

Data protection information for suppliers and service providers

- Information in accordance with Article 13 of the Basic Data Protection Regulation (GDPR) -

The following data protection information provides you with an overview of the collection, processing and use (hereinafter referred to as "**processing**") of personal data in the context of the business relationship with J. P. Sauer & Sohn Maschinenbau GmbH.

1 Who is responsible for data processing and whom can I contact?

This data protection information applies to the following companies, which jointly exercise their responsibility in accordance with Art. 26 EU GDPR and have regulated it in a group agreement.

1. Dieter Murmann Beteiligungsgesellschaft mbH (DMB), Kiel
2. J. P. Sauer und Sohn Beteiligungsgesellschaft mbH (SMB), Kiel
3. J. P. Sauer & Sohn Maschinenbau GmbH (SMG), Kiel

You can reach the persons responsible (hereinafter referred to as "the person responsible" or "we" or "us") as follows:

J. P. SAUER & SOHN MASCHINENBAU GMBH
Brauner Berg 15
24159 Kiel, Germany
Telephone: +49 (0) 431/39 40-0
Telefax: +49 (0) 431/39 40-24
Internet: www.sauercompressors.com
E-Mail: info@sauercompressors.de

1.1 Data protection officer

Our data protection officer can be contacted at the above postal address with the words "To the data protection officer or at the e-mail address datenschutz@sauercompressors.de.

2 Security and protection of personal data

We take the protection of personal data very seriously and regard it as our primary task to maintain the confidentiality of the personal data provided to us and to protect it from unauthorized access. We therefore apply the utmost care and the most modern security standards to ensure maximum protection of personal data.

As a company under private law, we are subject to the provisions of the European Data Protection Basic Regulation (GDPR) and the regulations of the Federal Data Protection Act (BDSG). We have taken technical and organisational measures to ensure that the regulations on data protection are observed both by us and by our external service providers. In any case, we process personal data in a manner appropriate to the purpose and limited to what is necessary for the purposes of processing (data minimization).

3 Data processing, purpose and legal basis

3.1 What are personal data and what data do we process?

According to Art. 4 No. 1 GDPR, personal data is any information relating to an identified or identifiable natural person (hereinafter referred to as "**data subject**").

For the purposes of this Privacy Notice, Data Subjects are our suppliers/service providers or potential suppliers/service providers (hereinafter collectively referred to as "**Suppliers**"),

or employees, representatives or other contact persons (hereinafter collectively referred to as "**Contact Persons**") of the Suppliers.

Unless otherwise stated in this privacy policy, we process the following personal data of the persons concerned:

- Company, company address, website
- Name, first name, title, form of address
- business telephone number, e-mail address, fax number,
- Function, Department.

3.2 Where does the data come from? (data source)

We process personal data that our suppliers transmit to us. In addition, we process personal data which we may legitimately take from publicly accessible sources (such as telephone directory, commercial register, website of our supplier) or which we receive voluntarily during acquisition talks, e.g. at trade fairs, supplier visits or other events.

Furthermore, we process the above-mentioned personal data of suppliers and service providers that our business partners provide us with in order to fulfil orders.

3.3 For what purpose and on what legal basis is the data processing carried out?

3.3.1 Performance of a contract and implementation of pre-contractual measures

We process personal data of the persons concerned for the execution of our contracts with our suppliers, for the execution of our customers' orders, as well as for the implementation of measures and activities within the framework of pre-contractual relations. This includes in particular - insofar as necessary for the above-mentioned purposes - the identification of our suppliers; correspondence with our suppliers; contract administration; processing of enquiries and orders; receipt and collection of goods and products; inspection and acceptance of services; invoice processing, accounting and payment processing; assertion of possible product liability claims, claims for damages or other claims.

The legal basis for data processing is Art. 6 Par. 1 letter b GDPR in the case of data subjects who are our suppliers. In the case of data subjects who are contact persons of a supplier, the legal basis for data processing is Art. 6 para. 1 letter f GDPR. Our legitimate interest is to be able to carry out our purchasing activities, communicate with our suppliers and fulfil our contracts.

3.3.2 Contract and contact management

For the purposes of efficient contract and contact management, we collect and store contract and supplier data in our resource database and CRM system, and maintain a digital telephone directory in which we store the business telephone numbers of our suppliers or the contact persons of our suppliers.

The legal basis for data processing is Art. 6 Para. 1 letter f GDPR. Our legitimate interest is to be able to communicate more efficiently with our suppliers and to fulfil our contracts more efficiently.

3.3.3 Purchasing marketing and supplier development

We process personal data within the framework of purchasing marketing and supplier development in order to promote the economic success of our company. This includes the following activities in particular:

- Evaluation and storage of supplier data voluntarily provided during supplier visits, at trade fairs and other events
- Selection of contact details to carry out specific requests for the supply, manufacture or performance of services,

- Selection of contact details for planning, implementation, follow-up and proof of supplier visits and audits,
- Selection, organisation and other processing of contact data for the dispatch of information material (e.g. customer magazine and similar materials),
- Selection, organisation and other processing of contact data for sending invitations to trade fairs and events,
- Event management (organisation and implementation) and travel organisation (it may be necessary for us to request additional personal data from the participants (e.g. date of birth, nationality, possibly private address, passport number, etc.) and process this data for the purposes of travel organisation),

The legal basis for data processing is in principle Art. 6 para. 1 lit. f GDPR. Our legitimate interest lies in evaluating new suppliers and developing existing suppliers.

