

Information on the Collection and Processing of your Personal Data

Care and transparency is the basis for a trusting cooperation with our customers. We therefore inform you about how we process your data and how you can exercise your rights under the General Data Protection Regulation (GDPR). Which personal data we process for what purpose depends on the respective contractual relationship.

1 Who is responsible for the processing?

According to Art. 4 para. 7 GDPR the controller is

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Breslauer Str. 12,
37154 Northeim, Deutschland
Tel.: +49 5551 703 0
E-Mail: infoline@thimm.de

respectively all other company within the THIMM group, see Annex 1 of this information.

2 How can I contact the data protection officer?

You can reach our data protection officer (DPO) as follows as well as mentioned in Annex 1:

THIMM Group GmbH + Co.KG
Datenschutzbeauftragter
Breslauer Straße 12
37154 Northeim

datenschutz@thimm.de

3 Which personal data do we use?

If you have an enquiry, have us prepare an offer or conclude a contract with us, we will process your personal data. In addition, we process your personal data, among other things, to fulfil legal obligations, to protect a legitimate interest or on the basis of a consent given by you.

Depending on the legal basis, the categories of personal data are as follows:

- Name, Surname
- Address
- Communication Data (telephone, e-mail-address)
- Contract master data, especially contract number, duration, period of notice, type of contract
- Invoice data / turnover data

- Data on creditworthiness
- Payment data / account data
- Account information, in particular registration and logins
- Video and image recordings

In the course of contract initiation, we also use data provided to us by third parties. Depending on the type of contract, the following categories of personal data are involved:

- Information on creditworthiness (via a credit agency)

4 From which sources does the data come?

We process personal data that we might receive from our customers, service providers and our suppliers.

We also obtain your data from the following sources:

- Credit agency
- Publicly accessible sources: commercial or association registers, debtor registers, land registers
- Other Group companies

5 For what purposes do we process your data and on what legal basis?

We process your personal data in particular in compliance with the GDPR and the German Federal Data Protection Act (BDSG) as well as all other relevant laws.

5.1 Data processing on the basis of a consent given by you (Art. 6 para. 1 lit. a GDPR)

If you have given us your voluntary consent to the collection, processing or transfer of certain personal data, then this consent forms the legal basis for the processing of this data.

In the following cases we process your personal data on the basis of your consent:

- Sending an e-mail newsletter
- Personalized newsletter tracking
- Market research (e.g. customer satisfaction surveys)
- Marketing and advertising of customer profiles
- Publication of a customer reference (name and picture)

5.2 To fulfil contractual business relationship (Art. 6 para. 1 lit. b GDPR)

We may use and process your personal data in order to fulfil a certain order or contract (Sales or Service Agreement). Based on these contractual business relationship we may process your personal data for the following transactions:

Contact support, Contract Management, continuous Customer Services, Service Centre, execution of Warranty Claims, Accounts receivables Management, termination of contract Management. Please refer to our particular contract and General Terms and Conditions for further details.

5.3 To fulfil legal obligations (Art. 6 para. 1 lit. c GDPR) or in the public interest (Art. 6 para. 1 lit. e GDPR)

As a company we are subject to various legal obligations. The processing of personal data may be necessary to fulfil these obligations.

- Control and reporting obligations
- Creditworthiness, age and identity checks
- Prevention of criminal acts

5.4 On the basis of a legitimate interest of the controller (Art. 6 para. 1 lit. f GDPR)

In certain cases we process your data to protect our legitimate interests or that of third parties:

- Direct advertising and opinion research
- Central customer data management within the Group
- Measures for building and plant safety
- Video surveillance for the protection of domiciliary rights
- Consultation and data exchange with credit agencies
- To determine creditworthiness and default risks
- Ensuring IT security and operation

6 To whom will your data be passed on?

In order to fulfil our contractual and legal obligations, we will pass on your data to different public and internal places (affiliated companies), as well as external service providers.

