

## **Privacy policy**

The use of the Internet pages of Reiche Trommelbau is possible without any indication of personal data. However, if a data subject wants to make a special contact with us via our website, processing of personal data could become necessary. If processing of personal data is necessary and there is no legal basis for such processing, we will generally obtain the consent of the data subject.

The processing of personal data, such as the name, address, e-mail address or telephone number of a data subject shall always be in line with the General Data Protection Regulation. Data subjects are informed of their rights by means of this data protection declaration.

In principle, internet-based data transmissions can have security gaps, so that absolute protection cannot be guaranteed. For this reason, every data subject is free to transmit personal data to us by alternative means, for example by telephone.

### **1. Definitions**

The data protection declaration of Reiche Trommelbau is based on the terms used by the European Parliament and the Council for the adoption of the Data Protection Regulation.

The following terms, among others, are used:

#### **1.1 Personal data**

Personal data means any information relating to an identified or identifiable natural person (hereinafter "data subject"). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

#### **1.2 Person concerned**

Data subject means any identified or identifiable natural person whose personal data are processed by the controller.

#### **1.3 Processing**

Processing is any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organisation, filing, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

#### **1.4 Restriction of processing**

Restriction of processing is the marking of stored personal data with the aim of restricting their future processing.

## **1.5 Profiling**

Profiling is any form of automated processing of personal data which consists of using such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects relating to that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or change of location.

## **1.6 Pseudonymisation**

Pseudonymisation is the processing of personal data in such a way that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures which ensure that the personal data are not attributed to an identified or identifiable natural person.

## **1.7 Controller or person responsible for the processing**

The controller or person responsible for processing is the natural or legal person, public authority, agency or other body which alone or jointly with others determines the purposes and means of the processing of personal data. Where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its designation may be provided for under Union or Member State law.

## **1.8 Processor**

Processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

## **1.9 Receiver**

A recipient is a natural or legal person, public authority, agency or other body to whom personal data are disclosed, whether or not a third party. However, public authorities that may receive personal data in the context of a specific investigative task under Union or Member State law shall not be considered as recipients.

## **1.10 Third**

Third party means any natural or legal person, public authority, agency or other body other than the data subject, the controller, the processor and the persons who, under the direct responsibility of the controller or the processor, are authorised to carry out the process personal data.

## **1.11 Consent**

Consent shall mean any freely given specific and informed indication of the data subject's wishes in the form of a statement or other unambiguous affirmative act by which the data subject signifies his or her agreement to the processing of personal data relating to him or her.

## **2. Name and address of the controller**

The person responsible within the meaning of the General Data Protection Regulation, other data protection laws applicable in the Member States of the European Union and other provisions of a data protection nature is:

Reiche Trommelbau  
Nordstr. 5  
38159 Vechelde  
Germany

Phone: +495302 5226

E-Mail: [jr@congapad.com](mailto:jr@congapad.com)

Website: [www.congapad.com](http://www.congapad.com)

## **3. Collection of general data and information**

The website of Reiche Trommelbau collects a series of general data and information every time a data subject or automated system calls up the website. This general data and information is stored in the log files of the server. The following data may be collected: (1) the browser types and versions used, (2) the operating system used by the accessing system, (3) the website from which an accessing system accesses our website (so-called referrer), (4) the sub-websites that are accessed via an accessing system on our website, (5) the date and time of access to the website, (6) an Internet protocol address (IP address), (7) the Internet service provider of the accessing system and (8) other similar data and information that serve to avert danger in the event of attacks on our information technology systems.

When using these general data and information, no conclusions are drawn about the data subject. Rather, this information is required in order to (1) correctly deliver the contents of our website, (2) optimise the contents of our website, (3) ensure the long-term functionality of our information technology systems and the technology of the website, and (4) provide law enforcement authorities with the information necessary for prosecution in the event of a cyber attack. The anonymous data of the server log files are stored separately from any personal data provided by a data subject.

## **4. Routine deletion and blocking of personal data**

The controller shall process and store personal data of the data subject only for the period necessary to achieve the purpose of the processing.

The data may only be stored if this is necessary for the purpose of storing the data or if this has been provided for by the European Directive and Regulation or another legislator in laws or regulations to which the controller is subject.

If the purpose of storage no longer applies or if a storage period prescribed by the European Directive and Regulation or another competent legislator expires, the personal data will be routinely blocked or deleted in accordance with the statutory provisions.

## **5. Rights of the data subject**

### **5.1 Right to confirmation**

Every data subject shall have the right, granted by the European Directive and the Regulation, to obtain confirmation from the controller as to whether personal data concerning him or her are being processed. If a data subject wishes to exercise this right, he or she may, at any time, contact any employee of the controller.

