic risk.
- The disclosure of personal data in the course of a due diligence assessment, for example during the sale of a company.
- The enrichment of our data by using or researching data available to the public.
- Statistical evaluations or market analyses.
- Benchmarking.
- Internal and external investigations or security audits.
- To protect and realise our domestic authority through corresponding measures (such as video surveillance).

4 Categories of personal data processed by us

The following data are processed:


- Personal data (name, nationality, occupation/industry and similar data)
- Contact information (address, e-mail address, telephone number and similar data)
- Payment/coverage confirmation for debit and credit cards
- Information about your financial situation (creditworthiness data, data to assess the economic risk)
- Customer history
 - We also process personal data from public sources (such as the Internet, media, press, commercial and association register, population register, debtor lists, land registers).
 - To the extent required for providing our services, we process personal data we legally obtain from third parties (such as address publishers, information bureaus).

5 Who receives your data?

Within our company, we share your personal data with departments that require these data to fulfil contractual and legal obligations, or to realise our legitimate interests.

The following bodies may also receive your data:

- Processors (Art. 28 GDPR) engaged by us, service providers for support activities and other controllers in terms of the GDPR (for example IT services, logistics and printing services, support/maintenance of data processing/IT applications, archiving, document processing, data validation/plausibility assessment, data destruction, purchasing/procurement, media technology, auditing, print shops or data disposal companies, courier services)
- Public authorities and institutions in case of a legal or official obligation, requiring us to provide information or imposing an obligation for the reporting or dissemination of data, or when data dissemination is in the public interest
- Bodies and institutions based on our legitimate interests or the legitimate interests of third parties for the purposes named under no. 3.5 (for example public authorities, information bureaus, debt collection, lawyers, courts, consultants)

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6 Transmission of your data to a third country or international organisation

The transmission of data to bodies in countries outside the European Union (EU) or the European Economic Area (EEA) (third countries) takes place when required for the fulfilment of an order/performance of a contract from/with you, when prescribed by law (tax law reporting obligations for example), to protect our legitimate interests or those of third parties, or if you have given your consent.

Your data may also be processed in a third country when service providers are engaged for data processing. Insofar as there is no resolution of the EU Commission for the country in question regarding an adequate level of data protection in that country, we in accordance with the EU data protection provisions ensure through corresponding contracts that your rights and freedoms are adequately protected and guaranteed. We provide you with corresponding detailed information and a copy of the contracts with contractual guarantees for the data protection level on request.

7 How long do we store your data?

To the extent required, we process your personal data for the duration of the business relationship and/or contract negotiations.

Beyond that we are subject to various retention and documentation obligations, arising among other things from the legal framework. The corresponding retention and/or documentation periods are up to 15 years after the end of the business relationship.

Ultimately the storage duration is also determined based on the limitation period according to law which, for example according to Section 195 ff of the German Civil Code (BGB), is generally three years but may also be up to thirty years in certain cases.

8 To what extent is automated decision-making performed on a case-by-case basis (including profiling)?


We do not use any fully automated decision-making processes according to Art. 22 GDPR. Should we use these processes on a case-by-case basis, we shall inform you of this separately to the extent required by law.

9 Your data protection rights

You have the right to information according to Art. 15 GDPR, the right to data correction according to Art. 16 GDPR, the right to erasure according to Art. 17 GDPR, the right to restriction of processing according to Art. 18 GDPR and the right to data portability according to Art. 20 GDPR. You also have a right to complain to a data protection supervision authority (Art. 77 GDPR). According to Art. 21 GDPR, you generally have a right to object to the processing of personal data by us. However, this right to object applies only in case of special circumstances relating to your particular situation, and our rights may override your right to object. If you want to assert any of these rights, please contact our Data Protection Coordinator named under no. 1.

10 Extent of your obligations to provide us with your data

You only need to provide the data that are required for commencing, conducting and realising a business relationship with us, and that we are obliged to collect by law or contract or entitled to collect to protect our legitimate interests. Insofar as we process your data beyond this extent, you are separately informed that the information is voluntary. You are not obliged to provide the personal data. Conducting the business relationship would not be possible in whole or in part without providing mandatory data. Failing to do so could lead to the refusal to conclude a contract or to the termination of an existing business relationship.

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11 Information about your right to object (Art. 21 GDPR)

You have the right to object at any time to the processing of your data according to point (f) of Art. 6(1) GDPR (data processing based on a weighing of interests) or point (e) of Art. 6(1) GDPR (data processing in the public interest) if there are reasons for this objection arising from your particular situation. This also applies to profiling based on this provision in terms of Art. 4(4) GDPR.

After you exercise the right to object, we no longer process your personal data unless we can provide evidence of compelling legitimate reasons that prevail over your interests, rights and freedoms, or processing is for the purpose of asserting, exercising or defending legal rights.

We may also process your personal data for the purpose of direct advertising. If you do not want to receive promotional materials, you have the right to object to this at any time. This also applies to profiling insofar as this is related to such direct advertising. We shall honour this objection with future effect.

Your data shall no longer be processed by us for direct advertising after you object to processing for said purposes. The objection can be submitted informally to the address provided under point 1.

12 Your right to complain to the applicable supervisory authority

You have the right to lodge a complaint with a supervisory authority (Art. 77 GDPR). The supervisory authority responsible for us is:

The State Officer for Data Protection and Freedom of Information
 Königstrasse 10 a
 70173 Stuttgart/Germany

I hereby confirm that our information is complete and up to date

5 March 2019

Andreas Birk
 Data Protection Coordinator

Date

Name / function

Signature