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# Information for business partners and interested parties about the processing of personal data

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Diligence and transparency are the basis for a trusting cooperation with our business partners. We therefore inform you about how we process your data and how you can exercise the rights to which you are entitled under the General Data Protection Regulation (GDPR). Which personal data we process and for what purpose depends on the specific contractual relationship we have established with you.

## 1 Who is responsible for the data processing?

The entity responsible for the data processing ("controller") is:

Accumulatorenwerke HOPPECKE Carl Zoellner & Sohn GmbH  
Bontkirchener Str. 1  
59929 Brilon  
Germany

## 2 How can you contact the data protection officer?

You can reach our data protection officer at the following address:

Mr Matthias Lindner  
c/o intersoft consulting services AG  
Beim Strohhouse 17  
20097 Hamburg  
Germany

Phone: +49 40 790235 - 148  
E-mail: [MLindner@intersoft-consulting.de](mailto:MLindner@intersoft-consulting.de)

## 3 Which of your personal data do we use?

If you send us an enquiry or request a quote from us or conclude a contract with us, we will process your personal data. In addition, we also process your personal data, among other things, to comply with legal obligations, to safeguard a legitimate interest or on the basis of your consent.

Depending on the legal basis, the following categories of personal data are involved:

- Master data (e.g. name and salutation, title, job title/position designation)
- Contact details (e.g. telephone number, e-mail address, postal address)
- Communication data (e.g. content and information on personal, telephone or written communication)
- Contract master data (e.g. contract number, term, termination period, type of contract)
- Data on creditworthiness
- Payment data (e.g. payment details, account details, billing information)
- Video or image recordings

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In the course of contract initiation, we also use data that we generate ourselves or that third parties have made available to us. Depending on the type of contract, the following categories of personal data are involved:

- Information on creditworthiness
- Master data (e.g. customer number)
- Contract master data (e.g. contract identifier, contract history)
- Communication data (e.g. counselling protocols)
- Account information, in particular registration and logins
- Payment data (e.g. payment history, information on payment behaviour, creditworthiness)

## 4 Where do the data come from?

We process personal data that we receive from our business partners (e.g. customers, service providers, suppliers, etc.).

We also receive personal data from the following organisations or sources:

- Credit agencies
- Publicly accessible sources: Commercial or association registers, debtor registers, land registers
- Cloud platforms for the purposes of data exchange and risk analysis (e.g. sustainabill cloud platform)
- 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 General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG) as well as all other applicable laws.

### 5.1 On the basis of your consent (Art. 6 (1) point (a) GDPR)

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

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

- Sending e-mail newsletters
- Personalised newsletter tracking
- Sending invitations to seminars or other events
- Sending other information on HOPPECKE products

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- Market research (e.g. customer satisfaction surveys)
  - Marketing and advertising
  - Creation of customer profiles
  - Publication of a customer reference (name and image)

## **5.2 For the performance of a contract (Art. 6 (1) point (b) GDPR)**

We use your personal data to perform the contracts or purchase orders we have concluded with you, in particular for the purpose of delivering the products or providing the services we offer.

In the context of the contractual relationship, we process your data in particular to carry out the following activities:

- Contract-related contact
- Contract management
- Ongoing customer support
- Service centre
- Handling warranty claims
- Receivables management
- Contract termination management

Further information on the purposes of data processing can be found in the applicable contract documents and general terms and conditions.

## **5.3 For compliance with legal obligations (Art. 6 (1) point (c) GDPR)**

As a company, we are subject to various legal obligations. Such obligations may arise from certain provisions of national economic, commercial, tax and social law as well as European legislation, e.g. in connection with regulations to prevent the financing of terrorism. It may be necessary to process personal data in order to comply with these obligations.

- Control and reporting obligations under tax law
- Creditworthiness and identity checks (Section 10 (1) and (3) sentence 1 no. 3 of the German Money Laundering Act (GWG))
- Prevention/defence against criminal acts
- Archiving of data for the purposes of data protection and data security as well as auditing by tax and other authorities (in particular Section 257 of the German Commercial Code (HGB), Section 147 of the German Fiscal Code (AO))
- Risk analysis to determine human rights risks and environmental risks on the part of suppliers (Section 5 (1) of the German Supply Chain Due Diligence Act (LkSG))

#### 5.4 On the basis of a legitimate interest (Art. 6 (1) point (f) GDPR)

In certain cases, we process your data to safeguard our legitimate interests or those of third parties.

- Direct marketing or market and opinion research
- Centralised customer data management within the group
- Measures for building security and plant safety
- Video surveillance to safeguard the right to undisturbed possession of premises and to keep out trespassers ("Hausrecht")
- Consultation of, and data exchange with, credit agencies to determine creditworthiness and default risks
- Ensuring IT security and IT operations
- Anti-terror sanctions list screening by means of a service provider software

## 6 Who will your data be passed on to?

In order to comply with our contractual and legal obligations, your personal data will be disclosed to various public or internal bodies and external service providers.

