

Privacy Notices for Clients and Other Data Subjects ¹

With the following information, we give you an overview of the processing of your personal data and your rights under the data protection law. Which data is processed and used in detail is largely dependent on the desired or agreed services. Therefore, not all parts of this information will apply to you.

Who is responsible for data processing and whom can you contact?

Responsible is the SGL company you concluded, or will be concluding, a contract with.

You can contact our data protection officer of the respective country at

Germany: Dataprotection-DE@SGLCarbon.com

Austria: Dataprotection-AT@SGLCarbon.com

Great Britain: Dataprotection-UK@SGLCarbon.com

Italy: Dataprotection-IT@SGLCarbon.com

Spain: Dataprotection-ES@SGLCarbon.com

France: Dataprotection-FR@SGLCarbon.com

Portugal Dataprotection-PT@SGLCarbon.com

Poland: Dataprotection-PL@SGLCarbon.com

Which data sources and which data do we use?

We process personal data that we received as part of business relationships from our clients and other data subjects. Furthermore, and as far as it is necessary for the performance of our business

¹ e.g. authorized representatives, potential buyer of products/services, non-customers

relationship, we process personal data permissibly obtained from public sources (e.g. record of debtors, land registers, commercial registers, registers of associations, press, internet) or legitimately submitted by other companies within the SGL GROUP or other third parties (e.g. credit agency).

Relevant personal data is personal data (name, address and other contact data, birth date and birth place, citizenship), legitimation data (e.g. identification data) and authentication data (e.g. specimen signature). In addition, this may also include order data (e.g. payment order), data from the fulfilment of contractual obligations (e.g. sales data in payment transaction), information about your financial situation (e.g. creditworthiness data, rating data, origin of assets), advertising and sales data (incl. advertising scores), documentation data (e.g. minutes of meetings) as well as further categories comparable to the above-mentioned categories.

What do we process your data for (purpose of processing data) and on which legal basis?

We process personal data in accordance with the GDPR and the supplementary national data protection law.

a) For the performance of a contract (Art. 6, Par. 1 b GDPR)

The processing of data takes place for delivery and performance of orders within the scope of the performance of our contracts with our customers, or for the performance of contract or precontractual measures made upon request. The purpose of data processing complies with the concrete product and can be, among other things, a requirement analysis, consultation, purchase contract, service contract or the performance of transactions. Further details on data processing purposes can be found in the relevant contract documents and in the terms and conditions.

b) as part of weighing of interests (Art. 6, Par. 1 f GDPR)

If necessary, we process your data beyond the actual performance of contract to protect the legitimate interests of us or a third party. Examples:

- Consultation of and data exchange with credit agencies to identify credit and default risks in our businesses,
- control and optimisation of procedures for requirements analysis of direct customer approach,
- advertisement or market and opinion research unless you objected the processing of your data,
- enforcement of legal claims and defence in legal disputes,
- ensuring of IT-security and operation in the company,
- prevention and solving of criminal acts
- video surveillance for protection of domiciliary right, for collection of evidences in case of burglaries
- measures for building and system safety (e.g. access control),
- measures for securing domiciliary right,

- measures for business management and advancement of services and products,
- risk management in the SGL GROUP

c) on the basis of your consent (Art. 6, Par. 1a GDPR)

As far as you declared your consent for processing personal data for specific reasons (e.g. the transfer of data through the SGL GROUP, evaluation of payment transaction data for marketing purposes, photographs as part of events, newsletter dispatch), the lawfulness for this processing is given on the basis of your consent. A given consent can be revoked at any time. This also applies to the revocation of consents declared before the GDPR comes into effect, i.e. before May 25, 2018. The revocation of a consent affects only the future and not the lawfulness of the previous data processing.

d) on the basis of legal requirements (Art. 6, Par. 1 c GDPR) or in public interest (Art. 6, Par. 1 e GDPR)

As a company, we are governed by diverse legal obligations, i.e. legal requirements (e.g. Money Laundering Act, tax law). The purposes of processing include, among other things, the credit assessment, identity check and age verification, prevention of frauds and money laundering, the fulfilment of inspection duty and reporting obligation as well as risk management in the company and the SGL GROUP.

Who receives your data?

Within the company, the departments who need your data for fulfilment of our contractual and legal obligations receive your data. Service providers and agents deployed by us can also receive data for these purposes as long as they preserve confidentiality and integrity.

Regarding data transfer to recipients outside the company, it is to be noted that we, as employer, only transfer necessary personal data considering the proper requirements of data protection. Information about you may only be transferred on the basis of legal regulations, your declaration of consent or if we are authorised to disclose information. Under these conditions, the recipients of personal data can be e.g.

