

## Data Protection Information

In the following, you will find information on the nature, scope and purpose of the collection and processing of personal data by VDE Prüf- und Zertifizierungsinstitut GmbH (hereinafter also referred to as: VDE Institute) in the course of our testing and certification procedures pursuant to VDE Institute's testing and certification regulations.

### 1. Responsibility for data processing and contact information

The entity responsible for the processing of your personal data is:

VDE Prüf- und Zertifizierungsinstitut GmbH, Merianstraße 28, 63069 Offenbach am Main, Germany.

You can contact our company data protection officer at:

[datenschutz@vde.com](mailto:datenschutz@vde.com)

### 2. Nature of processed data

We process personal data we receive from you in the course of our business relationship, i.e. during the initial approach, the performance and processing of the respective test or certification assignment. This concerns the client's master data if the client is a natural person or, respectively, the master data of the employees designated by the client as contact persons, namely surname and first name, position in the company, contact details (business address, business email address, business telephone number, business fax number).

### 3. Purposes of data processing and legal basis

We process such personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) for the initial approach, the performance and the processing of the testing or certification assignment given to us.

The legal basis for this is processing necessary for the performance of a contract (Art. 6 (1) point b) GDPR) or, if employees of the client are concerned, processing necessary for the purposes of legitimate interests (Art. 6 (1) point f) GDPR).

We also process the contact data of the client or its employees in order to provide them with information on VDE Institute's products and services. The legal basis for this is Art. 6 (1) point f) EU General Data Protection Regulation (GDPR). This statutory authorisation permits processing of personal data for the purposes of the controller, except where such interests are overridden by your fundamental rights and freedoms or by the interests of the data subject. Our legitimate interest is direct advertising for our products and services. This processing may be objected to at any time, as specified in section 7.2 hereof.

If, in an individual case, the client or the contact person at the client has given us consent to process their personal data, processing is carried out on the basis of such consent (Art. 6 (1) point a) GDPR). Such consent can be revoked at any time with effect for the future, as specified in section 7.2 hereof.

## **4. Recipients or categories of recipients**

Personal data may be transferred to the following recipients or categories of recipients in the course of the business relationship with the client:

### **4.1 Processors**

When providing our testing and certification services, we use service providers who process personal data on our behalf (so-called processors, cf. Art. 28 GDPR). These include the following companies or service providers belonging to the following categories:

- IT and telecommunication service providers
- Subsidiaries
- Affiliated companies

### **4.2 Controllers**

If we are authorised to do so based on contractual or statutory provisions or based on consent, we also transfer the abovementioned personal data in the course of the business relationship with the client to other companies who process the data on their own responsibility. We transfer your data to such external recipients to the extent required for the performance of the business relationship with the client or if we are obliged to do so by law or by the authorities. Data may also be transferred to entities for which the client has consented to a data transfer. Under these conditions, the following recipients or categories of recipients may generally receive your personal data:

- If the client and certificate holder are not identical, the data may be transferred to the certificate holder
- If auditors are involved, personal data may be transferred to them
- If subcontractors are involved, personal data may be transferred to them

## **5. Transfer of data to a third country or to an international organisation**

We only transfer the abovementioned personal data to third countries (i.e. countries outside the European Union (EU) and the European Economic Area (EEA) or to international organisations if this is required for the performance of the test or certification assignment, or if you have given us your consent to do so. Furthermore, we only transfer your data if an adequate level of data protection is ensured in the respective third country (Art. 45 GDPR), if there are appropriate safeguards (cf. Art. 46 GDPR) or if another statutory permission exists (cf. Art. 49 GDPR).

## **6. Duration of data storage**

If necessary, we process and store the abovementioned personal data for the duration of our business relationship. Moreover, we are subject to various storage and documentation obligations, as stipulated for example in the German Commercial Code (HGB) and the German Tax Code (AO). The periods for storage and documentation specified therein range from two to fifteen years. Finally, the storage period also depends on the statutory periods of limitation, which, pursuant to sections 195 et seqq. German Civil Code (BGB), may be to up to thirty years, whereas the regular period of limitation is three years.

## **7. Rights of the data subject**

### **7.1 Access, rectification, erasure, restriction of processing, data portability**

Each data subject has a right of access under Article 15 GDPR, a right to rectification under Article 16 GDPR, a right to erasure under Article 17 GDPR, a right to limitation of processing under Article 18 GDPR and a right to data portability under Article 20 GDPR. To exercise the aforementioned rights, please contact the address specified in section 1 (responsibility for data processing and contact information).

## **7.2 Objection and withdrawal of consent**

If personal data is processed based on Article 6 (1) point f) GDPR for the purpose of legitimate interests, the data subjects may object to such processing in accordance with the statutory provisions stated in Article 21 GDPR. If the data subject objects, we shall no longer process the personal data, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms or if processing serves to establish, exercise or defend legal claims.

If we process your personal data for direct marketing purposes, you have the right to object to the processing of your personal data for the purpose of such direct marketing at any time. If you object to the processing for direct advertising purposes, we shall no longer process your personal data for such purposes.

The objection does not require any particular form and should be sent to the address mentioned in section 1 (responsibility for data processing and contact information).

If you have given us your consent to the processing of your personal data, you have the right to withdraw this consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

## **8. Obligation to provide data**

In the context of our business relationship you only have to provide the personal data which are necessary for the establishment and performance of the business relationship or which we are legally obliged to collect. Without such data, we usually have to refuse the conclusion of the agreement or the performance of the assignment, or we will no longer be able to perform an existing agreement and may have to terminate it.

## **9. Right to lodge a complaint with a supervisory authority**

Pursuant to Article 77 (1) GDPR, you have the right to lodge a complaint with a supervisory authority if you believe that the processing of your personal data infringes legal provisions, in particular the GDPR. The address of the supervisory authority responsible for VDE Institute is: The Hessian Data Protection Officer, Gustav-Stresemann-Ring 1, 65189 Wiesbaden.