

## Information for Clients, Business Partners and Prospective Clients on the Collection of Personal Data Under Art. 13 and 14 of the General Data Protection Regulation

Dear clients, business partners and prospective clients,

As the controller, we hereby inform you as a client, business partner or prospective client that we, the

**Hoftex Group AG**  
**Fabrikzeile 21**  
**95028 Hof**

and our subsidiaries will process your personal data (hereafter referred to as "data") in accordance with the EU General Data Protection Regulation (GDPR) and the new version of the German Federal Data Protection Act [Bundesdatenschutzgesetz, BDSG n. F.]. You or your employees are data subjects in the sense of Art. 4 Number 1 of the General Data Protection Regulation.

A distinction must be made between **Art. 13 of the General Data Protection Regulation (data collected from the data subject)** and **Art. 14 of the General Data Protection Regulation (data not obtained from the data subject)**:

- Data collected from the data subject (Art. 13 of the General Data Protection Regulation) means data collected with the knowledge or participation of the data subject.
- Data not obtained from the data subject (Art. 14 of the General Data Protection Regulation) means data collected without the knowledge or participation of the data subject.

The controller is subject to the following obligations to provide information to clients, business partners or prospective clients:

1. At the time of the data collection, under **Art. 13(1) and Art. 14(1) of the General Data Protection Regulation**, the controller must inform the data subject about the following if the data subject does not already possess this information:

**a) Name and contact details of the controller and, if applicable, of his deputy**

Responsible for adherence to data protection regulations is the controller and, therefore, the management. At our firm, these are:

authorized representative: Mr. Klaus Steger and Mr. Robert Seibold

**b) Contact details of the group data protection officer**

Our group data protection officer is:

Herr Marcus Schmierler  
Controlling  
Fabrikzeile 21  
95028 Hof  
Phone: 09281 49 236

### **c) Data processing purpose and legal basis**

Data processing (especially the collection, use, storage or transmission) is performed for the purpose of contract fulfillment (contract performance, payment, client and invoice management, reporting), for the purpose of the implementation of precontractual measures (especially those made on request by a data subject, i.e., offers), for the purpose of the fulfillment of legal obligations or to safeguard legitimate interests (acquisition).

The legal basis for the processing of the client, business partner or prospective client data is especially Art. 6(1) Letter b of the General Data Protection Regulation (data processing for the performance of a contract), Art. 6(1) Letter f of the General Data Protection Regulation (data processing for the purposes of legitimate interests), Art. 6(1) Letter c of the General Data Protection Regulation (compliance with a legal obligation).

Another legal basis may be the consent of the client, business partner or of the prospective client in the sense of Art. 6(1) Letter a of the General Data Protection Regulation.

### **d) Legitimate interests of the controller or of a third party**

If processing is performed on the basis of Art. 6(1) Letter f of the General Data Protection Regulation for the purposes of the legitimate interests pursued by the controller or by a third party, the client, business partner or prospective client must be informed about this. Legitimate interests may include legal, economic or intellectual interests whose legitimation must be determined by a weighing of the employee's interests in each case.

In this case, processing may also be performed on the basis of economic interests that consist of establishing or maintaining a business relationship.

### **e) Recipients or categories of recipients**

Under Art. 4 Number 9 of the General Data Protection Regulation, recipients of your data may include natural or legal persons, public officials or institutions.

Your data may be transferred to our competent internal offices.

In addition, your data may be transferred to external services providers (e.g., data destruction or accounting service providers). The service providers commissioned by us (commissioned processors) were carefully selected and reviewed by us. In addition, we conclude processing agreements with every commissioned processor in accordance with Art. 28 of the General Data Protection Regulation.

### **f) Data transmissions to third countries or international organizations**

Your data will be processed exclusively within the EU and saved on secured servers in Germany under adherence to the General Data Protection Regulation. Data is not currently transmitted to third countries or international organizations.

If, during processing, your data is transmitted to countries outside of the EU or the EEA or to service providers in countries outside of the EU or the EEA (so-called third countries), we will check whether an adequacy decision by the European Commission is present or will conclude according data protection agreements, especially on commissioned processing and EU standards.

