

# Data protection information for customers and interested parties

## in accordance with Art. 13 and 14 of the General Data Protection Regulation (GDPR)

Data protection is important to us. The following information explains how we use your personal data and outlines your rights.

### 1. Entity responsible for data processing and contact person

Leukhardt Schaltanlagen GmbH  
Im Gewerbepark 10  
78194 Immendingen

CEO: Andreas Glunk

E-Mail: [info@leukhardt.de](mailto:info@leukhardt.de)

### 2. Contact details of the Data Protection Officer (DPO)

Bernd Knecht  
Rotdornweg 7  
73230 Kirchheim /Teck

E-Mail: [datenschutz@leukhardt.de](mailto:datenschutz@leukhardt.de)

### 3. Purpose and legal basis on which we process personal data

We process all personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG) and other relevant data protection regulations. Our contract documents, forms, consent forms and other information provided to you (e.g. on our website or in our terms of business) contain further details and more information on why we collect data in those specific instances.

#### 3.1 Consent (Art.6 para.1(a) GDPR)

In case you have consented to the processing of personal data, this consent will form the legal basis on which this data will be processed in that specific instance. You have the right to withdraw this consent at any time with future effect.

#### 3.2 Performance of contractual duties (Art.6 para.1(b) GDPR)

We process your personal data for the execution of our contracts with you, i.e. in particular in the context of order entry, production, delivery and invoicing of our products. Furthermore, your personal data is processed for the implementation of measures and activities in the context of pre-contractual activities, such as the preparation of offers.

#### 3.3 Compliance with legal obligations (Art.6 para.1 (c) GDPR)

We process your personal data where required for compliance with a legal obligation. This may include processing activities for the fulfillment of control and reporting obligations under tax law as well as the archiving of data for data protection and data security purposes and for auditing by tax and other authorities. In addition, the disclosure of personal data may become necessary in the context of official / judicial measures for the purposes of gathering evidence, criminal prosecution or enforcement of civil claims.

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

We may furthermore use your personal data where necessary based on a weighing of interests to pursue our or a third party's legitimate interest. We may do so for the following purposes:

- for advertising or market research purposes, provided you have not objected to such use of your data
- for obtaining information and exchanging data with credit agencies if a contract involves significant economic risk.
- for storing limited amount of your data if it is not possible to delete this data because of the particular way it has been stored or if deleting it (e.g. from an email archive or file backup) would require disproportionate expense.
- for enforcing legal claims and as evidence in legal disputes that are not directly related to our contractual relationship with you.

#### **4. Categories of personal data we process**

We process the following data:

- personal details (name, job title/position in company/sector and similar information)
- contact details (address, email address, telephone number and similar information)
- payment/coverage confirmation for bank and credit cards
- customer history and commercial correspondence

We also process personal data from public sources (e.g. the internet, media, press, commercial register). Where necessary in order to provide our services, we also process personal data legally obtained from third parties (e.g. address publishers, credit agencies).

#### **5. Who will get to see your data?**

We pass on your personal data within our company to the departments and employees who require this data for the fulfillment of contractual and legal obligations or for the implementation of our legitimate interest.

In addition, the following external offices may receive your data:

- processors used by us in accordance with Art.28 GDPR, service providers for supporting activities and other controllers within the meaning of the GDPR, in particular in the areas of IT services, logistics, courier services and mail, external data centers, support/maintenance of IT applications, document processing, data destruction, purchasing/procurement, marketing, telephony, tax consulting, auditing services, credit institutions
- Public bodies and institutions in the event of a legal or official obligation under which we are obliged to provide information, report or pass on data, or if the passing on of data is in the public interest
- Authorities and institutions on the basis of our legitimate interest or the legitimate interest of the third party (e.g. to authorities, credit agencies, debt collection, lawyers, courts, appraisers and control bodies)
- other bodies for which you have given us your consent to the transfer of data

#### **6. Transfer of personal data to a third country or international organization**

We use software for electronic communication (e-mail, online meeting, chat, etc.) from Microsoft in-house. Although it has been agreed with Microsoft that the data will be hosted on German or European servers, there is a theoretical possibility that third parties may have access to personal data of the data subjects due to legal requirements in the USA (CLOUD Act, Patriot Act or similar). In order to limit this as far as possible, we have concluded an agreement with Microsoft based on the EU Standard Contractual Clauses (SCC), which contains further guarantees for compliance with the data protection level.

Beyond that, no data processing takes place outside the EU or the EEA.

#### **7. How long we'll keep your information?**

As far as necessary, we process your personal data for the duration of our business relationship, this also includes the initiation and execution of a contract.

In addition, we are subject to various storage and documentation obligations, which result, among other things, from the German Commercial Code (HGB) and the German Fiscal Code (AO). The periods specified there for storage or documentation are up to 11 years beyond the end of the business relationship or the pre-contractual legal relationship.

Ultimately, the storage period is also assessed according to the statutory limitation periods, which, for example, according to §§ 195 ff. of the German Civil Code (BGB), are generally three years, but in certain cases can be up to thirty years. However, contractual agreements also form the basis for determining the retention periods.

## **8. To what extent do we use automated individual decision-making (including profiling)?**

We do not use a purely automated decision-making process pursuant to Art.22 GDPR. If we intend to use such a procedure in individual cases in the future, we will inform you of this separately in advance as part of our legal obligation.

## **9. Your data protection rights**

You have the right to information under Article 15 of the GDPR, the right to rectification under Article 16 of the GDPR, the right to erasure under Article 17 of the GDPR, the right to restriction of processing under Article 18 of the GDPR and the right to data portability under Article 20 of the GDPR. In principle, the right to object to the processing of personal data by us exists under Article 21 GDPR, provided that the processing is based on a legitimate interest (Art. 6(1)(f) GDPR). However, this right to object only applies in very special circumstances of your personal situation, whereby rights of our company may oppose your right to object. You can also object at any time to the processing of your personal data for the purpose of direct advertising.

If you wish to exercise any of these rights, please contact the data controller or our data protection officer (DPO). You can find the contact information under 1. and 2. in this data protection information.

## **10. Your Right to lodge a complaint with the responsible supervisory authority**

If you consider the processing of your personal data unlawful, you can lodge a complaint with a supervisory authority that is responsible for your place of residence or work or for the place of the suspected infringement (Art. 77 GDPR). The supervisory authority responsible for us is:

The State Commissioner for Data Protection and Freedom of Information  
Lautenschlagerstraße 20  
70173 Stuttgart, Germany  
E-Mail: [poststelle@lfdi.bwl.de](mailto:poststelle@lfdi.bwl.de)

## **11. Scope of the data you are required to provide**

You only need to provide the data which are necessary for the establishment and implementation of a business relationship or for a pre-contractual relationship with us or which we are legally obliged to collect. Without this data we will usually not be able to conclude or execute the contract. If we request additional data from you, you will be informed separately that the information is voluntary.

## **12. Status and Updating of this data protection information**

This data protection information is current as of May 19, 2022. We reserve the right to update the information in due course to improve data protection and/or to adapt it to changes in government practice or case law.