

Data Protection Notice

Contact details of the company:

FUHR GmbH & Co. KG
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Contact details of the Data Security Officer:

Vistra Rechtsanwaltsgesellschaft GmbH
– Datenschutzbeauftragte FUHR –
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80639 München
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Where do we obtain your personal data from?

In principle, the data that is collected by us is provided by you. The processing of personal data provided by you is necessary to fulfil the contractual and legal obligations arising from the contract concluded with us. Due to your obligation to cooperate, it is unavoidable for you to provide the personal data requested by us, otherwise we will not be able to fulfil our contractual and legal obligations.

During pre-contractual measures (e.g. prospective master data entry), the provision of your data is necessary. If the data requested is not provided by you, a contract cannot be concluded.

In order to provide our services, it may be necessary to process personal data that we have legitimately received from other companies or other third parties, e.g. tax offices, credit enquiry agencies or authorities for the respective purpose.

Geschäftsführer
Volker Gerth
Sebastian König

Rechtsform
Kommanditgesellschaft
AG Paderborn HRA 6392
USt-IdNr.: DE 124603081
Steuer-Nr.: 32657542102

Komplementärin
FUHR Verwaltungs-GmbH
AG Paderborn HRB

Processing purposes and legal basis

We process personal data in the context of our general business activities and for the purpose of providing services for our clients based on one of the legal regulations listed below:

Performance of contractual duties (acc. art. 6 (1) sent. 1 lit. b GDPR)

The processing of personal data takes place during the execution of the contract or already at the initiation of contractual relationships with a natural person. The scope and details of the data processing result from the respective contract and, if applicable, the associated engagement terms.

Due to legal requirements (acc. art. 6 (1) lit. c GDPR) or in the public interest (acc. art. 6 (1) lit. e GDPR)

The purposes of data processing result from legal requirements or are in the public interest (e.g. compliance with retention obligations).

Safeguarding legitimate interests (acc. art. 6 (1) sent. 1 lit. f GDPR)

We process personal data within the scope of general business operations and provision of services for our clients based on a balance of interests, provided that the legitimate interests of the persons concerned do not prevail. A concrete interest of us lies in the provision of contractual obligations to the client. We process personal data provided by the clients only to the extent actually required for the provision of services. In individual cases, our legitimate interest may come from: Enforcement of legal claims, defense against liability claims, and prevention of criminal offences. All of our employees are instructed to comply with data protection regulations and are obliged to maintain the necessary confidentiality.

Consent of the data subject (acc. art. 6 (1) sent. 1 lit. a), art. 7 EU GDPR)

If none of the above-mentioned legal requirements is given, we base the processing of personal data on the informed consent of the data subject, which is expressly obtained from the latter. Your consent can be revoked at any time with effect for the future. Consents granted before the validity of the GDPR (25 May 2018) can also be revoked. Processing that took place before the revocation remains unaffected by the revocation.

Who obtains personal data provided by you?

Within our company, only those departments will have access to the personal data provided by you which are required for the fulfilment of contractual and legal obligations and which are entitled to process this data.

In fulfilment of the contract concluded with you, only those offices that require the data you have provided for legal or contractual reasons, e.g. tax authorities, social insurance carriers, competent authorities and courts, will receive this data.

Within the scope of our services, we commission contractors who contribute to the fulfilment of contractual obligations, e.g. computer center service providers, IT partners, document shredders etc. We contractually oblige these contractors to comply with the requirements of the GDPR and the Federal Data Protection Act (BDSG).

Will the data provided by you be transferred to third countries or international organizations?

A further transfer of your data to a third country or an international organization does not take place under any circumstances. Should you wish to transfer the data you have provided to a third country or an international organization in individual cases, we will only do so with your written consent.

Does automated decision-making, including profiling, take place?

According to article 22 GDPR, no fully automated decision making (including profiling) is used to process the data you provide.

Duration of processing (criteria for deletion)

The data provided by you will be processed for as long as necessary to achieve the contractually agreed purpose, in principle as long as the contractual relationship with you exists. After termination of the contractual relationship, the data provided by you will be processed to comply with legal retention obligations or based on our legitimate interests. After expiry of legal retention periods and/or loss of our legitimate interests, the data provided by you will be deleted.

Expected retention periods applicable to us and our legitimate interest:

- Fulfilment of commercial, tax and professional retention periods. The specified periods for storage and documentation range from two to ten years.

- Preservation of evidence under the statute of limitations. According to §§ 195 ff. of the German Civil Code (BGB), these limitation periods can amount to 30 years, whereby the regular limitation period is three years.

Information on your rights

- **Right of rectification acc. to art. 16 GDPR:**
You have the right to request the person responsible to correct your incorrect personal data without delay. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data - also by means of a supplementary declaration.
- **Right of erasure („right to be forgotten“) acc. to art. 17 GDPR:**
You have the right to demand that the person responsible immediately deletes your data. The person responsible is obliged to immediately delete personal data if one of the following reasons applies:
 - a) Purposes for which the personal data was collected do not longer apply.
 - b) You revoke your consent for data processing. There is no other legal basis that justifies processing.
 - c) You object to the processing. There is no other legal basis that justifies processing.
 - d) The personal data has been processed unlawfully.
 - e) The deletion of personal data is necessary to fulfil a legal obligation under Union law or the law of the Member States to which the data controller is subject to.
 - f) The personal data has been collected in relation to information society services provided in accordance with art. 8 (1).
- **Right to restrict processing acc. to art. 18 GDPR & § 35 Federal Data Protection Act:**
You have the right to request a limitation of the processing if one of the following conditions is met:
 - a) You doubt the accuracy of the personal data.
 - b) The processing is unlawful, but you refuse to delete it.
 - c) Personal data is no longer required for the purposes of processing; however, you will require the data to assert, exercise or defend legal claims.
 - d) You have filed an objection against the processing according to art. 21 (1) GDPR. As long as it has not yet been determined whether the legitimate reasons of the person responsible outweigh yours, the processing will be restricted

- **Right to transfer data acc. to art. 20 GDPR:**
You have the right to receive the data provided by you in a structured, common and machine-readable format from the person responsible. We will not hinder you to transfer your data to another person responsible.
- **Right of objection acc. to art. 21 GDPR:**
To do this, please contact the person responsible for processing (see above).
- **Right of appeal to the supervisory authority acc. to art. 13 (2) Lit. d, 77 GDPR and § 19 Federal Data Protection Act:**
If you believe that the processing of your data violates the GDPR, you have the right to file a complaint with the regulatory authority. For this purpose, please contact the responsible supervisory authority.
- **Withdrawal of consent acc. to art. 7 (3) GDPR:**
If the processing is based on your consent in accordance with art. 6 (1) lit. a or art. 9 (2) lit. a (processing of special categories of personal data), you are entitled to withdraw the appropriately bound consent at any time without affecting the legality of the processing carried out on the basis of the consent until revocation.