### **g) Categories of personal data**

For the cooperation, we will process the following data concerning you:

- Identification data (name, first name, gender);
- Contact data (e.g., address, telephone numbers and email address)
- Other data disclosed voluntarily

2. Furthermore, at the time of data collection, the controller must inform the data subject about the following under **Art. 13(2) and Art. 14(2) of the General Data Protection Regulation** unless the data subject already possess this information:

#### **a) Sources of personal data**

Usually, your data will have been provided to us by you voluntarily. In such cases, it is important for this data to be accurate and for you to assist us in keeping this data up to date.

Other sources include:

- You contacting us
- Business partners/suppliers
- Certain publicly accessible information from public sources (including from the Internet)

#### **b) Storage duration**

We will only save your data until the pre-contractual or contractual purpose is fulfilled and no other legal storage obligations apply (e.g., commercial law or tax law storage requirements).

If you granted your consent, we will save your data until you withdraw your consent if there is no other legal basis for the processing of your data. You granted your consent to us by contacting us.

#### **c) Your data subject rights**

Under Art. 15 of the General Data Protection Regulation, you may obtain information about the data we process concerning you at any time. You may especially obtain information about the purposes of the processing, the categories of processed data, the categories of possible recipients and the scheduled storage duration.

In addition, under Art. 16 of the General Data Protection Regulation, you may obtain rectification of any inaccurate data.

Additionally, under Art. 17 of the General Data Protection Regulation, you may obtain the erasure of data concerning you if its storage is no longer required, you withdraw your consent to the data processing and if there is no other legal basis for the processing, you object to the processing and there are no overriding reasons for further processing your data, your data is processed unlawfully or in case of a legal erasure obligation under EU or national law.

Furthermore, under Art. 18 of the General Data Protection Regulation, you have a right to restricted processing if you contest the accuracy of the data concerning you for a duration that allows the controller to review the accuracy, if the processing is unlawful, but you reject the erasure of the data, the purpose for the processing no longer applies, but the data is still needed for the exercise of legal claims or if you object in accordance with Art. 21 of the General Data Protection Regulation and whether the legitimate reasons of the controller override your interests has not yet been determined.

Furthermore, under Art. 20 of the General Data Protection Regulation, you have the right to receive the data concerning you in a commonly-used, structured and machine-readable format (data portability). In addition, under certain conditions, you may have your data transmitted directly by a controller if technically feasible.

You have the right to object to the use of your data for the above-stated purposes at any time (Art. 21 of the General Data Protection Regulation).

If you consent to our processing of your data, you may withdraw this consent at any time for the future.

If you would like to withdraw your consent or exercise the above-stated data subject rights, please write us at Hoftex Group AG, Fabrikzeile 21, D-95028 Hof, or send us an email at [info@hoftexgroup.com](mailto:info@hoftexgroup.com).

#### **d) Right to lodge a complaint to a supervisory authority**

You may lodge a complaint to a data protection supervisory authority at any time (Art. 77 of the General Data Protection Regulation).

A list of supervisory authorities in Germany (for the non-public sector) and their addresses can be found at:

[https://www.bfdi.bund.de/DE/Infothek/Anschriften\\_Links/anschriften\\_links-node.html](https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html) (in German)

#### **e) Providing data**

If the providing of data is legally or contractually required or necessary for contract conclusion, the client, business partner or prospective client must be informed about this.

Data (e.g., one's name, address or email address) is especially required for the establishment of contractual relationships. Invoicing and payment processing require additional data (e.g., the invoice recipient, account data and invoice address).

If you do not provide your data to us, we will be unable to establish or maintain a business relationship with you and cannot ensure the orderly fulfillment of contractual or legal obligations.

#### **f) Automated decision-making, including profiling**

No automated decision-making, including profiling, is performed (Art. 22 of the General Data Protection Regulation).

### **3. Information concerning intended changes to data processing purposes**

We will only process your data for the above-stated purposes.

Should the purposes for data processing change, we will inform you about the new purpose in time before any further processing.

Sincerely,

Hoftex Group AG