

Data protection statement for customers and suppliers

In the scope of its activities, Berndorf AG, Leobersdorfer Strasse 26, 2560 Berndorf, Austria (“we” or “us”) cooperates with companies and persons for whom it performs various services (delivery of services and of goods) (“customers”), or who perform services for it (“suppliers”). This data protection statement concerns you as a (potential) customer or supplier, or as an employee, member of a governing body or other contact person of a customer or supplier, and describes how we process your personal data as a data controller in the meaning of data protection law.

1. Purposes for which we process your data

We process the personal data specified in the Annex for the following purposes:

- Initiation and implementation of business relationships with customers and suppliers
- Administration of our contracts with customers and suppliers
- Communication with customers and suppliers
- To enable fulfilment of services performed by us or for us
- To ensure efficient processes through the provision of materials and infrastructure
- Handling insurance-related matters
- Asserting, exercising or defending against legal claims

2. Origin of data

Your personal data is made available to us either by you directly (for example in communication by e-mail or other channels) or by a third party (for example, in the case of contact persons, by other representatives of the supplier), or collected by us from publicly accessible sources (e.g. publicly accessible websites, published conference attendee lists or books).

When ask you to provide us with your personal data, your provision of data is voluntary. However, joint business processes may be delayed, or in some cases not possible if you do not provide us with your personal data.

In cases where provision of your personal data is mandatory by law, we will specifically inform you of this.

3. Legal bases of data processing

Where we do not expressly ask your consent pursuant to Article 6(1)(a) General Data Protection Regulation (GDPR), we process your personal data on the basis of:

- Necessity for performance of a contract concluded with you, or at your request in order to take steps prior to entering into a contract (Art. 6[1][b] GDPR), or
- Necessity for compliance with a legal obligation to which we are subject (Art. 6[1][c] GDPR), or
- Our overriding legitimate interest in accordance with article 6(1)(f) GDPR, based on achieving the purposes stated above in section 1.

4. Transfer of your personal data

When necessary for the purposes set out above in section 1, we will transfer your personal data to the following categories of recipients:

- Banks for processing of payment transactions
- Legal representatives
- Business trustees
- Courts
- Competent administrative authorities, in particular financial authorities
- Collection agencies for recovery of debts
- Finance providers such as leasing or factoring firms or assignees, in so far as the service is externally financed by such means
- Contractual or business partners who participate or will participate in performance of the contract
- Insurers due to conclusion of an insurance contract, regarding a benefit or the occurrence of an insured event
- Statistics Austria, the Austrian federal statistics office, for compilation of statutory official statistics
- Customers or other suppliers
- IT service providers engaged by us, including Microsoft Ireland Operations Limited (Ireland)
- Companies in our corporate Group

Some of these recipients may be located outside your country or process your personal data in a country other than your own. The level of data protection in other countries may differ from that in your country. We only transfer your personal data to countries which the European Commission has decided offer an adequate level of data protection, or we take steps to ensure that all recipients provide an adequate level of data protection, for example by agreeing standard contractual clauses. These are available on request (see contact details in section 7 below).

5. Retention periods

In all cases we will store your personal data: (i) until termination of our business relationship with you, or termination of your employment by the customer or supplier in question, or beyond that time (ii) to comply with statutory retention obligations or (iii) for as long as the personal data is required for the assertion of or defence against any legal claims that have not yet lapsed.

6. Your rights in connection with your personal data

Under applicable law, and subject to the related legal requirements, you have the following rights:

- To request information on whether we have processed your personal data and what personal data we have processed, and to receive copies of the data
- To request rectification or erasure of your personal data
- To request that we restrict the processing of your personal data
- To object to the processing of your personal data
- To request data portability
- To lodge a complaint with the data protection authority

7. Our contact details

If you have any questions or concerns about how we process your personal data, please contact us at:

Berndorf AG
Leobersdorfer Strasse 26
2560 Berndorf
Austria
dm@berndorf.co.at

Last updated 8 March 2023

Annex

Personal data of customers and suppliers

- Reference number
- Name and job title
- Academic title
- Greeting/sex
- Telephone number, fax number and other contact details required for modern means of communication (e.g. e-mail address)
- Register of companies data
- Credit rating information (customers)
- Block codes (e.g. contact block, invoicing block, delivery block, booking block, payment block)
- Code numbers for the purpose of official statistics, such as VAT number and Intrastat code
- Membership of a specific purchasing association or corporate group
- Goods or services provided
- Bonus and commission data, etc.
- Contact person for handling delivery of goods/provision of services
- Third parties involved in performance of the contract, including information on their involvement
- Delivery and performance terms (incl. information on the place of performance, packaging, etc.)
- Customs data (e.g. country of origin, customs tariff number) and export inspections
- Information on insurance coverage and financing of goods and services
- Information on tax obligations and calculations
- Finance and payment terms
- Bank details
- Credit card numbers and companies
- Credit management data (e.g. credit limit, bill of exchange limit)
- Data on payment or performance behaviour
- Receivables due from the customer or supplier
- Amounts payable to the customer or supplier
- Reminder/legal action data
- Account and statement data
- Performance-related expenses and revenue
- Correspondence

Personal data of customers' and suppliers' contact persons

- Reference number
- Name
- Academic title
- Greeting/sex
- Associated customer or supplier
- Additional customer or supplier address data
- Correspondence language, special agreements, key for data exchange
- Function of associated customer or supplier
- Scope of representative authority
- Transactions processed by the contact person
- Correspondence with the contact person