

# **PRIVACY POLICY**

## **of WELTEC BIOPOWER GmbH**

This Privacy Policy applies to the data processing of **WELTEC BIOPOWER GmbH** (also "**we**", "**us**", "**our**") towards all persons we are in contact with, e.g. as a customer, prospective customer or applicant (also "**you**", "**your**") and was last updated in March 2023.

### **I. Name and Contact Details of the Controller**

Controller pursuant to Art. 4 (7) of the EU General Data Protection Regulation (GDPR):

**WELTEC BIOPOWER GmbH**  
**Zum Langenberg 2**  
**49377 Vechta**  
**Germany**

Telephone: +49 (0)4441 99978-0  
E-mail: [info@weltec-biopower.de](mailto:info@weltec-biopower.de)

### **II. Contact Details of the Data Protection Officer**

You can reach our Data Protection Officer as follows:

Telephone: +49 (0)4441 99978-0  
E-mail: [datenschutz@weltec-biopower.de](mailto:datenschutz@weltec-biopower.de)

### **III. Processing of Your Data**

Below, we provide information on how we process personal data.

When you contact us and share personal data in the process (e.g. when you write to us, call us by telephone, give us a business card, apply for a job with us) or share your personal data in any other way, we process these data.

"Personal data" are all data that refer to an identified or identifiable natural person, e.g. the name, address, telephone numbers and e-mail addresses.

#### **Data Processing in Connection with the Contact with You**

When you contact us, we process the following categories of personal data insofar as you provide these:

- Salutation, title, first name, surname

- E-mail address
- Telephone number (landline and/or mobile)
- Address
- Billing data (bank details, payment data)
- Any other information shared, e.g. your employment status

If required within the scope of the contact request, we may also process other personal data that we obtain from publicly accessible sources (e.g. commercial register, association register).

### **Data Processing in Connection with Applications**

When you apply for a job with us, we process the following categories of personal data insofar as you provide these:

- Salutation, title, first name, surname
- E-mail address
- Telephone number (landline and/or mobile)
- Qualification-relevant documents, especially letters of reference, training measures and information contained in the CV
- Photographs enclosed with the application documents
- Salary expectations
- Other information that you enclose with the application documents

In the course of the application procedure, further personal data may be processed. For example, this may include the writing down of information you provide during job interviews or our evaluations. Additionally, we may process other personal data that we obtain from other publicly accessible sources (e.g. professional networks), provided that these data are required for processing your application.

### **Data Processing in Connection with Your Consent**

If you gave us your consent separately (e.g. to contact you for marketing measures), the consent will be logged in order to be able to furnish evidence of its existence in accordance with legal requirements.

This comprises the time of the consent along with our preceding enquiry (if applicable), the IP address used (if applicable) as well as the personal data provided by you, such as the salutation, title, first name, surname, company, address, e-mail address and telephone number (landline and/or mobile).

### **Right of Withdrawal of Your Consent**

According to Art. 7 (3) GDPR, you may withdraw your consent at any time with effect for the future, e.g. by sending an e-mail with the subject "withdrawal of consent" to the e-mail address specified in our contact details.

#### **IV. Purposes and Legal Basis of the Processing**

##### **In Connection with the Contact with You**

Where we collect personal data in connection with the contact with you, we process them for the following purposes:

- To maintain you as our contact
- To send you offers
- To send you product information
- To answer your questions
- To communicate with you
- To contact you within the scope of our marketing measures (e.g. for specialised information, event notifications, new items from our offering)

##### **In Connection with the Performance and Fulfilment of Contracts**

If you have contacted us for the purpose of concluding a contract for our products and services (prospective customer/customer/supplier), we will also process your personal data for the purpose of establishing, performing and fulfilling the contract as well as for the performance of pre-contractual measures, e.g.

- to deliver our products to you or to perform our services;
- for billing purposes;
- to settle any existing liability claims and to assert or ward off claims.

When processing personal data required for the performance of a contract with you, including software-based documentation such as the correspondence, the legal basis is point (b) of Art. 6 (1) sentence 1 GDPR.

This regulation also comprises processing steps required for the performance of pre-contractual measures, e.g. the input of the data we need in order to comply with your expressed interest in our products and the review of the potential conclusion of a contract with you. This also includes information such as proof provided by yourself or by your financing bank to secure the financing as well as information about your profession and your marital status.

### **Processing of Your Data for the Protection of Legitimate Interests**

Apart from this, data processing takes place where necessary to protect a legitimate interest of our company under consideration of the balancing of interests on the basis of point (f) of Art. 6 (1) sentence 1 GDPR.

Our company's legitimate interest lies especially in the due performance of our business operations, which may also comprise the transmission of data within our group, insofar as this is necessary for the protection of our legitimate interests. Moreover, we would like to inform and advise you as specifically as possible about our products. Apart from this, our legitimate interest is derived from the above-mentioned purposes.

### **In Connection with Applications**

The processing of personal data takes place in connection with your application for the purpose of handling the application procedure. The legal basis of the data processing within the scope of the application procedure is Section 26 (1) of the German Federal Data Protection Act (BDSG).

### **In Connection with Your Consent**

If you have given us consent to process your data, e.g. for the purpose of contacting you for marketing purposes, we will process the personal data provided by you in this connection for the fulfilment of the purpose specified in the consent (e.g. delivery of newsletters). This processing takes place on the basis of point (a) of Art. 6 (1) sentence 1 and Art. 7 GDPR.

