

# Data protection information in accordance with Article 13 GDPR for Suppliers



Care and transparency are the basis of the trusting cooperation with our purchasing partners. We would therefore like to provide you with information about how we process your data and how you can exercise your rights under the General Data Protection Regulation. Which personal data we process and for what purpose depends on the respective circumstances of the data processing.

Responsible for data processing	Data protection officer of the party responsible
<b>Rheinmetall Landsysteme GmbH</b> Heinrich-Ehrhardt-Strasse 2 29345 Südheide  Legal representatives: John Abunassar, Managing Director Frank Wilfried Gorissen, Managing Director Ludwig Ostler, Managing Director	<b>Rheinmetall Landsysteme GmbH</b> - Datenschutzbeauftragter - Heinrich-Ehrhardt-Straße 2 29345 Südheide Germany E-Mail: <a href="mailto:datacompliance_rmmv@rheinmetall.com">datacompliance_rmmv@rheinmetall.com</a>

## 1. Nature, scope, and purposes as well as legal basis for the processing of personal data

### a) Registration as a purchasing partner

As a supplier/service provider, you have the opportunity to register at Rheinmetall as a purchasing partner. For the initial creation of your supplier profile and later consideration as a purchasing partner, we collect and store the following personal data:

- Name, first name, position, e-mail address, telephone, fax number, company.

This data will be used by us exclusively to carry out the registration process and the related initial steps to conclude the contract in accordance with Art. 6 (1) lit. b), Art. 6 (1) lit. f) GDPR.

### b) Companies and commercial owners

In addition, we carry out a review of our purchasing partners. For this purpose, we collect general data on the company, the products offered, the quality in terms of manufacturing and production, environmental compatibility, and the technology used. We need this information in order to establish a supplier relationship. Moreover, we ask for data on the ownership structure. We collect the following personal data from commercial owners, shareholders, and contact persons:

- Name, first name, and date of birth, if applicable.

We process this data in order to fulfil legal obligations pursuant to Art. 6 Sec. 1 lit c) GDPR in connection with Sections 3, 11 of the legislation on tracing profits from serious criminal activities (GWG) and on the basis of our legitimate interest (Art. 6 Sec. 1 lit. f) GDPR) in order

to clearly identify purchasing partners or their commercial owners and assess the performance and risk of default of the purchasing partner. We also collect information from third parties. For more information, see Section 2.1.

#### **c) Contact partner**

Furthermore, we process your employees' data as contact persons for inquiries about the goods or services offered by you, provided you have given them to us. For this purpose, we process the following data:

- Name, first name, location, e-mail address, telephone, fax number, company.

We process this data on the basis of our legitimate interest (Art. 6 Sec. 1 lit. f) GDPR) so that orders and complaints can be processed as quickly as possible.

#### **d) Initiation of contracts/contracting**

As soon as you have been included as a purchasing partner in our supplier portfolio, we use personal data from us to contact designated contact persons to obtain offers for goods or services offered by you, or to purchase goods or services. For this purpose, we process the following data:

- Name, first name, location, e-mail address, telephone, fax number, company.

We process this data on the basis of a legitimate interest or because the data are necessary for the conclusion of a contract or in the context of the contract initiation (Art. 6 Sec. 1 lit. f) or Art. 6 Sec. 1 lit b) GDPR), thus ensuring smooth communication and proper assignment.

#### **e) Freelancer / Freelance**

If you, as a freelancer, would like to be accepted and commissioned by us as purchasing partner, we kindly ask you to provide further information as part of the registration process. For this purpose, we ask for the following data:

- Name, first name, position, e-mail address, telephone, fax number, company
- Information on the status of a start-up
- Information on status of determination procedures with German pension insurance or proof of exemption
- Information on membership with professional associations
- Information on closed or existing insurance policies
- Your bank details

We need this information in order to rule out that we are entering into an employment relationship requiring social security in accordance with Section 7 (1) SGB IV or pension insurance in accordance with Section 2 (9) SGB VI, if we commission you via contract. We base this processing on our legitimate interest (Art. 6 Sec. 1 lit. f) GDPR), which serves to defend us against possible compensation claims against social security institutions.

**f) Obligation to provide the data**

In principle, there is no obligation to provide the data. However, in the absence of information about the company or commercial owners, we reserve the right to include you as a purchasing partner in our pool.

**2. Data transfer / recipient of the above mentioned data**

**a) Examination creditworthiness**

We transmit company data (name, company, legal form, address) in the context of reviewing the contractual relationship on the basis of our legitimate interest (Art. 6 Sec. 1 s. 1 lit. f) GDPR) for the purpose of credit assessment and obtaining information to assess the risk of default, which has been determined using mathematical and statistical procedures with the above mentioned data, to credit agencies. This assessment shall be repeated on a regular basis.

We currently use the Verband der Vereine Creditreform e.V.

