

## **Data Privacy Information pursuant to the EU General Data Protection Regulation (GDPR) for Customers and Suppliers**

As at: May 2018

The following information aims to provide an outline of how we process your personal data and of your rights under the General Data Protection Regulation and the German Data Protection Act (BDSG).

### **1. Who is responsible for data processing and who can I talk to about it?**

The responsible party is:

Aluminium Rheinfelden Alloys GmbH  
Bukheinstrasse 2, 79618 Rheinfelden (Baden) Tel. +49 (0) 7623  
93 0  
Email address: [info@alurheinfelden.com](mailto:info@alurheinfelden.com)

You can contact our Data Protection Officer at:

BHK Datenschutz und Compliance GmbH  
Goethestr. 14, 79540 Lörrach  
Tel. +49 (0) 7621 570 53 98  
Email address: [s.baum@bhk-datenschutz.de](mailto:s.baum@bhk-datenschutz.de)

### **2. Why do we process personal data and what is the legal basis for doing so?**

We process personal data in accordance with the provisions of the EU General Data Protection Regulation (GDPR) and national data protection legislation:

#### **a) In order to comply with our contractual duties (Article 6 (1) (b) GDPR)**

Particularly with regard to customer orders, suppliers, service partners and employees.

**b) To protect legitimate interests in the context of a balancing of interests (Article 6 (1) (f) GDPR)**

Where necessary, our data processing goes beyond actual performance of the contract in order to protect our legitimate interests or those of third parties, namely for the following purposes:

- Advertising, provided you have not objected to the use of your data
- Review and optimization of procedures for requirements analysis and for contacting customers directly; incl. customer segmentation and calculating the likelihood of closing a transaction
- Asserting and defending legal claims in case of legal disputes
- Ensuring the company's security of information and IT operations
- Measures to ensure building and plant safety
- Risk management and controlling

**c) Where you give your consent (Article 6 (1) (a) GDPR)**

Insofar as you give us your consent to process personal data for specific purposes (e.g. videos and photographs, newsletters) your consent constitutes the legal basis for such processing. Consent may be revoked at any time. This also applies to the revocation of consent given to us before the EU General Data Protection Regulation came into effect, i.e. prior to 25 May 2018. Please note that revocation only applies to the future. Processing carried out before revocation is unaffected. You may request a summary of the consents that you have given to us, at any time.

**d) To comply with legal obligations (Article 6 (1) (c) GDPR)**

We are subject to various legal obligations, i.e. statutory requirements (e.g. checking against terrorism blacklists, law against money laundering). The reasons for processing include identity checking, compliance with monitoring and reporting obligations under tax and social-security law, prevention of fraud and money laundering as well as the evaluation and management of risks in the Aluminium Group.

In addition we are subject to statutory obligations under Art. 32 GDPR (Security of processing) and Section 64 Federal Data Protection Act (BDSG) (Requirements relating to security and data processing)

### **3. Who receives my data?**

Within the responsible Aluminium Rheinfelden group company, access to your personal data is given to those offices that need it in order to ensure compliance with our contractual and statutory obligations or to protect legitimate interests.

In addition, affiliated companies of the Aluminium Rheinfelden Group, as well as service providers and agents involved in contractual performance, may receive data for these purposes. We are only permitted to share information about you if the statutory provisions require it, if you have given consent, if we are authorised by statute to issue or share information and/or where our commissioned order processors likewise guarantee to comply with a duty of confidentiality and with the requirements of the General Data Protection Regulation and the German Data Protection Act.

Subject to these conditions, the following may receive data

- Affiliated companies of Aluminium Rheinfelden Alloys GmbH
- Cloud and ASP service providers
- Data destruction companies
- Archiving services
- Document shredding services
- Leasing companies

In addition, we may transmit your personal data to other recipients outside the company insofar as this is necessary to comply with our contractual and statutory duties as an employer. These may be:

- Authorities, for compliance with the statutory notification obligations (e.g. tax authorities, social insurance funds, chamber of commerce, customs authorities, local authorities)
- Accountants
- Auditing services, auditors, customs and tax auditors
- Support/servicing of data processing/IT applications
- Banks and insurance companies (for e.g. transfer of remuneration, employee savings plans, pension schemes, claims settlement)
- Third-party debtors in the case of attachment of earnings
- For processing credit card payments
- Commercial partners involved in arranging business trips (e.g. travel companies, hotels, airlines, visa application services, training organisers)

### **4. Will data be sent to a third country or an international organisation?**

Data transfer to countries outside the EU or the EEA (known as third countries) only takes place,

- where this is necessary to execute contracts with customers, suppliers and service partners (e.g. material procurement, manufacture, logistics) or
- as part of order processing.