### **5.2 Right to information**

Any person concerned by the processing of personal data has the right, granted by the European Directive and Regulation, to obtain from the controller, at any time and free of charge, information about the personal data stored about him or her and a copy of that information. Furthermore, the European Directive and Regulation has granted the data subject access to the following information:

- the processing purposes
- the categories of personal data that are processed
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular in the case of recipients in third countries or international organisations
- if possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration
- the existence of a right to obtain the rectification or erasure of personal data concerning them or to obtain the restriction of processing by the controller or a right to object to such processing
- the existence of a right of appeal to a supervisory authority
- if the personal data are not collected from the data subject: All available information on the origin of the data
- the existence of automated decision-making, including profiling, pursuant to Article 22(1) and (4) of the GDPR and, at least in these cases, meaningful information about the logic involved and the scope and intended effects of such processing for the data subject

Furthermore, the data subject has the right to be informed whether personal data is transferred to a third country or to an international organisation have been transferred. If this is the case, the data subject shall also have the right to obtain information on the appropriate safeguards in relation to the transfer.

If a data subject wishes to exercise this right of access, he or she may, at any time, contact any employee of the controller.

### **5.3 Right of rectification**

Any person concerned by the processing of personal data shall have the right granted by the European Directive and the Regulation to obtain the rectification without delay of inaccurate personal data relating to him or her. Furthermore, the data subject has the right to request the completion of incomplete personal data, including by means of a supplementary declaration, taking into account the purposes of the processing.

If a data subject wishes to exercise this right of rectification, he or she may contact us at any time.

## **5.4 Right to erasure (right to be forgotten)**

Any person concerned by the processing of personal data shall have the right, granted by the European Directive and the Regulation, to obtain from the controller the erasure without delay of personal data concerning him or her, where one of the following grounds applies and insofar as the processing is not necessary:

- The personal data were collected or otherwise processed for purposes for which they are no longer necessary.
- The data subject revokes the consent on which the processing was based pursuant to Article 6(1)(a) of the GDPR or Article 9(2)(a) of the GDPR and there is no other legal basis for the processing.
- The data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR.
- The personal data have been processed unlawfully.
- The deletion of the personal data is necessary for compliance with a legal obligation under Union or Member State law to which the controller is subject.
- The personal data was collected in relation to information society services offered pursuant to Art. 8(1) DS-GVO.

If one of the aforementioned reasons applies, and a data subject wishes to arrange for the deletion of personal data stored by the Reiche Trommelbau, he or she may, at any time, contact us. We will arrange for the deletion request to be complied with immediately.

## **5.5 Right to restrict processing**

Any person concerned by the processing of personal data shall have the right to obtain right granted by the European Directive and Regulation to obtain from the controller the restriction of processing where one of the following conditions is met:

- The accuracy of the personal data is contested by the data subject for a period enabling the controller to verify the accuracy of the personal data.
- The processing is unlawful, the data subject objects to the erasure of the personal data and requests instead the restriction of the use of the personal data.
- The controller no longer needs the personal data for the purposes of processing, but the data subject needs it for the establishment, exercise or defence of legal claims.
- The data subject has objected to the processing pursuant to Article 21(1) of the GDPR and it is not yet clear whether the legitimate grounds of the controller override those of the data subject.

If one of the aforementioned conditions is met, and a data subject wishes to request the restriction of personal data stored by Reiche Trommelbau, he or she may, at any time, contact us and we will arrange the restriction of the processing.

## **5.6 Right to data portability**

Any person concerned by the processing of personal data shall have the right, granted by the European Directive and the Regulation, to receive the personal data concerning him or her, which have been provided by the data subject to a controller,

in a structured, commonly used and machine-readable format. The data subject shall also have the right to transmit such data to another controller without hindrance from the controller to whom the personal data have been provided, provided that the processing is based on consent pursuant to Article 6(1)(a) of the GDPR or Article 9(2)(a) of the GDPR or on a contract pursuant to Article 6(1)(b) of the GDPR and the processing is carried out by automated means, unless the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Furthermore, when exercising his or her right to data portability pursuant to Article 20(1) of the GDPR, the data subject shall have the right to obtain that the personal data be transferred directly from one controller to another controller, to the extent that this is technically feasible and provided that this does not adversely affect the rights and freedoms of other individuals.

To assert the right to data portability, the data subject may contact us at any time.

## **5.7 Right to object**

Any person affected by the processing of personal data shall have the right granted by the European Directive and Regulation to object at any time, on grounds relating to his or her particular situation, to the processing of personal data concerning him or her which is carried out on the basis of Article 6(1)(e) or (f) of the GDPR. This also applies for profiling based on these provisions.

Reiche Trommelbau shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the assertion, exercise or defence of legal claims.

If Reiche Trommelbau processes personal data for the purpose of direct marketing, the data subject shall have the right to object at any time to processing of personal data processed for such marketing. This also applies to the profiling, insofar as it is related to such direct marketing. If the data subject objects to Reiche Trommelbau to the processing for direct marketing purposes, we will no longer process the personal data for these purposes.