Verband der Vereine Creditreform e.V. provides you with detailed information in the sense of Art. 14 GDPR, i.e. information on the business purpose, on the purposes of data storage, on the data recipients, on the right to self-information, on the right to erasure and correction. These can be found at: <https://www.creditreform.de/datenschutz>

**b) Examination of purchasing partners**

We also transmit personal data (including first name, name, address and, if applicable, date of birth) of commercial owners, managing directors and/or directors of purchasing partners in the context of conducting our purchasing partner examination on the basis of our legitimate interest (Art. 6 Sec. 1 p. 1 lit. f) GDPR) for the purpose of assessing the integrity and lack of conflict of the respective purchasing partner and its managing bodies and/or commercial owners to selected credit agencies as well as Rheinmetall AG. However, this check and assessment is only carried out if a certain threshold value is exceeded in the case of orders/contracts. In this case, however, it will take place on a regular basis.

We currently use the following information agencies: Bisnode Deutschland GmbH, Bisnode Marketing GmbH, and LexisNexis GmbH.

For the aforementioned companies, you may obtain detailed information within the meaning of Article 14 GDPR, i.e. information on the business purpose, on the purposes of data storage, on the data recipients, on the right to self-information, on the right to erasure and correction, etc.

For Bisnode Deutschland GmbH and Bisnode Marketing GmbH, you can find this at:

[https://www.bisnode.de/globalassets/germany/pdf-dokumente/datenschutzhinweise/datenschutzhinweise\\_fur\\_personen-im-auskunftsdatenbestand\\_final.pdf](https://www.bisnode.de/globalassets/germany/pdf-dokumente/datenschutzhinweise/datenschutzhinweise_fur_personen-im-auskunftsdatenbestand_final.pdf)

For LexisNexis GmbH, you can find this information at:

<https://www.lexisnexis.com/global/privacy/de/article-14-bis.page>

### **c) Transfer to other companies of the Rheinmetall Group**

After being included in our supplier portfolio, we allow ourselves to make the following data available to other companies of the Rheinmetall Group, in particular to the companies of the Vehicles Systems division.

- Data on contact persons
- Data on commercial owners
- Data on managing directors/boards of directors

In this way, we would also like to enable other companies of the Rheinmetall Group to notice you as a purchasing partner accepted by us and to consider you for future orders and contact you directly. Only companies of the Rheinmetall Group can access this information. A list of all companies can be found on the Rheinmetall AG website under "[https://www.rheinmetall.com/de/rheinmetall\\_ag/group/locations\\_worldwide/locations-worldwide.php](https://www.rheinmetall.com/de/rheinmetall_ag/group/locations_worldwide/locations-worldwide.php)".

We provide this data on the basis of our legitimate interest (Art. 6 Sec. 1 lit. f) GDPR) to have a uniform standard with regard to our purchasing partners throughout the Group.

Companies outside the EU/EEA may also have access to your personal data. In order to ensure an adequate level of data protection for the respective companies, we have taken special measures in accordance with Article 44ff. GDPR and concluded standard EU contractual clauses with companies outside the European Union or the European Economic Area.

### **d) Other transmission of data**

Apart from this, your personal data will only be passed on to third parties if:

- You have given your express consent to do so,
- This disclosure is necessary for the assertion, exercise, or defence of legal claims and there is no reason to believe that you have an overriding interest worthy of protection in the non-disclosure of your data,
- In the event that there is a legal obligation to disclose it, and
- This is legally permissible and necessary to settle contractual relationships with you.

## **3. Duration of storage of data**

We store your personal data as long as it is necessary to fulfil our legal and contractual obligations.

If storage of the data is no longer necessary for the fulfilment of contractual or legal obligations, your data will be deleted, unless their further processing is necessary for the following purposes:

- Fulfilment of commercial and tax retention obligations. Retention periods from the Commercial Code (HGB) or the Tax Code (AO) are to be mentioned.
- Preservation of evidence within the framework of the statutory statute of limitations. According to the statutes of limitations of the Civil Code (BGB), in some cases these limitation periods can be up to 30 years; the regular limitation period is three years.

In addition, the following applies:

**For employees of our purchasing partners:** Your personal data as a contact person will be stored by us in a database and used for the purpose of possible further orders from your employer until your employer or we are no longer interested in another business relationship.

#### **4. Instruction on data subject rights**

Every data subject has the right to receive information under Article 15 GDPR, the right to rectification under Article 16 GDPR, the right to erasure under Article 17 GDPR, the right to restrict processing under Article 18 GDPR, the right to object under Article 21 GDPR, and the right to data portability under Article 20 GDPR. Restrictions in the case of the right of access and the right of cancellation apply in accordance with Sections 34 and 35 of the German Federal Data Protection Act (BDSG).

#### **5. Instruction on the possibility of appeal**

You also have the right to complain to the relevant data protection supervisory authority about our processing of your personal data. A list of supervisory authorities can be found on the website of the Federal Commissioner for Data Protection and Freedom of Information:

[https://www.bfdi.bund.de/DE/Infothek/Anschriften\\_Links/anschriften\\_links-node.html](https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html)

#### **6. Instruction on objection in case of consent**

You can revoke your consent to the processing of personal data at any time. This also applies to the revocation of declarations of consent that were granted to us before the General Data Protection Regulation (GDPR) was applied before 25 May 2018. Please note that revocation will only apply for the future. Processing operations that took place before the revocation are not affected.

#### **7. Changes to this information**

We reserve the right to change or adapt this information in compliance with applicable data protection regulations.