In certain cases, however, data processing is only permitted with the consent of the data subjects (e.g. sending of e-mail newsletters). In such cases we obtain the explicit consent of the persons concerned. If the data subject has given us consent to process personal data for specific purposes, the processing is carried out on the basis of Art. 6 Para. 1 letter a GDPR. Data subjects have the right to revoke their consent at any time, even verbally, and without giving reasons. In order to exercise the right of revocation, data subjects may contact us or our data protection officer at the contact details given at the beginning of this data protection notice. The revocation does not affect the legality of the processing carried out on the basis of the consent up to a possible revocation.

3.3.4 Archiving for the purpose of securing long-term procurement

In order to ensure long-term procurement of new and, in particular, spare parts, we archive procurement documents on a long-term basis up to the maximum service life of our compressors. The procurement documents may contain personal contact data of the respective contact persons. The period of use can be thirty years or longer. The legal basis for data processing is basically Art. 6 Para. 1 lit. f GDPR. Our legitimate interest is to ensure the procurement of new and spare parts for our customers.

3.3.5 Proof of services rendered

For certain purposes, e.g. work safety, warranty, proof for our clients, we require proof of work, stating the name of the person carrying out the work. These certificates state the name, the company and the activities performed.

The legal basis for data processing is in principle Art. 6 para. 1 lit. f GDPR. In this context, our legitimate interest lies in proving to our clients or supervisory authorities that we have carried out activities or in securing warranty claims.

3.3.6 Visitor management

For the planning and administration of visits to our company premises we operate a visitor management program (Lotus Notes database). When suppliers or contact persons visit us, the internal employee responsible for the visit enters their name and business contact details in the database. Central services and the central reception use the database to provide resources and to manage the visit. The reason for the visit and the date and time of the visit are recorded. Furthermore, the database is used to prove the access of external persons and to control the visits for the purpose of providing evidence in case of possible criminal offences.

The legal basis for data processing is Art. 6 Para. 1 letter f GDPR. Our legitimate interest is to be able to plan and control the visits and to guarantee operational safety.

3.3.7 Security

To prevent and detect theft, provide evidence in the event of offences and for the protection and security of our company, our employees and visitors, we carry out video surveillance both outdoors and indoors. Those affected will be informed of this by means of an information sign upon entry.

3.3.8 Occupational safety

We organise our work safety with regard to the responsibility and qualification of the persons employed. It may become necessary to process the data of our suppliers (or the persons working on behalf or in the name of our suppliers) in connection with the planning and implementation of training and instruction, and the collection or storage of evidence (on collective lists or individual confirmations).

The legal basis for data processing is Art. 6 Para. 1 letter f GDPR. Our legitimate interest lies in the safe execution of our activities. If certain measures are prescribed by a legal obligation (e.g. by the Occupational Safety Act), the additional legal basis for data processing is Art. 6 Para. 1 lit. c GDPR.

3.3.9 Operation of the website

When visiting our website, personal data is processed in accordance with the website's data protection information (<https://www.sauercompressors.com/privacy/>).

3.3.10 Other purposes

It may happen that the processing of personal data is necessary to protect our other legitimate interests or the other legitimate interests of a third party (e.g. to assert legal claims or to defend in legal disputes). In such cases, we process the personal data of the persons concerned on the basis of Art. 6 para. 1 lit. f GDPR.

If the processing of personal data is necessary to fulfil a legal obligation to which we are subject (e.g. under the Aviation Security Act, the Security Review Act or export control laws), we process the personal data of the persons concerned on the basis of Art. 6 para. 1 lit. c GDPR.

3.4 How long will my data be stored?

As soon as the storage of personal data is no longer necessary to pursue the above-mentioned processing purposes and there are no statutory retention periods (e.g. from the German Commercial Code and the German Fiscal Code), the personal data will be deleted immediately, unless the person concerned has expressly consented to the further use of his or her data or we have no legitimate interest in storing the data (e.g. for purposes of defence in a court case).

As a rule, we delete the personal data 3 years after the end of the calendar year in which the cooperation was terminated (i.e. the contract with the supplier was terminated or the last service was provided by the supplier). Due to legal retention periods, we delete commercial letters (including e-mails) 6 years after the end of the calendar year in which the commercial letter was received or sent. We store booking vouchers until 10 years after the end of the calendar year in which the booking voucher was created. Procurement documents, which we may archive to ensure our long-term ability to deliver and which may contain personal data of contact persons, are archived until the maximum period of use of our products. In accordance with the legal requirements, we store proofs of instruction in occupational safety and proofs of services performed, depending on the activities performed.

