

Data protection information for business partners in accordance with Art. 13 and 14 GDPR

In the following we would like to inform you about the collection and processing of your data in connection with the business relationship with Eberspächer and your rights in this regard.

1. **Person in charge.** Responsible for data processing within the meaning of the General Data Protection Regulation (GDPR) is Eberspächer Climate Control Sp. z o.o. address: Godzikowice 50P, 55-200 Oława ("Eberspächer", "We", "Controller"), e-mail:

privacy-CCAL@eberspaecher.com.

2. **Data protection officer.** Our data protection officer:

Eberspächer Climate Control Systems GmbH & Co. KG

Data Protection Officer

Eberspächerstraße 24

73730 Esslingen

E-mail: datenschutz@eberspaecher.com

If you have any questions about data protection at Eberspächer, please contact our data privacy coordinator by e-mail at

PL-OL-IOD@eberspaecher.com.

3. **Data processing in connection with the business relationship with Eberspächer.** As part of the business relationship with Eberspächer, we also process personal data from you or your employees. Provision of personal data is voluntary but may be necessary to conclude and perform agreement with Eberspächer.
 - a. **Customer and partner management.** For the administration of our business contacts we process information about your company (in particular address, branches, authorised representatives and their contact data, summarising in the following: Company data) as well as information about the respective contact persons (in particular name, position, professional contact information, summarizing in the following: Contact details) and any communication with you. We use this data in order to be able to contact the appropriate contact person, to process your requests and orders appropriately and to maintain our business relationship. The legal basis is Art. 6 sec. 1 lit. b GDPR where you are acting on your own behalf and Art. 6 sec. 1 lit. f GDPR where you are acting on behalf of your employer.
 - b. **Orders, order management and invoicing.** In the context of order processing and billing, we collect information on offers, orders and invoice items as well as information on bank details. Contact data of contact persons can also be processed in this context. The legal basis is Art. 6 sec. 1 lit. b GDPR where you are acting on your own behalf and Art. 6 sec. 1 lit. f GDPR where you are acting on behalf of your employer. If necessary, we obtain creditworthiness enquiries for your company from a credit agency. This query

is carried out with the company data provided and serves us to better assess liquidity in order to minimize default risks. We work together with Creditreform Stuttgart Strahler KG (Theodor-Heuss-Str. 2, 70174 Stuttgart) or CRIF Bürgel GmbH, Ndl. Stuttgart (Am Wallgraben 100, 70565 Stuttgart). Information on data processing by the respective credit agency can also be found in the separate information sheet pursuant to Art. 14 GDPR on the respective page of the credit agency:

Creditreform:

<https://en.creditreform.de/eu-gdpr.html>

Bürgel: <https://www.crifbuergel.de/en/privacy>

The legal basis for the aforementioned data processing is Art. 6 sec. 1 lit. 1 f GDPR, based on our legitimate interest explained here.

- c. **Compliance with statutory obligations.** Your personal data may be processed for the compliance with legal obligations imposed on the Controller, in particular obligations arising from tax law or civil law. The basis of aforementioned processing is Art. 6 sec.1 lit. c GDPR.
- d. **Promotional use and newsletter.** We may use your company data and contact details and, if applicable, information on previous orders in order to send you further information on our products and services relevant to you, as well as relevant news, promotions and offers. We may send them to you by post or e-mail. To contact you by e-mail, we will use the contact data you have provided us with. You can object to the use of your data for advertising purposes at any time by notifying us of the contact data specified under item 1 (e.g. by e-mail or letter). The legal basis for the aforementioned data processing is Art. 6 para. 1 lit. f GDPR. We may also offer a newsletter in the future. You can unsubscribe from the newsletter at any time via the unsubscribe link contained in the newsletter or by sending a short message to the unsubscribe address given in the newsletter. The legal basis for the aforementioned data processing is Art. 6 para. 1 lit. a GDPR.
- e. **(Product) liability and warranty.** We process your data for the assertion of legal claims and defence in legal disputes. In order to check legal and contractual claims, we may need among others information on the products covered by the contract, their installation and use as well as information on invoices. In addition to your company and contact data, information about end customers that is contained in the submitted invoice and order documentation may also be processed as part of the claim verification process. The legal basis is Art. 6 sec. 1 lit. f GDPR, i.e. legitimate interest of the Controller.

- f. **Controlling and reporting.** We also use information on orders and invoice items for internal cost and performance accounting, controlling and internal reporting, which serves us for corporate management and planning. The legal basis is Art. 6 sec. 1 lit. f GDPR. In this context, normally no personal data is processed.
4. **Consignees.** The contact data generally will be processed exclusively by Eberspächer and will not be passed on to third parties. In certain cases, data is passed on within the Eberspächer group of companies. This is the case if a Group company provides certain services for us or if joint Framework agreements exist. Furthermore, data is passed on in those cases in which the legislator requires it or makes it mandatory (e.g. as part of a tax audit by the tax authorities or as part of money laundering prevention). In certain cases, the disclosure of your data to third parties is necessary in order to protect your or our interests or to fulfil our contractual obligations. Such a transfer takes place in particular if we integrate external service providers into our internal processes. In such cases, the service provider is bound by instructions and receives data only to the extent and for the period necessary for the provision of the services in each case. We also employ external consultants and auditors in some cases. Agreements have always been concluded with these parties to ensure the confidentiality of all information.
5. **Storage time**
The data is stored for as long as it is needed for the described purpose, but at least as long as claims from the business relationship could exist and a safekeeping is necessary to fulfil the legal accounting obligations.
6. **Data integrity**
We have implemented appropriate security measures to protect your personal data from accidental loss, unauthorized use, alteration or disclosure or unauthorized access. In addition, we restrict access to your data to employees who need it for the purpose of information. The data will only be processed according to our instructions and all employees are subject to confidentiality obligations. We have implemented rules for dealing with data protection violations and will inform you and every responsible authority within the framework of the legal requirements about a violation
7. **Yours Prerogatives.** You have various rights under the circumstances specified in data protection law, including the GDPR. You have the right at any time to request an overview of the data

stored by us and to have it corrected if necessary. You may also request that your data be deleted. You can also have the processing of your personal data restricted if, for example, the accuracy of the data on your part is questioned. You also have the right to data transferability, i.e. we will send you a digital copy of the personal data you have provided on request. You may also have the right to object data processing based under art. 6 sec. 1 lit. f of the GDPR on the grounds related to your special situation, as well as object data processing for direct marketing purposes. Finally, we are also obliged to inform you of your right of complaint to the responsible data protection supervisory authority (Urząd Ochrony Danych Osobowych, ul. Stawki 2, 00-193 Warszawa, <https://uodo.gov.pl>).

You have the right to object to the use of your data for advertising purposes. You can revoke any consent at any time. In order to assert your rights, please contact the contact details mentioned in section 1 above or with our data privacy coordinator.

Date: February 2023