

**Information on data protection concerning our data processing according to Article 13 and Article 21 of the European General Data Processing Regulation (GDPR) – As of 01.03.2021**

We take data protection seriously and hereby inform you about how we process your data and the claims and rights which accrue to you according to the regulations of data protection law.

**1. Controller in the sense of data protection law and contact data of the data protection coordinator**

The controller in the data protection law sense is:

MEDAG Stahlhandel GmbH  
Konrad-Zuse-Straße 10  
89231 Neu-Ulm  
Tel: 0731 715 787 0  
Fax: 0731 715 787 133  
E-Mail: [info@medag-stahlhandel.de](mailto:info@medag-stahlhandel.de)

You can reach our data protection coordinator under the following contact data:

AGAD Service GmbH  
Waldring 43-47  
44789 Bochum  
Tel. 0234 282 533 20  
Fax 0234 282 533 10  
[datenschutz@agad.de](mailto:datenschutz@agad.de)

**2. Purpose and legal foundation on which we process your data**

We process personal data in harmony with the provisions of the European General Data Processing Regulation (GDPR), the Federal Data Protection Act (BDSG) and other applicable data protection directives. The data which are processed in detail and the way in which they are used are decisively based on the services applied for or agreed. Further details or supplements to the purposes of the data processing can be accessed from the contract documents in question, forms, a declaration of consent and/or other information provided to you (e.g. within the framework of the use of our website or our terms and conditions of business).

**2.1 Purposes for performance of a contract or of pre-contractual measures (Art. 6, subsection 1, GDPR)**

Personal data are processed to perform our contracts with you and to handle your orders and also to carry out measures and activities within the framework of pre-contractual relationships, e.g. with interested parties. In particular, processing thus serves production of settlements in accordance with your orders and entails the services, measures and activities necessary for this. This essentially includes contract-related communication with you, provability of transactions, orders and other agreements and quality control with matching documentation, measures for control and optimisation of business processes and also for fulfilment of the general duties to care, steering and control by affiliated enterprises (e.g. parent company); statistical evaluations for corporate control, recording of costs and controlling, reporting, internal and external communication, emergency management, settlement and fiscal valuation of operational services, risk management, establishment of legal claims and defence in legal disputes.

**2.2 Purposes within the framework of our or third parties' legitimate interests (Art. 6, subsection 1 f, GDPR)**

Over and above the actual fulfilment of the contract or pre-contract, we process your data if it is necessary to safeguard our or third parties' legitimate interests, in particular for purposes:

- of advertising or market and opinion research, to the extent that you have not objected to the use of your data;
  - of obtaining information as well as exchange of data with credit agencies (Creditreform, Bürgel, Atradius, Coface, Euler Hermes) to the extent that this exceeds our commercial risk;
  - of examination and optimisation of methods for analysis of requirements;
  - of further development of services and products as well as existing systems and processes;
  - of enrichment of our data, amongst others by use or research of publicly accessible data;
  - of statistical evaluations or market analysis;
  - of benchmarking;
  - of establishment of legal claims and defence in legal disputes which are not directly assignable to the contractual relationship;
  - of restricted storage of the data if erasure is not possible or only with disproportionately high efforts as a result of the specific kind of storage;
  - of prevention and solving of crimes, to the extent not exclusively for the fulfilment of statutory requirements;
  - of building and plant safety (e.g. by access controls and video monitoring), to the extent exceeding the general duties to care;
  - of internal and external examination, safety checks;
- of securing and safeguarding householder's rights by matching means and also by video monitoring for protection of customers and employees and also to secure evidence in crimes and their prevention.

**2.3 Purposes within the framework of your consent (Art. 6, subsection 1 a, GDPR)**

With your consent, you can subscribe to our newsletter, with which we inform you about our current interesting offers. The mandatory statement for the transmission of the newsletter is your e-mail address alone. We store your e-mail address for the purpose of dispatch of the newsletter. The legal foundation in Art. 6, subsection 1, lit 1 a, GDPR. You can withdraw your consent to transmission of the newsletter at any time and unsubscribe from the newsletter. You can declare the withdrawal by a click on the link provided in each newsletter e-mail or by a message to the contact data stated above under Controller.

**2.4 Purposes for the fulfilment of statutory requirements (Art. 6, subsection 1 c. GDPR) or in the public interest (Art. 6, subsection 1 e, GDPR)**

We are subject to a number of statutory demands (e.g. commercial and fiscal acts), but also to supervisory law or other official requirements. The purposes of the processing possibly include examination of identity and age, prevention of fraud and money laundering, prevention, combating and solving financing or terrorism and crimes endangering assets, comparisons with European and international anti-terror lists, fulfilment of fiscal control and reporting duties as well as the archiving of data for purposes of data protection and data security and also examination by tax and other authorities. Over and above this, disclosure of personal data may be necessary within the framework of official/judicial measures for purposes of obtaining evidence, penal prosecution or assertion of civil law claims.

**3. The categories of data processed by us, to the extent that we do not receive the data directly from you, and their origin**

To the extent necessary for the rendering of our services, we process personal data which we have admissibly received from other enterprises or other third parties (e.g. credit agencies). In addition, we process personal data which we have admissibly taken, received or acquired from publicly accessible sources (e.g. telephone books, Register of Commerce and Register of Associations, population register, lists of debtors, land registers, press, internet and other media) and are allowed to process.

