

## Data protection information from SPECTRO Analytical Instruments GmbH pursuant to Art. 13, 14 and 21 GDPR

The following information describes how and for what purpose SPECTRO Analytical Instruments GmbH, Boschstraße 10, 47533, Kleve (hereinafter also referred to as: “SPECTRO” or “we”) processes personal data of its business partners and their employees.

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

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

SPECTRO Analytical Instruments GmbH, Boschstraße 10, 47533, Kleve, Germany

You can contact our company data protection officer at:

“spectro.privacy@ametec.com”

### 2. Type of data processed

We process the personal data or categories of personal data, listed below, which we receive from our business partners and their employees:

- Master data (e.g. name, surname, position in the company, telephone number, email address)
- Communication data (e.g. content of contact requests, interview transcripts)
- Statements on data protection (consent to the processing of personal data, making claims under data protection law to disclosure, rectification, erasure, restriction and data portability, including the information which you send to us in this context)
- Transaction data (e.g. downloads)

The “Privacy Policy” describes the processing of data which we have received from third parties.

### 3. Duration of data storage

We generally only process personal data so long as it is required for the particular processing purpose listed below.

Moreover, we are subject to various duties of safekeeping and documentation which arise inter alia from the “Handelsgesetzbuch” (German Commercial Code, HGB) and the “Abgabenordnung” (German Fiscal Code, AO). The deadlines stipulated there for safekeeping or documentation amount to two to ten years.

Ultimately the duration of storage is also assessed according to the statutory prescription periods, which can for instance amount to up to thirty years under Sections 195 of the German Civil Code (BGB), whereby the regular prescription period is three years.

### 4. Purposes of data protection and legal basis

We process your personal data in accordance with the relevant provisions on data protection, in particular the GDPR and the “Bundesdatenschutzgesetz” (German Federal Law on Data Protection, BDSG), for various purposes. Generally, the following processing objectives are considered: Processing to satisfy contractual obligations (Art. 6 (1)(b) GDPR), to safeguard legitimate interests (Art. 6 (1)(f) GDPR), on the basis of your consent (Art. 6 (1)(a) GDPR) and/or on the basis of statutory provisions (Art. 6 (1)(c) GDPR).

In detail, we process your personal data for the following purposes and on the particular legal basis mentioned:

Purpose / Legitimate interest	Processed data or data categories	Legal basis
Management of business partners and contact persons for the business partners for the purposes of communication and for initiating and executing the commercial relationship	Master data	Art. 6 (1) (b), (f) GDPR
Product Support (e.g. typical hotline or email support, ticketing system, video portal, training courses)	Master data, username/ID, ticket number, data within the framework of a support inquiry	Art. 6 (1) (b), (f) GDPR

Purpose / Legitimate interest	Processed data or data categories	Legal basis
Direct marketing and direct advertising (e.g. to inform our customers about our products and services via newsletter)	Master data	Art. 6 (1) (a), (f) GDPR
Prosecution, claim and defense against legal claims	Master data: all data or categories of data which are relevant for the claim in question.	Art. 6 (1) (f) GDPR
Management of consents and objections (management of declarations of consent and revocation as well as objections against the data processing)	Master data, statements of the data subjects	Art. 6 (1) (c) GDPR
Management of the claims made by data subjects (claims made by data subjects for disclosure, rectification, erasure, restriction of data processing and data portability)	Master data, statements of the data subjects, all data or data categories which are the subject matter of the request.	Art. 6 (1) (c) GDPR

## 5. Recipients or categories of recipients

The personal data can be forwarded to the recipients or categories of recipients mentioned below:

### 5.1. Data processor

We employ service providers who process personal data on our behalf (so-called data processors, cf. Art. 4 No. 8, 28 GDPR). This includes the following companies or service providers in the following categories:

- Service providers in the areas IT and telecommunications
- Affiliates in the group of companies and sales partners

### 5.2. Controller

Insofar as we are authorized on the basis of contractual or statutory provisions or on the basis of a consent, we also pass on the aforementioned personal data to other companies within the framework of



the business relationship existing with the client, which then process the data on their own responsibility (Art. 4 No. 7 GDPR).

- Companies in the group of companies and sales partners

## **6. Transfer of data to a third country or an international organization**

We transfer the aforementioned personal data to the following third countries (countries outside of the European Economic Area, EEA) or international organizations:

- Companies in the group of companies
- Sales partners
- Service provider partners in the field of marketing, IT and technology

A transfer will only be made insofar as an appropriate level of protection is ensured in the particular third country (Art. 45 GDPR), there are suitable guarantees (cf. Art. 46 GDPR) or another legal authorization (cf. Art. 49 GDPR).

## **7. Obligation to provide data**

Within the framework of our business relationship, you must only provide that personal data which are required to initiate and execute a business relationship or which we are obligated to capture by law. Without this data, we will generally have to refuse to conclude the contract or carry out the order or we will be unable to continue to execute an existing contract and, where applicable, must terminate it.

## 8. Automatic decision-making and profiling

We do not use your personal data for automatic decision-making, including profiling, which creates a legal effect on you or which significantly negatively impacts you in a similar way.

## 9. Data subject's rights

### 9.1. Disclosure, rectification, erasure, restriction of processing, data portability

Every data subject has the right to disclosure pursuant to Art. 15 GDPR, the right to rectification pursuant to Art. 16 GDPR, the right to erasure pursuant to Art. 17 GDPR, the right to limitation of processing pursuant to Art. 18 GDPR as well as the right to data portability pursuant to Art. 20 GDPR. In order to exercise the aforementioned rights, you can apply to the bodies mentioned under Section 1 (Responsibility for data processing and contact details).

### 9.2. Right to object pursuant to Art. 21 General Data Protection Regulation (GDPR)

You have the right to object to the processing of the personal data concerning you, which takes place on the basis of Art. 6 (1)(f) GDPR (data processing on the basis of a legitimate interest) at any time for reasons which arise from your particular situation; this also applies for a possible profiling within the meaning of Art. 4 No. 4 GDPR supported by this provision. If you object, we shall no longer process your personal data, unless we can prove mandatory reasons worthy of protection for the processing, which outweigh your interests, rights and freedoms, or the processing serves the assertion, exercise or defense of legal claims.

Insofar as we process your personal data in order to operate direct advertising, you have the right to object to the processing of the personal data concerning you for such advertising at any time. If you object to the processing for the purposes of direct advertising, we will no longer process your personal data for these purposes.

The objection can be made without form and should be addressed to the offices mentioned in Section 1 (Responsibility for data processing and contact details).

### 9.3. Revocation of a consent

If you have issued us a consent to process your personal data, you can revoke this consent at any time. The legality of the processing carried out on the basis of the consent up to the revocation shall not be affected by this.

### 10. Right to complain to the supervisory authorities

Pursuant to Art. 77 (1) GDPR, you have the right to complain to the supervisory authorities if you believe that the processing of your personal data is not done legally, in particular that it violated the GDPR.

The address for the supervisory authority competent for SPECTRO is: Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen, Kavalleriestr. 2-4, 40213 Düsseldorf, Tel: 0211/38424-0, Fax: 0211/38424-10, Email: [poststelle@ldi.nrw.de](mailto:poststelle@ldi.nrw.de).



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