4 Information disclosure

4.1 Data transfer within the Group

Within the Sauer Compressors Group, the personal data of the persons concerned is forwarded in individual cases on the basis of our legitimate interest (Art. 6 Para. 1 letter f GDPR) for the purpose of fulfilling orders by our partners. Likewise, a selection of the data is also forwarded to the overall supplier management within the Group or made available in lists and telephone directories.

Contact details of our suppliers are transmitted to the production plant Sauer Zandov AS (Czech Republic) for order fulfilment.

4.2 Transfer of data to processors

In some cases, we use external service providers (so-called contract processors) to process personal data. These are carefully selected and commissioned by us in accordance with the requirements of Art. 28 GDPR; they are bound by our instructions and are regularly checked. These are companies in the following areas

- IT and telecommunications services for the maintenance of our IT systems

In individual cases:

- Administration of registrations for events
- Shipping of advertising and information material

4.3 Transfer of data to other recipients

In connection with travel events, the data of the persons concerned are transmitted to travel agencies, tour operators, taxi companies and hotels.

For shipping purposes, the data of the persons concerned may be passed on to shipping companies and customs.

In such cases, we transmit the personal data of the persons concerned on the basis of Art. 6 Para. 1 letter f GDPR. Our legitimate interest is to make our activities more effective with the help of external service providers.

In addition, personal data will only be passed on if this is permitted or required by law in individual cases (this applies in particular to data that must be passed on to the tax office or authorities), or if the person concerned has given us his or her specific consent to the transfer of data.

A list of the data recipients known to us at the time of data collection will be provided on request.

4.4 Will data be transferred to a third country or to an international organisation and if so, on what legal basis is the transfer based?

A transfer of personal data to a third country (a state outside the European Economic Area) or to an international organisation will only take place if the legal requirements according to Art. 44 ff. GDPR.

These are among others

- Data transfer on the basis of an adequacy finding (Art. 45 GDPR),
- Data transmission subject to appropriate guarantees (Art. 46 GDPR),
- Exceptional circumstances for data transmission (Art. 49 GDPR, e.g. for the execution of a contract).

5 Rights of data subjects

In order to assert their rights, data subjects can contact us or our data protection officer at any time using the contact details given at the beginning of this data protection notice.

5.1 Revocation of consent (Art. 7 para. 3 GDPR)

If the processing of personal data is based on a granted consent, the persons concerned have the right to revoke their consent at any time. Revocation of consent shall not affect the lawfulness of the processing carried out on the basis of the consent until revocation.

5.2 Right to information (Art. 15 GDPR)

Data subjects have the right to obtain confirmation from the data controller as to whether we are processing personal data concerning them.

If personal data are processed, data subjects have the right at any time to obtain information about these personal data and to the information listed in Art. 15 para. 1 letters a-h GDPR (such as the purposes of the processing; the recipients or categories of recipients of the data, etc.).

If personal data are transferred to a third country or to an international organisation, data subjects have the right to be informed of the appropriate guarantees in accordance with Art. 46 GDPR in connection with the transfer.

We provide a copy of the personal data that is the subject of the processing. For all further copies requested, we may charge a reasonable fee based on administrative costs.

5.3 Right of rectification (Art. 16 GDPR)

Those affected have the right to demand that we correct incorrect personal data concerning them without delay. Taking into account the purposes of the processing, data subjects have the right to request the completion of incomplete personal data, also by means of a supplementary declaration.

5.4 Right of cancellation (Art. 17 GDPR)

Data subjects have the right to demand that the data controller delete personal data relating to them without delay, and we are obliged to delete personal data without delay if one of the reasons listed in Art. 17 para. 1 letters a-f GDPR applies and we are not entitled to further data processing (within the meaning of Art. 17 para. 3 GDPR).

5.5 Right to restrict processing (Art. 18 GDPR)

Data subjects have the right to ask us to limit the processing of their personal data if one of the conditions in Art. 18 para. 1 GDPR is met.

Where processing has been restricted in accordance with the above condition, such personal data, apart from being stored, shall only be processed with the consent of the data subject or for the purpose of pursuing, exercising or defending legal claims or protecting the rights of another natural or legal person or on grounds of an important public interest of the Union or a Member State.

5.6 Right to data transferability (Art. 20 GDPR)

Data subjects shall have the right to obtain the personal data concerning them which they have provided us with in a structured, common and machine-readable format and they shall have the right to have such data communicated to another data controller, without interference from the data controller to whom the personal data has been provided, provided that

- the processing is based on a consent pursuant to Art. 6 para. 1 lit. a or Art. 9 para. 2 lit. a or on a contract pursuant to Art. 6 para. 1 lit. b GDPR and
- the processing is carried out by means of automated procedures.

5.7 Right of objection (Art. 21 GDPR)

Data subjects have the right to object at any time, for reasons arising from their particular situation, to the processing of personal data concerning them that is carried out pursuant to Article 6, paragraph 1, letters e or f of the GDPR.

Where personal data are processed for the purpose of direct marketing, data subjects shall have the right to object at any time to the processing of personal data relating to them for the purpose of such marketing.

5.8 Right of appeal to a supervisory authority (Art. 77 GDPR)

Data subjects have the right to complain to the supervisory authority if they believe that their personal data are being processed unlawfully, in particular in breach of the GDPR.