In addition, the data subject has the right, on grounds relating to his or her particular situation, to object to processing of personal data concerning him or her which is carried out by Reiche Trommelbau for historical research purposes or for statistical purposes pursuant to Article 89(1) of the Data Protection Regulation, unless such processing is necessary for the performance of a task carried out in the public interest.

In order to exercise the right to object, the data subject may directly contact Reiche Trommelbau. The data subject is also free to exercise his/her right to object by means of automated procedures using technical specifications in connection with the use of information society services, notwithstanding Directive 2002/58/EC.

## **5.8 Automated decisions in individual cases including profiling**

Any person concerned by the processing of personal data shall have the right, granted by the European Directive and the Regulation, not to be subject to a

decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her, provided that the decision (1) is not necessary for entering into, or the performance of, a contract between the data subject and the controller, or (2) is authorised by Union or Member State law to which the controller is subject and that such law lays down appropriate measures to safeguard the data subject's rights and freedoms and legitimate interests, or (3) is made with the data subject's explicit consent.

If the decision (1) is necessary for entering into, or the performance of, a contract between the data subject and the data controller, or (2) it is made with the data subject's explicit consent, Reiche Trommelbau shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, which include at least the right to obtain the data subject's involvement on the part of the controller, to express his or her point of view and to contest the decision.

If the data subject wishes to exercise the rights concerning automated decisions, he or she may, at any time, contact any employee of the controller.

## **5.9 Right to revoke consent under data protection law**

Any person affected by the processing of personal data has the right granted by the European Directive and Regulation to withdraw consent to the processing of personal data at any time.

If the data subject wishes to exercise the right to withdraw consent, he or she may, at any time, contact any employee of the controller.

## **6. Privacy policy on the use and application of Facebook**

Facebook is a social network. No components of the Facebook company are integrated on this website.

## **7. Privacy policy on the use and application of YouTube**

YouTube is an Internet video portal that allows video publishers to post video clips free of charge and other users to view, rate and comment on them free of charge. YouTube allows the publication of all kinds of videos, which is why complete film and television programmes, but also music videos, trailers or videos made by users themselves can be accessed via the internet portal.

No YouTube components are integrated on the Reiche Trommelbau website.

## **8. Legal basis of the processing**

Article 6 I lit. a DS-GVO serves as the legal basis for our company for processing operations in which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the data subject is a party, as is the case, for example, with processing operations that are necessary for the delivery of goods or the provision of any other service or consideration, the processing is based on Article 6 I lit. b DS-GVO. The same applies to processing operations that are necessary for the implementation of pre-contractual measures, for example in the case of enquiries about our products or services. If our company is

subject to a legal obligation by which the processing of personal data becomes necessary, such as for the fulfilment of tax obligations, the processing is based on Art. 6 I lit. c DS-GVO. In rare cases, the processing of personal data might become necessary in order to protect the vital interests of the data subject or another natural person.

This would be the case, for example, if a visitor were to be injured on our premises and as a result his or her name, age, health insurance data or other vital information had to be passed on to a doctor, hospital or other third party. Then the processing would be based on Art. 6 I lit. d DS-GVO. Finally, processing operations could be based on Art. 6 I lit. f DS-GVO. Processing operations which are not covered by any of the aforementioned legal bases are based on this legal basis if the processing is necessary to protect a legitimate interest of our company or a third party, provided that the interests, fundamental rights and freedoms of the data subject are not overridden. Such processing operations are permitted to us in particular because they were specifically mentioned by the European legislator. In this respect, it took the view that a legitimate interest could be assumed if the data subject is a customer of the controller (recital 47 sentence 2 DS-BER).

### **9. Legitimate interests in the processing pursued by the controller or a third party**

If the processing of personal data is based on Article 6 I lit. f DS-GVO, our legitimate interest is the performance of our business activities for the benefit of the well-being of all our employees.

### **10. Duration for which the personal data are stored**

The criterion for the duration of the storage of personal data is the respective statutory retention period. After expiry of the period, the corresponding data is routinely deleted if it is no longer required for the fulfilment or initiation of the contract.

### **11. Legal or contractual requirements to provide the personal data; necessity for the conclusion of the contract; obligation of the data subject to provide the personal data; possible consequences of non-provision**

We would like to inform you that the provision of personal data is partly required by law (e.g. tax regulations) or may also result from contractual regulations (e.g. information on the contractual partner). In order to conclude a contract, it is necessary for a data subject to provide us with personal data which must subsequently be processed by us. The data subject is obliged to provide us with personal data when we conclude a contract with him or her. Failure to provide the personal data would mean that the contract with the data subject could not be concluded. Before providing personal data by the data subject, the data subject must contact us. If necessary, we will inform the data subject on a case-by-case basis whether the provision of the personal data is required by law or contract or necessary for the conclusion of the contract, whether there is an obligation to provide the personal data and what the consequences of not providing the personal data would be.

### **12. Existence of automated decision making**

Reiche Trommelbau does not use automatic decision-making or profiling.