

# PRIVACY POLICY

## Information on data protection in accordance with Articles 13 and 14 GDPR

### I. Definitions of terms

The data protection declaration of the DACHSER & KOLB GmbH & Co. KG is based on the terms used by the European legislator for the adoption of the General Data Protection Regulation (GDPR). We would therefore like to refer you to the definitions in Article 4 of the GDPR. The GDPR is available at:

<http://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CE-LEX:32016R0679&from=DE>

### II. Name and address of the controller and the data protection officer

The controller within the meaning of the GDPR, other data protection laws applicable in the Member States of the European Union and other provisions of a data protection nature is:

#### DACHSER & KOLB GmbH & Co. KG

Ignaz-Kiechle-Straße 36  
87437 Kempten  
Deutschland  
Tel.: +49 831 59206 0  
Fax: +49 831 59206 19  
E-Mail: [info@dachser-kolb.de](mailto:info@dachser-kolb.de)  
Website: [www.dachser-kolb.de](http://www.dachser-kolb.de)

The names and contact details of the Data Protection Coordinator and the Data Protection Officer of DACHSER & KOLB GmbH & Co. KG are as follows:

#### DACHSER & KOLB GmbH & Co. KG

Datenschutzkoordinator  
Ignaz-Kiechle-Straße 36  
87437 Kempten  
Deutschland  
Tel.: +49 831 59206 0  
Fax: +49 831 59206 19  
E-Mail: [data-protection.kempten@dachser-kolb.de](mailto:data-protection.kempten@dachser-kolb.de)

#### DACHSER SE

Datenschutzbeauftragter  
Thomas-Dachser-Straße 2  
87439 Kempten  
Deutschland  
Tel.: +49 831 5916 5210  
Fax: +49 831 5916 85210

### III. General information on data processing

#### 1. scope of the processing of personal data

We collect and use the personal data of our customers and business partners only to the extent necessary to initiate a contract or to process our orders and contracts. After fulfillment of the contractual obligations, we process data only after consent has been given. An exception applies in cases where prior consent cannot be obtained for factual reasons or where the processing of data is permitted or required by law.

#### 2. Handling of personal data

The collection, processing or use of personal data is generally prohibited unless a legal standard explicitly permits the handling of data. Personal data may generally be collected, processed or used in accordance with the GDPR:

- in the case of an existing contractual relationship with the data subject
- in the course of initiating or performing a contract with the data subject.
- if and insofar as the data subject has consented.

#### 3. Legal basis for the processing of personal data

Insofar as we obtain the consent of the data subject for the processing of personal data, Art. 6 para.

1 lit. a GDPR serves as the legal basis. In the processing of personal data necessary for the performance of a contract to which the data subject is a party, Art. 6 para. 1 lit. b GDPR serves as the legal basis. This also applies to processing operations that are necessary for the performance of pre-contractual measures. Insofar as the processing of personal data is necessary to fulfill a legal obligation to which our company is subject, Art. 6 para. 1 lit. c GDPR serves as the legal basis. If processing is necessary to safeguard a legitimate interest of our company or a third party and if the interests, fundamental rights and freedoms of the data subject do not outweigh the first-mentioned interest, Art. 6 para. 1 lit. f GDPR serves as the legal basis for processing.

#### 4. Categories of data subjects and their data

The following categories of data are available to the extent necessary for the performance of business activities and the fulfillment of all associated obligations:

- Customer data and their contact persons as well as customer data transmitted by the customers to the extent necessary for order processing and customer service.
- Data from service providers, suppliers and their contact persons to the extent necessary for order fulfillment vis-à-vis customers, service providers and suppliers.

When using personal data and the scope of the data collected, the basic rules of the right to informational self-determination and other data protection standards, in particular the preventive prohibition principle, purpose limitation, transparency, information and notification obligations, the principles of data avoidance and data economy as well as the rights to rectification, blocking, erasure and objection are observed. The collection and processing of personal data is carried out to the extent permitted by law. The special requirements for the collection and processing of sensitive data in accordance with Art. 9 para. 1 GDPR must also be observed. In principle, only such information may be processed and used that is necessary for the fulfillment of operational tasks and is directly and are directly related to the purpose of processing. If other bodies request information about data subjects, this will only be passed on without the consent of the data subject if there is a legal obligation to do so or if the company has a legitimate interest in passing on the data and the identity of the person making the request is beyond doubt.

