

fact sheet on personal data processing (customers / suppliers)

Since 25 May 2018 new provisions on data protection and privacy have been applicable: the EU General Data Protection Regulation (GDPR) and the Data Protection Act. These legal bases require enhanced information provision by companies. Therefore, we hereby inform you – in compliance with the new legal provisions – about the data processing procedures that are applied within the context of contractual relationships.

Where other data processing procedures are performed, other information is available (e.g. visitor and access control in the company, video surveillance on the premises, processing operations related to the website, newsletter etc.).

Please note that this fact sheet refers to data processing that results from a contractual relationship or is necessary for us to be compliant with the law or to meet our legitimate interests; any legitimate interest is disclosed separately (e.g. video surveillance on the premises).

These processing procedures were already applied in the past. Our contractual relationships will remain unaffected thereby.

Within the scope of a contractual relationship, personal data provided by you as well as data generated through the contractual relationship (e.g. during contract processing) are processed to allow us to implement a project or present or invite proposals.

The General Data Protection Regulation relates exclusively to the processing of personal data concerning natural persons, and therefore the applicability of data protection provisions to the processing of data concerning legal persons is limited.

If you, as a **natural person**, are the **contact partner** at a contractual partner or any other point of contact of our company that is a legal person, then we process your business-related contact details to meet our legitimate interest (legal basis) in terms of efficient and smooth communication and implementation of our work. You have the right to object within the scope of the legal

provisions. An objection leads to a weighing of interests, although we believe that such processing does not create a significant risk to your interests, rights and freedoms.

We have not appointed a data protection officer because our company is not required by law to do so.

We process primarily personal data that fall under the following **data categories**:

- Name/company
- Customer or supplier number
- Job/job description
- Date of birth
- Register data (e.g. commercial register number)
- Contact(s)
- Business address and other addresses of a supplier/customer
- Contact details (telephone number, fax number, e-mail address, etc.)
- Bank details
- Order data and data relating to the processing of contracts
- Payment data
- VAT Reg. No. or other taxpayer's ID

We process data for the following purposes:

- supplier/customer management
- offers, orders, order acknowledgments, invoices, quality documents (in hard copy or electronic)
- reference to existing or previous business and contractual relationships with customers (reference particulars)

The data provided by you are required for **contractual performance** and/or implementing pre-contractual measures (legal basis); after the completion of the contract the data are needed to comply with **legal retention periods** (e.g. periods under tax laws) or to **assert and/or defend** claims (legitimate interest).

Any disclosure as reference is based on our legitimate interest in raising our public profile and point out public relations work projects we already completed; where data concerning you as a natural person are processed in this context, you have the right to object to it within the scope of legal provisions.

The provision of your data is a prerequisite for contractual cooperation.

We **store** your data for 30 years after completion of a project. This corresponds to the long period of limitation according to the General Civil Code (ABGB) to provide for a potential assertion and/or defense of claims.

Data are transferred to the following recipients:

Customers, suppliers, architects, builders, banks, Wirtschaftstreuhänder (*professionals offering certified public accountant services*), legal representatives, administrative authorities, fiscal authorities, contractual or business partners involved in the supply, insurers, Statistik Austria.

Your data, or at least part of them, depending on the project, are processed **outside the EU and/or the EEA**, in: United Arab Emirates, Saudi Arabia, Asia, Egypt, Australia or other countries in which our customers, contract partners, prospects or suppliers are headquartered or do business. On the basis of the contracts with our customers and suppliers the data are transferred to recipients in these countries (Art 49 para 1 subpara c GDPR). According to Art 49 para 1 subpara c GDPR data transfer to third countries is permitted where it is required for closing a deal or performing a contract that was concluded by the controller with another natural or legal person in the interest of the data subject.

There is no data transfer to international organizations.

We do not process personal data concerning natural persons for profiling or automated decision-making.

Information on legal remedies

You have the right to be informed, the right to access, the right to rectification, erasure, restriction of processing, data portability and the right to object within the scope of the provisions of law.

Where data are processed on the basis of a legitimate interest, you have the right to object. An objection leads to a weighing of our interests in data processing against the interests, rights and freedoms of the natural person whose data are processed. As far as video surveillance is concerned, we believe that our interest in the protection of property is overriding and that it does not create a significant risk to your interests, rights and freedoms. The same applies to the processing of the business-related contact details of contact partners.

How to contact us

Controller:

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If you have any questions and requests relating to data protection, please contact:
datenschutz@se-austria.com

If you believe that your rights under GDPR or any other law are infringed by the processing of personal data concerning you, you have the right to lodge a complaint with a supervisory authority. In Austria the competent authority is the Data Protection Agency.

The supervisory authority in Austria is:
Österreichische Datenschutzbehörde
Wickenburggasse 8
1080 Wien