

Information on the handling of supplier data in the Krones Group

We take the protection of your privacy in the processing of personal data and the security of all business data extremely seriously, which is why we take these into consideration in our business processes. We process personal data confidentially and only in compliance with statutory provisions. Data protection and information security are part of our company policy.

1. Responsibility

Krones is the controller responsible for the processing of your data.

Our contact details are as follows:

Krones AG
Böhmerwaldstraße 5
93073 Neutraubling
Germany
Phone: +49 9401 70-0
Fax: +49 9401 70-2488
E-mail: info@krones.com

You can contact our group data protection officer using the following contact details:

E-mail: data.protection@krones.com

2. Processed data and data sources

We process personal data that we receive from you in the course of our business relationship. As we only operate in the business-to-business sector, we generally do not store any data of private individuals. However, we need to process personal data in order to perform our business processes. These data are generally the business contact details of counterparts at the respective business partners, particularly their name, telephone, email, address and position. We receive such data either from the contacts themselves or from another representative of the relevant business partner. In some cases we also receive personal data that are included in disclosures by third parties (e.g. credit agencies) or publicly accessible directories (e.g. land registers, commercial registers). If a contract is to cover an agreement on data, how such data are processed will be explained within the contract or a corresponding commissioned data processing agreement.

3. Purposes of processing and legal bases

We process personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG). Depending on the particular case, the legal basis may be a contractual relationship, a legal obligation, a legitimate interest of Krones or your consent.

Processing in order to fulfil contractual obligations is performed on the basis of point (b) of Art. 6(1) GDPR. This includes in particular

- responding to enquiries,
- dealing with your orders and
- preparing, negotiating and performing a contract with you.

Where necessary, in addition to the actual performance of the contract, we process your data in order to safeguard our legitimate interests or the interests of third parties on the basis of point (f) of Art. 6(1) GDPR. These interests are in particular

- performing marketing measures,
- improving products and services,
- carrying out market research and online surveys (note: if we engage a market research institute to conduct surveys, this will be done solely on our behalf and in accordance with our instructions),
- preventing misuse or other unlawful activities,
- ensuring the data security and IT operations of the company,

- establishing legal claims and defending in the event of legal disputes, and
- consulting and exchanging data credit agencies (e.g. SCHUFA) in order to determine credit ratings and default risks in our purchasing processes.

If you have given us consent to process personal data for particular purposes, the data will be processed on the basis of point (a) of Art. 6(1) in conjunction with Art. 7 GDPR. Consent given can be withdrawn at any time. This also applies for the withdrawal of declarations of consent given to us before the GDPR came into force, i.e. before 25 May 2018. A withdrawal of consent only has an effect for the future and does not affect the lawfulness of data processing before withdrawal.

As a company, we are also bound by various legal obligations such as tax laws and money-laundering regulations. If we are obliged to process personal data on the basis of statutory provisions, the data will be processed on the basis of point (c) of Art. 6(1) GDPR. The purposes of processing include, among others, checking credit ratings, verifying identity, preventing fraud and money-laundering, complying with control and reporting duties under tax law and evaluating and controlling risks in the company and in the Krones Group.

4. Duty to provide data

For contractual relationships, you must provide personal data that are necessary for the establishment, performance and termination of the contractual relationship and for fulfilment of the associated contractual obligations or that we have a statutory duty to collect. Without these data we will not normally be able to enter into a contract with you.

5. Forwarding of data

In general, we transfer your personal data to third parties only if this is required for performance of the contract or if the third party has a legitimate interest in the forwarding or if you gave your consent to this. Third parties may be subsidiary companies of Krones.

Furthermore, data can be transferred to other controllers to the extent we are obliged to do so due to statutory provisions or enforceable official or judicial orders.

Where necessary, personal data will also be forwarded to third parties who are registered in what are known as third countries outside the EEA. In such case, we make sure before forwarding that the recipient either has an appropriate data protection level in place (e.g. based upon an adequacy decision by the EU Commission for the country in question or the agreement of what are known as EU Standard Contractual Clauses of the European Union with the recipient) or that you granted your consent to such forwarding.