#### 5. Recipients of the personal data

Personal data will only be passed on to third parties involved in the fulfillment of the contract, e.g. subsidiaries, partners, subcontractors, for the provision of the service you have commissioned. Personal data of those involved in the service may be passed on to the client of the service (e.g. delivery receipt). In particular, we will neither sell your personal data to third parties nor market it in any other way.

#### 6. Data transfer to third countries

Personal data is only transferred to third countries for the fulfillment of commissioned services. In the interests of data economy, only the data required for the dispatch and delivery of goods to the client's customers is transferred to the domestic and foreign companies in the DACH-SER Group and to external service providers. Data transfer to a third country without an adequate level of data protection is permitted for the fulfillment of a contract between the data subjects and the body required for processing, provided that the

data transfer is necessary for the fulfillment of the contract.

#### 7. External service providers / order processing / maintenance

Where necessary, agreements are in place with external service providers in accordance with Article 28 GDPR or the EU standard contractual clauses.

#### 8. IT security concept

In addition to the technical and organizational measures taken, DACHSER & KOLB GmbH & Co. KG, together with DACHSER SE, has also drawn up corresponding guidelines due to the fundamental importance of information security. The information security management system (ISMS) of DACHSER IT headquarters has been certified according to ISO 27001 since 2011.

#### 9. Data deletion and storage duration

The personal data of the data subject will be deleted or blocked as soon as the purpose of storage no longer applies. Data may also be stored if this has been provided for by the European or national legislator in EU regulations, laws or other provisions to which the controller is subject. The data will also be blocked or deleted if a storage period prescribed by the aforementioned standards expires, unless there is a need for further storage of the data for the conclusion or fulfillment of a contract.

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## IV. Rights of the data subject

If your personal data is processed, you are a data subject within the meaning of the GDPR and you have the following rights vis-à-vis the controller:

### 1. Right to information

You can request confirmation from the controller as to whether personal data concerning you is being processed by us. If such processing is taking place, you can request the following information from the controller:

- (1) the purposes for which the personal data are processed;
- (2) the categories of personal data being processed
- (3) the recipients or categories of recipients to whom the personal data concerning you have been or will be disclosed
- (4) the envisaged period for which the personal data concerning you will be stored, or, if specific information on this is not possible, the criteria used to determine that period
- (5) the existence of a right to rectification or erasure of personal data concerning you, a right to restriction of processing by the controller or a right to object to such processing
- (6) the existence of the right to lodge a complaint with a supervisory authority;
- (7) any available information as to the source of the data if the personal data are not collected from the data subject;
- (8) the existence of automated decision-making, including profiling, in accordance with Art. 22 (1) and (4) GDPR and - at least in these cases - meaningful information about the logic involved and the significance and envisaged consequences of such processing for the data subject.

You have the right to request information as to whether the personal data concerning you is transferred to a third country or to an international organization. In this context, you may request to be informed of the appropriate safeguards pursuant to Art. 46 GDPR in connection with the transfer.

### 2. Right to rectification

You have a right to rectification and/or completion vis-à-vis the controller if the processed personal data concerning you is incorrect or incomplete. The controller must carry out the rectification without undue delay.

### 3. Right to restriction of processing

Under the following conditions, you may request the restriction of the processing of your personal data:

- (1) if you contest the accuracy of the personal data concerning you for a period enabling the controller to verify the accuracy of the personal data;
- (2) the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead;
- (3) the controller no longer needs the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defense of legal claims, or (4) if you have objected to processing pursuant to Art. 21 (1) GDPR pending the verification whether the legitimate grounds of the controller override your grounds. If the processing of your personal data has been restricted, this data - apart from its storage - may only be processed with your consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of an-

other natural or legal person or for reasons of important public interest of the Union or of a Member State. If the restriction of processing has been restricted in accordance with the above conditions, you will be informed by the controller before the restriction is lifted.

