

Information obligations according to GDPR

Data protection and the protection of your personal data is a top priority for us. We inform you below about the processing of your personal data on our website and in our company. Personal data is processed in accordance with the provisions of the new Federal Data Protection Act (BDSG-neu), which will apply from 25 May 2018, and the General Data Protection Regulation (GDPR), which will apply from 25 May 2018.

Name and address of the responsible person

Helmes Apparatebau GmbH & Co. KG, Daimlerstraße 8, 48231 Warendorf
represented by the management: Jens Zirkler, Lars Brandhorst
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HL Anlagentechnik GmbH, Daimlerstraße 8, 48231 Warendorf
represented by the management: Lars Brandhorst, Jens Zirkler
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Contact details of the data protection officer

Detlef Breuker, c/o C&S Consulting, An der Blanken Mühle 17, 49328 Melle
E-Mail: info@datenschutz-os.de

Processing of personal data in the company

We process personal data that we receive from you as part of a request for information, an enquiry, business initiation, contract processing, online orders or our business relationship. We also process personal data that we have legitimately received from other companies or other third parties (e.g. for the execution of orders, fulfilment of contracts or on the basis of your consent) to the extent necessary for the performance of the contract. Relevant personal data are personal details (name, address and other contact details). In addition, this may also include order data, data from the fulfilment of our contractual obligations, advertising and sales data, documentation data and other data comparable with the aforementioned categories.

1. Purposes and legal bases of the processing

The purposes of processing are primarily based on the service you have commissioned or requested.

1.1. The processing is necessary for the fulfilment of a contract or for the implementation of pre-contractual measures (Art. 6 para. 1 letter b GDPR).

- The processing of personal data takes place for the provision and mediation of commercial transactions, in particular for the initiation or conclusion of a contract with you and the execution of your orders. Furthermore, for the execution of enquiries or orders when using an existing online shop.
- The processing takes place within the framework of the balancing of interests (Art. 6 para. 1 letter f GDPR). If necessary, we process your data beyond the actual fulfilment of the contract to protect our legitimate interests or those of third parties
- Data exchange with credit agencies (SCHUFA, Creditreform) to determine creditworthiness or default risks

- Advertising or market and opinion research, provided you have not objected to the use of your data
- Processing of enquiries and requests for information
- Assertion of legal claims and defence in legal disputes
- Ensuring IT security
- Prevention and investigation of criminal offences

1.2. You have given your consent to the processing of personal data concerning you for one or more specific purposes (Art. 6 para. 1 letter A GDPR).

- If you have given us your consent to process personal data for specific purposes (e.g. advertising, sending newsletters, publication of photos or personal data), the lawfulness of this processing is based on your consent.
- Any consent given can be revoked at any time. This also applies to the revocation of declarations of consent given to us before the GDPR came into force, i.e. before 25 May 2018.
- The revocation only applies with effect for the future. Processing that took place before the revocation is not affected by this.
- Processing is necessary for compliance with a legal obligation to which we are subject (Article 6(1)(C) GDPR).
- As a company, we are subject to various legal obligations in the context of tax and social security control and reporting obligations. Further requirements may arise from the German Severely Disabled Persons Act, professional associations, fraud and money laundering prevention, fulfilment of the requirements of the EU Anti-Terrorism Regulation, etc.

2. Recipients or categories of recipients of the data (if a data transfer takes place)

2.1. Within the company, those departments that require your data to fulfil our contractual and legal obligations will receive it. Processors engaged by us (Art. 28 GDPR) may also receive data for these purposes. These are companies in the categories of credit services, IT services, printing services, telecommunications, advisory and consulting as well as sales and marketing.

- Companies outside the company may receive your data if they need it to fulfil our contractual obligations. Under these conditions, recipients of personal data may be, for example
- Tax advisors, auditors, consultants
- Lawyers (disputes, debt collection, etc.)
- Technicians/tradesmen (maintenance, repair measures)
- Transport and logistics companies
- Debt collection companies
- Banks/savings banks
- Credit agencies (SCHUFA, Creditreform)

3. Storage duration or criteria for determining the duration

Where necessary, we process and store your personal data for the duration of our business relationship, which also includes, for example, the initiation and fulfilment of a contract. In addition, we are subject to various retention and documentation obligations, which essentially result from the German Commercial Code (HGB) and the German Fiscal Code (AO). The retention and documentation periods specified there are six to ten years.

Finally, the storage period is also assessed according to the statutory limitation periods, which, for example, according to §§ 195 ff. of the German Civil Code (BGB), are generally 3 years; if it is necessary to preserve evidence, for example in the context of legal proceedings, the limitation periods of the German Civil Code (BGB) can be up to 30 years if a court title exists.

After termination of the contractual relationship, the deletion takes place after expiry of the statutory retention regulations.

If the purpose for storing the data no longer applies, the personal data will be blocked or deleted as long as this does not conflict with statutory retention obligations.

4. Information on the rights of data subjects

Every data subject has the following data protection rights under the GDPR

- Right of access in accordance with Art. 15 GDPR
- Right to rectification of inaccurate data in accordance with Art. 16 GDPR
- Right to erasure in accordance with Art. 17 GDPR
- Right to restriction of processing in accordance with Art. 18 GDPR
- Right to data portability in accordance with Art. 20 GDPR
- Right to object in accordance with Art. 21 GDPR

To exercise your above-mentioned rights and to withdraw your consent, please contact the above-mentioned responsible person.

You have the right to raise a complaint with a supervisory authority. You can assert this right with a supervisory authority in the member state of your place of residence, your place of work or the place of the alleged infringement.

Before you contact the competent supervisory authority with a complaint, we would ask you to clarify this matter with our data protection officer.

5. Planned data transfer to third countries

There is currently no data transfer to third countries and there are no plans to do so in the future.

6. Voluntariness and obligation to provide personal data

As part of our business relationship, the personal data that is required for the establishment and execution of a business relationship and the fulfilment of the associated contractual obligations or that we are legally obliged to collect must be provided. Without this data, we will not be able to conclude or fulfil a contract.

7. Automated decision-making including profiling

In principle, we do not use exclusively automated decision-making within the meaning of Art. 22 GDPR to establish and conduct the business relationship.