Recipients of personal data are in particular:

- public offices and institutions (e.g. tax authorities, prosecuting authorities), if a statutory or official duty exists,
- other members of the Krones Group, for risk management on the basis of statutory or official duties,
- creditors or insolvency administrators requiring such data for the purposes of enforcement,
- auditors, and
- service providers whom we use for commissioned data processing.

6. Duration of storage, retention periods

We will in principle store your data for as long as we need them for the purposes of support and delivering or receiving quotations and orders or for as long as we have a legitimate interest in their further storage (e.g. we have a legitimate interest in marketing even after the contract has been performed). In all other cases, we will erase your personal data with the exception of data which we have to keep for the fulfilment of legal obligations (e.g. under tax or commercial law).

If the data are no longer required for the fulfilment of legal or contractual obligations, they will normally be erased unless there is a need to continue processing them – for a limited period – for the following purposes:

- complying with duties of retention under commercial and tax law deriving, for example, from: the German Commercial Code (HGB), German Fiscal Code (AO) and German Money-Laundering Act (GwG). The time periods set out there for retention or documentation are generally two to ten years.
- retaining evidence in accordance with statutory provisions on limitation periods. According to sections 195 et seq. of the German Civil Code (BGB), these limitation periods can be up to 30 years, although the normal period is 3 years.

7. Data security

The Krones Group has implemented and continually improves extensive technical and organisational measures for the protection of personal data. Krones Information Management is ISO/IEC 27001 and ISO/IEC 20000 certified. Krones AG guidelines are based on international standards and best practice methodologies to ensure an adequate level of information security. The company complies with personal data protection regulations, in particular as defined in the GDPR and BDSG and also in the SGB (Social Code) and TKG (Telecommunications Act) to the extent that this legislation is applicable.

Krones AG has appointed a Corporate Information Security Officer and a Data Protection Officer. Data protection and information security training is provided to employees on a regular basis. All employees who come into contact with personal data are obligated to preserve confidentiality pursuant to point (b) of the 2nd sentence of Art. 28(3), Art. 29 and Art. 32(4) GDPR. Extensive technical and organisational measures are implemented in order to meet the requirements of Art. 32 GDPR in conjunction with section 64 BDSG.

8. Rights of data subjects

Information, rectification and erasure

You have the right under Art. 15 GDPR to require us to inform you of the processing of your data. For this purpose, you can assert a right of access regarding the personal information we process concerning you. Under Art. 16 GDPR, you can also require the rectification of incorrect data and – provided the statutory requirements are met – the completion or erasure of your data. However, this does not apply to data required for billing and accounting purposes or subject to the statutory duty of retention. To the extent access to such data is not required, their processing will be restricted. In addition, you can – provided the statutory requirements are met – require us to restrict the processing of your data.

Objection to and restriction of data processing

Under Art. 21 GDPR, you also have the right to object at any time to the processing of your data by us and, under Art. 18 GDPR, to require the processing to be restricted. We will then cease processing your data, unless we can – in accordance with the statutory provisions – demonstrate compelling legitimate grounds for further processing which override your interests.

Withdrawal of consent

Art. 7(3) GDPR allows you to withdraw at any time with effect for the future any consent already given to us for the processing of your data. Withdrawal does not affect the lawfulness of the processing of your data prior to withdrawal.

Data portability

Under Art. 20 GDPR, you also have the right to receive data which you have provided to us in a structured, commonly used and machine-readable format and – if technically feasible – the right to demand the transfer of those data to a third party.

Right to lodge a complaint with the supervisory authority

Under Art. 77 GDPR in conjunction with section 19 BDSG, have the right to lodge a complaint with a supervisory authority. To do so, you can contact the data protection authority that is competent for your place of residence or your state or the data protection authority that is competent for us. This is:



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Fax: +49 981 53 98 1300
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