#### Companies within the group:

The HOPPECKE group maintains a centralised customer data management system that can be accessed by employees of all affiliated companies in order to offer you the full range of our services from a single source. You can find the companies of the HOPPECKE group under this [www.hoppecke.com/fileadmin/Downloads/HOPPECKE\\_Standorte-Tabelle.pdf](http://www.hoppecke.com/fileadmin/Downloads/HOPPECKE_Standorte-Tabelle.pdf).

#### External service providers:

We work with selected external service providers to comply with our contractual and legal obligations:

- IT service providers (e.g. maintenance service providers, hosting service providers)
- Service providers for file and data destruction
- Printing service providers
- Telecommunication service providers
- Payment service providers
- Advice and consulting service providers
- Marketing or sales service providers
- Credit agencies
- Authorised dealers
- Telephone support service providers (call centres)
- Web hosting service providers
- Auditors
- Legal advisors

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**Public bodies:**

In addition, we may be obliged to transfer your personal data to other recipients, such as authorities to comply with legal reporting obligations.

- Tax authorities
- Customs authorities
- Social security organisations

If you have any further questions about the various recipients, please contact us at [privacy@hoppecke.com](mailto:privacy@hoppecke.com).

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

Countries outside the European Union (and the European Economic Area "EEA") handle the protection of personal data in a way that is different from the data protection approach within the European Union. We also use service providers located in third countries outside the European Union to process your data. There is currently no decision by the EU Commission that these third countries generally ensure an adequate level of data protection.

We have therefore taken special measures to ensure that your data are processed in third countries just as securely as within the European Union. We conclude the standard data protection clauses provided by the Commission of the European Union with service providers in third countries. These clauses provide appropriate safeguards ensuring the protection of your data with service providers in third countries.

If you wish to inspect the existing safeguards, you can contact us at [privacy@hoppecke.com](mailto:privacy@hoppecke.com).

## 8 How long will your data be stored?

We store your personal data for as long as this is necessary to comply with our legal and contractual obligations.

If storage of the data is no longer necessary for complying with contractual or legal obligations, your data will be deleted unless further processing is necessary for any of the following purposes:

- Compliance with retention obligations under commercial law or tax law. These include retention periods under the German Commercial Code (HGB) or the German Fiscal Code (AO). The retention periods are regularly up to 10 years.
- Preservation of evidence within the limits of the statutory limitation periods. According to the limitation provisions of the German Civil Code (BGB), these limitation periods can be up to 30 years in some cases; the regular limitation period is three years.

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

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

### 9.1 Right to object

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

### What rights do you have in the event of data processing based on your legitimate interest or public interest?

Pursuant to Art. 21 (1) GDPR, 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 Art. 6 (1) point (e) GDPR (data processing in the public interest) or Art. 6 (1) point (f) GDPR (data processing for the purposes of legitimate interests), including profiling based on those provisions.

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

### What rights do you have in the event of data processing for direct marketing purposes?

If we process your personal data for direct marketing purposes, you have the right under Art. 21 (2) GDPR to object at any time to processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing.

If you object to processing for the purposes of direct marketing, we will no longer process your personal data for these purposes.

### 9.2 Withdrawal of consent

You can withdraw your consent to the processing of personal data at any time. Please note that the withdrawal will only be effective for the future.

### 9.3 Right of access

You can request information as to whether or not we have stored personal data concerning you. At your request, we will inform you about which data are involved, for what purposes the data are processed, to whom the data are disclosed, how long the data are stored and which are the rights you are entitled to with regard to these data.

### 9.4 Further rights

In addition, you have the right to have incorrect data rectified or to have your data erased. If there is no reason for further storage, we will erase your data, otherwise we will restrict

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processing. You also have the right to request us to provide all personal data that you have provided to us in a structured, commonly used and machine-readable format either to you or to a person or company of your choice.

In addition, you have the right to lodge a complaint with the competent data protection supervisory authority (Art. 77 GDPR in conjunction with Section 19 BDSG).

### **9.5 Exercising your rights**

To exercise your rights, you can contact the controller or the data protection officer using the contact details provided or at [privacy@hoppecke.com](mailto:privacy@hoppecke.com). We will process your enquiry promptly and in accordance with the legal requirements and inform you of the measures we have taken.

## **10 Is there an obligation to provide your personal data?**

To enter into a business relationship, you must provide us with the personal data that are necessary to perform the contractual relationship or that we are required to collect by law. If you do not provide us with these data, it will not be possible for us to implement and perform the contractual relationship.

## **11 Changes to this information**

In case the purpose or manner of processing your personal data changes significantly, we reserve the right to update this information. The respective current version of this information is available on our website at [www.hoppecke.com/en/privacy/](http://www.hoppecke.com/en/privacy/).

**As amended in July 2024**