### **In Connection with Business Cooperation**

Where we intend to enter a business cooperation with third parties (e.g. merger with another company), we may process your personal data specified under section III for this purpose. This may comprise the transmission of your data to our potential cooperation partner for the purpose of reviewing the viability and feasibility of a business cooperation. We will process your data for this purpose only to the extent required for the protection of our legitimate interests in the realisation of the business cooperation, i.e. to the extent legally permissible. The legal basis of this processing is point (f) of Art. 6 (1) sentence 1 GDPR. Our legitimate interest is based on the specified purposes.

### **Data Processing Due to Statutory Obligations**

Where the processing of personal data serves the fulfilment of a legal obligation that our company is subject to, the legal basis is point (c) of Art. 6 (1) sentence 1 GDPR (e.g. statutory retention obligations).

## **V. Forwarding of Data to Third Parties**

In accordance with the principles of data avoidance and data economy, your data are only disclosed to the persons and units in our company who need them for the

performance of our contractual and statutory obligations and the other purposes according to section IV.

Apart from this, we only transmit your data to third parties outside our company if

- you have given us your explicit consent to this pursuant to point (a) of Art. 6 (1) sentence 1 GDPR;
- the transmission is permissible by law and is required for the handling of contractual relationships with you pursuant to point (b) of Art. 6 (1) sentence 1 GDPR;
- a statutory obligation exists for the processing pursuant to point (c) of Art. 6 (1) sentence 1 GDPR. This is the case if, for example, government institutions (e.g. authorities and agencies) request information in writing or a court order is on hand; or
- the forwarding is required for the establishment, exercise or defence of legal claims pursuant to point (f) of Art. 6 (1) sentence 1 GDPR or for other reasons to protect our legitimate interests (e.g. to realise a business cooperation) and there is no reason to assume that you have compelling legitimate grounds for not forwarding your data.

Insofar as required and permissible within the scope of the aforesaid purposes, we forward your data to parties such as the tax authorities, tax consultants, chartered accountants and other consultants, logistics service providers, fee collection centres or payment service providers as well as potential cooperation partners.

If necessary for the due performance of our business operations and in your interest, your data will be made available to other companies of our group, namely to WELTEC Service GmbH and WELTEC Service- und Betriebsgesellschaft mbH. For example, this includes the disclosure of your data to other companies of our group if you are a supplier and/or buyer of a company of our group, in order to enable the realisation of your offers and/or enquiries by our group as a whole.

In certain areas, we also get support from external service providers ("processors") to whom we forward your data. The processors may only use your data for the purposes specified by us and exclusively in accordance with our instructions, and we have concluded a so-called commissioned data processing agreement with all processors in advance in accordance with Art. 28 GDPR. Thus, we can ensure that they also provide sufficient guarantees that appropriate technical and organisational measures are implemented in such a way that the processing of your data is carried out in accordance with the requirements of the GDPR and the protection of your rights is guaranteed.

## **VI. Forwarding of Data to Third Countries**

Personal data are not transmitted to so-called third countries outside the EU/EEA.

## **VII. Duration of the Data Storage/Deletion Periods**

We process and store your personal data as long as this is necessary for the performance of our statutory obligations and for all other purposes specified in section IV or as stipulated by the retention periods determined by the legislator.

Insofar as we process your data for the purpose of enforcing or warding off civil law claims that arise from the contractual and statutory obligations with you (including, but not limited to, contracts for our products and services), we will store your data until the end of the year in which the limitation period for all mutual claims ends.

If your job application does not result in an employment relationship with us, we will delete the data that have been processed within the scope of the application procedure six months after the end of the application procedure.

In case you gave us your consent to the processing of data, we will store your data until you withdraw your consent. If you do not withdraw your consent, we will in any case delete your data five years after our last contact.

The aforesaid deletion periods do not apply if statutory provisions (e.g. retention periods) provide for longer data storage. We are subject to various statutory retention and documentation obligations, e.g. pursuant to the German Tax Code (AO) and the German Commercial Code (HGB). Depending on the type of documents, the retention/documentation periods stipulated therein amount to two to 10 years.

## **VIII. Your Rights**

If the statutory conditions are on hand, you have the following rights with respect to the personal data concerning you:

- The right to obtain from us information about your personal data that are processed by us (Art. 15 GDPR) including the right to request a copy of your personal data that are processed by us (Art. 15 (3) GDPR)
- The right to obtain from us without undue delay the rectification of inaccurate personal data concerning you or to have incomplete personal data completed (Art. 16 GDPR)
- The right to obtain from us the erasure of personal data concerning you without undue delay (Art. 17 GDPR)
- The right to obtain from us restriction of processing of personal data (Art. 18 GDPR)
- The right to request us to provide you with the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format and/or to directly transmit those data to another controller, insofar as this is technically feasible ("data portability", Art. 20 GDPR)

- The right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on point (e) or (f) of Article 6 (1) sentence 1 GDPR (Art. 21 GDPR). Following your objection, we will no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.
- The right pursuant to Art. 7 (3) GDPR to withdraw your previously given consent at any time. As a result, we will no longer process the data on the basis of this consent. The withdrawal does not affect the lawfulness of the processing that has taken place until then.
- The right to lodge a complaint with a supervisory authority (Art. 77 GDPR)

To exercise your rights, please contact us, e.g. by e-mail to the above-mentioned e-mail address.

### **IX. Obligation to Provide Data**

As a matter of principle, you are under no obligation to share your personal data with us. However, without these data we are usually not able to fully answer your enquiries, and the conclusion of a contract or the performance of an order might not be possible if you do not send us the required data.

### **X. Up-to-Dateness of This Privacy Policy**

This Privacy Policy is currently valid and was last updated in March 2023.

Due to changes to our website and offers or due to changed statutory requirements, it may become necessary to amend this Privacy Policy. You can access and print out the latest version of the Privacy Policy on our homepage whenever you wish.