Where service providers are deployed in third countries, in addition to written instructions, they are bound by the EU standard contractual clauses to comply with the level of data protection in the EU. Corresponding contractual agreements exist with the affiliated companies of the Aluminium Rheinfelden Group.

## **5. How long will my data be stored?**

We process and store your personal data for as long as necessary in order to meet our contractual and statutory duties. We delete your personal data as soon as it is no longer necessary for the aforementioned purposes. In this regard, it may be the case that personal data is stored for the period in which claims can be made against our company (statutory limitation periods of between three and thirty years). In addition, we store your personal data insofar as we are under a statutory duty to do so. Such obligations regarding evidence and storage arise in particular from commercial, tax and social security regulations.

## **6. Your Rights**

If your personal data is processed, you are a data subject within the meaning of the GDPR and you have the following rights against us as the controller:

### **a) Rights under Art. 15 et seq. GDPR**

(1) You have the right to **information** pursuant to Article 15 GDPR. Under certain circumstances, you have the right to **rectification** under Article 16 GDPR, the **right to restriction of processing** under Article 18 GDPR and the **right to erasure** ("right to be forgotten") pursuant to Article 17 GDPR. In addition, you have the right to receive the data which you have provided in a structured, machine-readable format (**right to data portability**) pursuant to Article 20 GDPR, insofar as the processing is carried out by automated means and based on consent under Art. 6 (1) (a) or Art. 9 (2) (a) or on a contract under Art. 6 (1) (b) GDPR. In the case of the right to information and the right to erasure, the restrictions under Sections 34 and 35 German Data Protection Act (BDSG) apply.

### **b) Withdrawal of consent pursuant to Art. 7 para. 3 GDPR**

You can notify us at any time to revoke your consent to the processing of personal data. This also applies to the revocation of consent given to us before the EU General Data Protection Regulation came into effect, i.e. prior to 25 May 2018. Please note that revocation only applies to the future. Processing carried out before revocation remains unaffected.

### **c) Right of Complaint**

You have the right to lodge a complaint with us or with a data protection supervisory authority, notably in the Member State of your habitual residence, of your place of work or of the alleged infringement (Article 77 GDPR in conjunction with Section 19 BDSG). Section 9 remains unaffected.

### **d) Right to Object**

In addition to the foregoing rights, you have the right to object under Article 21 GDPR as follows:

### **(1) Right to object based on your particular situation**

You have 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 Article 6(1) (e) GDPR (Data processing in the public interest), or on Article 6 (1) (f) GDPR (Data processing for the purposes of the legitimate interests); this also applies to profiling based on those provisions within the meaning of Article 4 (4) GDPR.

If you object, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or processing serves the establishment, exercise or defence of legal claims.

### **(2) Right to object to the processing of data for marketing purposes**

In certain cases, we process your personal data in order to carry out direct marketing. You have the right to object at any time to the processing of personal data concerning you, for the purpose of such marketing; this also applies to profiling to the extent that it is related to such direct marketing. If you object to processing for direct marketing purposes, we will cease to process your personal data for such purposes.

Objection can be made informally to the address indicated under Section 1 of this Data Privacy Statement

## **7. To what extent do you use automated decision making?**

In principle, we do not use any automated decision making pursuant to Article 22 GDPR.

## **8. Does “profiling” take place?**

We process some of your data automatically with the aim of evaluating certain personal aspects (profiling). We use profiling in the following cases:

- Where we are obliged by statute to make checks against terrorist black lists. These measures also serve to protect you.
- In order to provide you with targeted information and advise you about products, in certain circumstances, we and/or our commissioned service providers use web analysis tools, particularly tracking technology. These facilitate appropriate communication and advertising. We refer you in this regard to the → [Data Privacy Statement](#) on the company’s website which also provides information about the use of cookies.