### 4. Right to erasure

#### (a) Obligation to erase

You have the right to obtain from the controller the erasure of personal data concerning you without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- (1) The personal data concerning you are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
- (2) You revoke your consent on which the processing was based pursuant to Art. 6 para. 1 lit. a or Art. 9 para. 2 lit. a GDPR and there is no other legal basis for the processing.
- (3) You object to the processing pursuant to Art. 21 (1) GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing pursuant to Art. 21 (2) GDPR.
- (4) The personal data concerning you has been processed unlawfully.
- (5) The deletion of personal data concerning you is necessary to fulfill a legal obligation under Union law or the law of the Member States to which the controller is subject.
- (6) The personal data concerning you have been collected in relation to the offer of information society services referred to in Art. 8 (1) GDPR.

#### (b) Information to third parties

Where the controller has made the personal data concerning you public and is obliged pursuant to Art. 17 (1) GDPR to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that you as the data subject have requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

#### (c) Exceptions

The right to erasure does not apply if the processing is necessary

- (1) for exercising the right of freedom of expression and information
- (2) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- (3) for reasons of public interest in the area of public health pursuant to Art. 9 para. 2 lit. h and i and Art. 9 para. 3 GDPR;
- (4) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Art. 89 para. 1 GDPR, insofar as the right referred to in section a) is likely to render impossible or seriously impair the achievement of the objectives of that processing, or
- (5) for the establishment, exercise or defense of legal claims.

### 5. Right to information

If you have asserted the right to rectification, erasure or restriction of processing against the controller, the controller is obliged to notify all recipients to whom the personal data concerning you have been disclosed of this rectification or erasure of the data or restriction of processing, unless this proves impossible or involves a disproportionate effort. You have the right vis-à-vis the controller to be informed about these recipients.

### 6. Right to data portability

You have the right to receive the personal data concerning you, which you have provided to the controller, in a structured, commonly used and machine-readable format. You also have the right to transmit this data to another controller without hindrance from the controller to which the personal data has been provided, where (1) the processing is based on consent pursuant to Art. 6 para. 1 lit. a GDPR or Art. 9 para. 2 lit. a GDPR or on a contract pursuant to Art. 6 para. 1 lit. B GDPR and (2) the processing is carried out by automated means. In exercising this right, you also have the right to have the personal data concerning you transmitted directly from one controller to another, where technically feasible. The freedoms and rights of other persons must not be impaired by this. The right to data portability does not apply to the processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

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## 7. Right to object

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on point (e) or (f) of Article 6(1) GDPR, including profiling based on those provisions. The controller will no longer process the personal data concerning you unless the controller demonstrates compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defense of legal claims. If the personal data concerning you are processed for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for the purpose of such advertising; this also applies to profiling insofar as it is associated with such direct marketing. If you object to processing for direct marketing purposes, the personal data concerning you will no longer be processed for these purposes. You have the option of exercising your right to object in connection with the use of information society services - notwithstanding Directive 2002/58/EC - by means of automated procedures using technical specifications.

## 8. Right to revoke the declaration of consent under data protection law

Sie haben das Recht, Ihre datenschutzrechtliche Einwilligungserklärung jederzeit zu widerrufen. Durch den Widerruf der Einwilligung wird die Rechtmäßigkeit der aufgrund der Einwilligung bis zum Widerruf erfolgten Verarbeitung nicht berührt.

## 9. Automated decision-making in individual cases, including profiling

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you. This does not apply if the decision

(1) is necessary for the conclusion or performance of a contract between you and the controller

(2) is authorized by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests; or

(3) with your express consent. However, these decisions may not be based on special categories of personal data pursuant to Art. 9 (1) GDPR, unless Art. 9 (2) (A) or (g) GDPR applies and appropriate measures have been taken to protect the rights and

freedoms as well as your legitimate interests. With regard to the cases referred to in (1) and (3), the controller shall take reasonable measures to safeguard the rights and freedoms and your legitimate interests, including at least the right to obtain the intervention of a person by the controller, to express his or her point of view and to contest the decision.

## 10. Right to lodge a complaint with a supervisory authority

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of personal data relating to you infringes the GDPR. The supervisory authority with which the complaint has been lodged shall inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy pursuant to Art. 78 GDPR