Wir arbeiten mit ausgewählten externen Dienstleistern zusammen, um unsere vertraglichen und gesetzlichen Pflichten zu erfüllen, insbesondere Auftragsverarbeitern nach Art. 28 DSGVO:

Companies within the Group:

THIMM Holding GmbH + Co. KG
THIMM Group GmbH + Co.KG
THIMM Verpackung GmbH + Co. KG
THIMM Verpackung Süd GmbH + Co. KG
THIMM Display GmbH
THIMM Display GmbH + Co. KG
THIMM Display Service GmbH
digit49 GmbH + Co. KG
digit49 Services GmbH
CARTONARA GmbH + Co. KG
Christiansen Print GmbH
THIMM Obaly k.s., Všetaty/Czech Republic
TOP-THIMM Opakowania Sp. z o.o. Sp.k., Tychy/Poland
TOP Packaging S.A., Skarbimierz/Poland
THIMM Packaging SRL, Sibiu/Romania
Christiansen Print Garantières SAS, Garantières-en-Beauce/France

External Service Providers:

- IT service providers (e.g. maintenance service providers, hosting service providers)
- Service provider for file and data destruction
- Printing services
- Telecommunications
- Payment service providers
- Consulting
- Service Provider for Marketing or Sales
- Credit agencies
- Authorized dealers
- Service provider for telephone support (Call-Center)
- Web hosting service provider
- Letter shops
- Auditors and accountants

Public bodies and authorities:

Furthermore, we may also be obliged to transfer your data to other recipients, such as public authorities to fulfil legal notification obligations.

- Tax authority
- Customs
- Social insurance agency
- criminal prosecution authorities

If you have more questions on individual recipients, please contact our DPO via datenschutz@thimm.de.

7 Will your data be transferred to countries outside the European Union (so called third countries)?

A transfer to a third country is not intended.

8 For how long do we store your data?

We store your personal data for as long as necessary to fulfil legal and contractual obligations.

If the storage of you data is no longer necessary to fulfil the legal or contractual obligations, we will delete your data unless the transfer is necessary for one of the following purposes:

- Fulfilment of commercial and tax storage obligations. Storage periods from the German Commercial Code (HGB) or the Tax Code (AO) are basically 6 years for business letters respectively 10 years for tax and commercial code related data.
- Preservation of evidence within the framework of the statutory limitation provisions. According to the statute of limitations of the German Civil Code (BGB), these statutes of limitations can in some cases be up to 30 years, the regular statute of limitations is three years.

9 What rights do you have in connection with the processing of your data?

Every data subject has the right of access under Article 15 GDPR, the right to rectification under Article 16 GDPR, the right to erasure under Article 17 GDPR, the right to restriction of processing under Article 18 GDPR, the right to object under Article 21 GDPR and the right to data portability under Article 20 GDPR. The restrictions according to §§ 34 and 35 BDSG apply to the right of access and the right of erasure.

9.1 Right to object

You can object to the use of your data for advertising using electronic mail at any time without incurring any costs other than the transmission costs according to the basic rates.

What right do you have in the event of data processing for legitimate or public interest?

Pursuant to Art. 21 para. 1 GDPR, you have the right to object at any time to the processing of personal data concerning you on the basis of Art. 6 para.1 lit. e GDPR (data processing in the public interest) or Article 6 para.1 lit. f GDPR (data processing to protect a legitimate interest), this also applies to profiling based on this provision.

In the event of your objection, we will no longer process your personal data unless we can prove compelling grounds for processing that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

What right do you have in the event of data processing for direct marketing?

If we process your personal data for direct marketing purposes, you have the right pursuant to Art. 21 para. 2 GDPR to object at any time to the processing of personal data concerning you for the purpose of such advertising, this also applies to profiling insofar as it is associated with such direct marketing.

In the event of your objection to processing for direct marketing purposes, we will no longer process your personal data for these purposes.

You can revoke your consent to the processing of your personal data at any time. Please note that the revocation is only valid for the future.

9.2 Assertion of your rights

To exercise your rights, you can contact the controller or the data protection officer using the contact details provided. We will process your enquiries immediately and in accordance with legal requirements and inform you of the measures we have taken.

10 Is there an obligation to provide your personal data?

In order to enter into a business relationship, you must provide us with the personal data that is necessary for the execution of the contractual relationship or that we are required to collect by law. If you do not provide us with this data, it is not possible for us to carry out and process the contractual relationship.

11 Changes to this information

If the purpose or manner of processing your personal data changes significantly, we will update this information in time and inform you about the changes.

Annex 1

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