- public authorities and institutions (e.g. financial authorities, prosecuting authorities, family courts, land registries) with an existent legal or official obligation,
- other credit or financial services institutions or comparable institutions we transfer personal data to in order to perform business relationships with you,
- other companies in the SGL GROUP for the risk management due to legal or official obligations,
- creditors or liquidators requesting as part of execution,
- auditors,

- service providers we use as part of order processing relations.

Is data transferred to a third country or an international organisation?

Data transfer to places outside the European Union (so-called third countries) takes place as far as

- it is necessary for the performance of your orders (e.g. delivery order)
- it is required by law (e.g. fiscal reporting obligation) or
- you gave us your consent.

Furthermore, transferring data to places in third countries is intended in the following cases:

- As far as it is necessary in individual cases, your personal data may be transferred to IT service providers in the US or another third country complying with data protection level of the European Union to ensure IT service in the company.
- With the consent of the data subject or on the legal basis for fighting money laundering, financing terrorism or further criminal acts as well as within the weighing of interests, personal data is transferred in individual cases complying with data protection level of the European Union.

How long will your data be stored?

We process and store your personal data as long as it is necessary for the performance of our contractual and legal obligations.

If the data is no longer necessary for the performance of contractual or legal obligations, they will be deleted on a regular basis, unless the – limited – further processing is necessary for the following purposes:

- fulfilment of commercial and fiscal retention obligations,
- German Commercial Code (HGB), General Fiscal Law (AO), Money Laundering Act (AMLA). The periods for storage and documentation specified there are generally between two and ten years.
- Preservation of evidence within the framework of the legal statute of limitation regulation. According to §§ 195 ff of the Civil Law Book (BGB), these limitation periods can be up to 30 years, whereby the regular limitation period is 3 years.

Which data protection rights do you have?

Every data subject has the right of access according to Article 15 GDPR, the right to rectification according to Article 16 GDPR, the right to erasure according to Article 17 GDPR, the right to restriction of processing according to Article 18 GDPR, the right to data portability according to Article 20 GDPR as well as the right to object according to Article 21 GDPR.

The restrictions according to §§ 34 and 35 BDSG apply to the right to information and the right of cancellation. Moreover, it exists a right to lodge a complaint with a supervisory authority (Article 77 GDPR).

A given consent for processing personal data can be revoked at any time. This also applies to the revocation of consents declared before the GDPR comes into effect, i.e. before May 25, 2018. Please keep in mind that the revocation of a consent affects the future. Processing that were made before the revocation are not affected.

Are you obliged to provide data?

As part of our business relationship, you need to provide the data necessary for the foundation, process and termination of business relationship and the fulfilment of the involved contractual obligations, or data which we are obliged to collect by law or collective or operational agreements. Without this data, we usually are not able to conclude, perform or terminate a contract with you.

To what extent is there an automated decision making?

We generally do not use fully automated decision making for the foundation and process of business relationships according to Article 22 GDPR. In case we use this procedure in individual cases (e.g. improvement of our products and services), we will inform you separately about this and about your relevant rights, insofar as it is prescribed by law.

Does profiling take place?

We partially process your data automated in order to evaluate certain personal aspects (Profiling). We use profiling e.g. in the following case:

- Due to legal regulations, we are obliged to combat money laundering, financing terrorism and asset risking criminal acts. Data evaluation is made here. This measures are for your safety at the same time.

- In order to inform and consult you purposeful on our products and services, we use evaluation tools. This enables an adequate communication and advertisement including market and opinion research.
- We use scoring to assess your creditworthiness. The probability of a client's compliance to fulfil his payment obligations is calculated. Income level, expenses, existing liabilities, occupation, employer, duration of employment, experience from previous business relationships, contractual repayments of previous credits as well as information from credit agencies may be incorporated in the calculation. The scoring is based on mathematical-statistical approved and reliable methods. The calculated score supports us in decision making as part of product completions and is included in the ongoing risk management.

Information on your right to object according to Article 21, GDPR

Individual right to object

You have the right to enter an objection against processing your personal data, based on to Article 6, Paragraph 1 letter e GDPR (Data processing in public interest) and Article 6, Paragraph 1 letter f GDPR (Data processing on the basis of weighing of interests), for reasons that arise from special situations; same applies to a profiling based on this regulation according to Article 4, number 4 GDPR.

If you enter an objection, we will no longer process your personal data unless we can prove obligatory authorising reasons that outweigh your interests, rights or freedom or the processing serves assertion, exercise or defence of legal rights.

Recipient of an objection

An objection for your part needs to be in writing. The objection can be made free of form, with "objection" as reference and the indication of your name, address and birth date. It is to be addressed to the company you have a contractual relationship with.