Relevant categories of personal data may be:

- data on the person (name, date of birth, place of birth, nationality, civil status, profession/branch and comparable data)
- contact data (address, e-mail address, telephone number and comparable data)
- address data (registration data and comparable data)
- payment/coverage confirmation for bank and credit cards
- information about your financial situation (creditworthiness data including scoring, i.e. data for the assessment of the financial risk)
- customer history
- data about your use of the telemedia offered by us (e.g. time of the access of our websites, applications or newsletters, pages of ours clicked on or entries and comparable data)
- video data

#### **Recipients or categories of recipients of your data**

Within our house, the offices or organisational units which need your data for fulfilment of our contractual and statutory duties or within the framework of processing and implementation of our legitimate interest receive your data. Forwarding of your data to external agencies is done **exclusively**

- in connection with the handling of the contract;
- for purposes of fulfilment of statutory requirements, according to which we are obliged to information, reporting or forwarding of data or the forwarding of the data is in the public interest;
- to the extent that external service providing companies process by our order as commissioned processors or parties assuming certain functions (e.g. external computer centres, support/maintenance of EDP/IT applications, archiving, document processing, call centre services, compliance services, controlling, data screening for anti-money laundering services, data validation or plausibility examinations, data destruction, purchasing/procurement, customer administration, letter shops, marketing, media technology, research, risk controlling, settlement, telephony, website management, auditing services, loan institutes, printing houses or enterprises for data disposal, courier services, logistics);
- on the basis of our or the third party's legitimate interest within the framework of the purposes stated under Section 2.2 (e.g. to authorities, credit agencies (Creditreform, Bürgel, Atradius, Coface, Euler Hermes), collection agencies, attorneys, courts, expert analysts, enterprises within the group of companies and panels and control instances);
- if you have given us consent to transmission to third parties.

#### **We will not forward your data to third parties over and above this.**

To the extent that we commission service providers within the framework of commissioned processing, your data shall be subject to the same safety standards there as with us. In the remaining cases, the recipients may only use the data for the purposes for which they were transmitted to us.

#### **4. Duration of the storage of your data**

We process and store your data for the duration of your business relationship. This also includes the preparation of a contract (pre-contractual legal relationship) and the handling of a contract.

Over and above this, we are subject to various archiving and documentation duties which result, inter alia, from the German Commercial Code and the German Fiscal Code. The periods for archiving or documentation, as the case may be, which have been stated there are up to ten years following the end of the business relationship or of the pre-contractual legal relationship. Further, specific statutory directives may demand a longer duration of storage, e.g. securing of evidence within the framework of the statutory periods of barring. According to §§ 195 et seq. of the German Civil Code, the regular period of barring by limitation is three years, but under certain circumstances periods of up to 30 years may be applicable.

If the data are no longer necessary for the fulfilment of statutory or contractual duties and rights, they are regularly erased, unless their - limited-time - further processing is necessary for the fulfilment of the purposes stated under Section 2.2 for an overriding legitimate interest. Such an overriding legitimate interest also exists, for example, if erasure is not possible or only with disproportionately high efforts as a result of the specific kind of storage and processing for other purposes has been ruled out by suitable technical and organisational measures.

#### **5. Processing of your data in a third country or by an international organisation**

Transmission of the data to agencies in states outside the European Union (EU) or the European Economic Area (EEA) (so-called third countries) is done if it is necessary for the performance of an order/contract by you, has been prescribed by law (e.g. fiscal law reporting duties), is within a legitimate interest of ours or of a third party or you have granted us consent. The processing of your data in a third country can also take place in connection with the involvement of service providers within the framework of commissioned processing. To the extent that no decision by the EU Commission about an adequate level of data protection there exists, we guarantee that your rights and freedoms are adequately protected and guaranteed according to the EU data protection requirements by matching contracts.

#### **6. Your data protection rights**

You have the following rights towards us:

- You have the right to receive **information** about your data stored with us according to the rules of Art. 15, GDPR (if applicable with restrictions according to § 34, Federal Data Protection Act).
- By your request, we shall rectify the data stored about you according to Art. 16, GDPR, if they are incorrect or defective.
- By request, we shall erase your data according to the principles of Art. 17, GDPR, to the extent that other statutory regulations (e.g. statutory archiving duties or the restrictions according to § 35, Federal Data Protection Act) or an overriding legitimate interest on our part (e.g. to defend our rights and claims) do not contradict.
- Taking the preconditions of § 18, GDPR, into due account, you can demand that we restrict the processing of your data.
- You can make an objection to the processing of your data according to Art. 21, GDPR, on the basis of which we must end the processing of your data. However, this right to object only exists if certain circumstances in your personal situation exist, although our rights may possibly contradict your right to object.
- You also have the right to receive your data in a structured, commonly used and machine-readable format or to transmit them to a third party.
- Further, a right to complain to a supervisory authority (Art. 77, GDPR) accrues to you. Naturally, you also have the right to get in touch with our data protection coordinator.

#### **Information about your right to object, Art. 21, GDPR**

1. You have the right to object to the processing of your data done on the basis of Art. 6, subsection 1 f, GDPR (data processing on the basis of a balancing of interests) or of Art. 6, subsection 1 e, GDPR (data processing in the public interest) if reasons resulting from your particular situation exist.

If you make an objection, we will no longer process your personal data unless we can prove cogent reasons for the processing worthy of protection which override your interests, rights and freedoms or the processing serves to establish, to exercise or to defend legal claims.

2. We possibly also process your personal data in order to undertake postal advertising, mailings and if applicable also direct advertising by e-mail. To the extent that you would not like to receive any advertising, you have the right to object to this at any time. We will observe this objection for the future and no longer process your data for purposes of direct advertising.

The objection can be made without formal requirements and should be addressed as far as possible to

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