

Information letter

for customers and interested parties according to art. 13 ff. GDPR

The following information provides an overview of how we collect and process your personal data and associated rights.

1. Who is responsible for data processing?

Responsible is:

eila consulting GmbH & Co. KG

Logistikpark 7 a

95448 Bayreuth

Telephone: 0921 / 9592 - 3000

E-Mail: info@eila.de

Represented by

the personally liable partner eila consulting Verwaltungs-GmbH

represented by the managing director Sebastian Eiselt

2. How to contact the data protection officer?

You can reach our data protection officer at:

FRT Consult GmbH

RA/StB Thomas Hesz

Kurt-Schumacher-Straße 23

95326 Kulmbach

Telephone: 09221 / 900 - 0

Telefax: 09221 / 900 - 111

E-Mail: edsb@firtconsult.de

For questions regarding data protection, please contact datenschutz@eila.de or the data protection officer directly using the contact details provided above.

3. Which of your data is used by us and from which sources does this data originate?

We process personal data that we receive from you.

In certain constellations, we may also receive personal data from third parties.

Examples of this include:

- Credit bureaus
- Courts, bailiffs
- Business partners, suppliers
- Legal representatives
- Beneficial owners
- Debtors
- Employees of service providers or trading partners

In addition, we process personal data that we have permissibly obtained from publicly accessible sources.

In detail, these are for example the following personal data categories:

- Identification data
- Contact details
- Address data
- Contract data
- Payment data, financial data

4. For what purposes do we process your data and on what legal basis?

We process personal data by complying with the provisions of the GDPR.

a) Based on your consent (art. 6 para. 1 p. 1 lit. a) GDPR)

Insofar as you have given us consent to process personal data for specific purposes, the lawfulness of this processing is given based on your consent.

You can revoke your declaration of consent at any time. A declared revocation does not affect the lawfulness of the processing carried out up to the declaration of revocation.

b) For the fulfillment of contractual obligations (art. 6 para. 1 p. 1 lit. b) GDPR)

The processing is carried out in the context of the implementation of contracts or at your request for the implementation of pre-contractual measures. The purposes of the data processing depend on the respective contractual documents and the subject matter of the contract, in this case, the existing customer or supplier contract with you and any other existing contracts.

c) For the fulfillment of legal obligations (art. 6 para. 1 p. 1 lit. c) GDPR) or in the public interest (art. 6 para. 1 p. 1 lit. e) GDPR)

To the extent necessary, we process the data to comply with legal obligations to which we are subject as the controller.

d) Based on a legitimate interest (art. 6 para. 1 p. 1 lit. f) GDPR)

Where necessary, we process your data to protect the legitimate interests either of ourselves or of third parties.

Examples of this include:

- Consultation of and data exchange with credit agencies
- Improvement of business relations
- Assertion of legal claims
- Defense in legal disputes

5. Who receives my data?

To fulfill our contractual and legal obligations, various public or internal bodies as well as external service providers receive access to your data.

These are for instance:

Public entities:

- Financial and judicial authorities
- IHK / HWK

Internal entities:

- Supervisors
- Management
- Financial Accounting

External service providers:

- Auditors, tax consultants, lawyers
- Insurance brokers and insurance companies
- Banks, savings banks
- Printing companies
- Advice and consulting
- IT service provider
- Service providers within the scope of order processing contracts
- Manufacturer, suppliers

6. Will my data be transmitted to countries outside the European Union (so-called third countries)?

A data transfer to a country outside of the European Union (so-called third country) does not take place.

7. How long will my data be stored?

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

If the data is no longer necessary for the fulfillment of contractual or legal obligations, it will be deleted, unless the following purposes in particular make further processing necessary:

- Fulfillment of retention obligations under commercial and tax law: The German Commercial Code (HGB) and the German Fiscal Code (AO) are worth mentioning. The periods are between two and ten years.
- Preservation of evidence within the framework of the statutory limitation provisions. According to Sections §§ 195 ff. of the German Civil Code (BGB), these limitation periods can be up to 30 years, with the regular limitation period being three years.

8. What rights do I have in connection with the processing of my data?

Every data subject has the right to information under Article 15 of the GDPR, the right to rectification under Article 16 of the GDPR, the right to erasure under Article 17 of the GDPR, the right to restriction of processing under Article 18 of the GDPR, the right to data portability under Article 20 of the GDPR and the right to object under Article 21 of the GDPR. Concerning the right to information and the right to erasure, the restrictions according to Sections 34 and 35 BDSG apply.

In addition, there is a right of appeal to the competent data protection supervisory authority (Art. 77 GDPR).

The competent supervisory authority in Bavaria is:

Bavarian State Office for Data Protection Supervision (BayLDA)
Promenade 18
91522 Ansbach

Right of revocation:

You can revoke a declaration of consent at any time. A declared revocation does not affect the lawfulness of the processing carried out until the declaration of revocation.

Right of objection:

According to art. 21 (1) GDPR, you have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you which is carried out based on art. 6 (1) sentence 1 lit. e) GDPR (data processing in the public interest) or based on art. 6 (1) sentence 1 lit. f) GDPR (data processing based on legitimate interest); this also applies to profiling based on this provision.

In the event of your objection, we will no longer process your data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights, and liberties, or the processing serves the purpose of asserting, exercising, or defending legal claims.

9. Do I have an obligation to provide my data?

Within the scope of our main business purpose, you must provide the personal data that are necessary for the establishment and execution of the business relationship and the fulfillment of the associated contractual obligations or which we are legally obligated to collect. If you do not provide us with this data, it will not be possible for us to carry out and process the contractual relationship.

10. Does automated decision-making or profiling take place?

No automated decision-making or profiling takes place.

As of: December 2022