

TÜV Rheinland Service GmbH takes the protection of your personal data very seriously and always processes your personal data in harmony with the statutory data protection regulations. This privacy notice is designed to provide you with an overview of how we process your data and of your rights in this connection. Your relationship to our organization mainly determines which data in particular are processed or used by us. For this reason, some parts of this privacy notice may not apply to you.

#### **A. Data Controller and Data Protection Officer**

a. Responsibility for the processing of your personal data lies with  
TÜV Rheinland Service GmbH, Management Board, Am Grauen Stein, 51105 Köln

b. You can reach our data protection officer at  
TÜV Rheinland Service GmbH,  
FAO Data Protection Officer  
Am Grauen Stein,  
51105 Köln,  
[datenschutz@de.tuv.com](mailto:datenschutz@de.tuv.com).

#### **B. How we collect your personal data**

We collect and process personal data from you during the use of your TÜV Rheinland Cloud Services. Your personal data are either legally transmitted to us by other organizations of TÜV Rheinland Group, third parties (e.g. your company) or are entered by yourself (e.g. at the time of the user registration process).

Relevant personal data include:

- Personal identification and contact details (e.g. title, name, address, date of birth, email address, telephone number);
- Data arising from the fulfillment of our contractual obligations;
- Data about your online behavior and preferences (e.g. IP addresses, identifying features of mobile end devices, data about access to our websites and apps, geolocalization data);
- Data for communication with you (e.g. via our service center, by letter, email or website);
- Advertising and sales data (e.g. information on consents you have granted or objections you have lodged).
- In some cases, we also process legitimation data (e.g. ID data) and audiovisual data (e.g. material from video identification procedures, recordings of your calls).

#### **C. Purpose and Legal Basis of Data Processing**

We process personal data in line with the EU General Data Protection Regulation (EU GDPR) and the German Federal Data Protection Act (BDSG)

*1.1 in order to fulfill contractual obligations (Article 6, Paragraph 1 Letter b of the EU GDPR)*

Processing is performed to fulfill our contract with you and to perform pre-contractual measures, instigated on your initiative.

Please refer to the relevant contractual documents and Terms and Conditions of Business for further details of the data processing purposes.

*1.2 within the context of weighing up interests (Article 6, Paragraph 1, Letter f EU GDPR)*

Processing is performed to protect our legitimate interests or those of third parties unless overridden by your interests which require protection of personal data.

*1.3 on the basis of your consent (Article 6, Paragraph 1, Letter a of the EU GDPR)*

Provided you have consented to us processing your personal data for specific purposes, processing is legal on this basis. Consent may be revoked at any time. This also applies to the revocation of declarations of consent that were granted to us before the EU GDPR came into effect, thus before 25 May 2018. Revocation of consent is only effective for the future and does not affect the legality of data processing up to the date of the revocation

1.4 on the basis of legal requirements (Article 6, Paragraph 1, Letter c of the EU GDPR)

#### **D. Recipients of Personal Data**

Within our organization, departments with access to your data are those which require them to fulfill their respective duties in the organization and to fulfill our contractual and legal obligations.

Service providers deployed by us and TÜV Rheinland partners may also receive data. Firstly, they are other organizations of TÜV Rheinland Group and organizations in the category of post and printing service providers, IT service providers, telecommunication service providers (call centers), TÜV service partners and web service providers whom we deploy in processing orders.

In certain circumstances, personal data may also be forwarded to public departments (e.g. data protection authorities), judicial and law enforcement authorities (e.g. police, district attorney's offices, courts), attorneys and notaries.

#### **E. Transmission to Third Countries or International Organizations**

We do not transmit personal data to organizations outside the European Economic Area when we process orders.

#### **F. Period of Retention**

We always delete your personal data when the purpose of processing expires; all mutual claims are fulfilled and no further legal retention obligations or legal basis for justifying retention exist. Legal retention obligations arise in particular from the German Commercial Code (HGB) and General Fiscal Law (AO). The retention periods laid down by the latter are generally six to ten years. Insofar as it is necessary, for instance to secure evidence, customer data are stored up to the expiry of the statutory period of limitation. According to Section 195 of the German Civil Code (BGB), the standard limitation period is three years.

#### **G. Your Data Protection Rights**

In line with the statutory provisions, you hold the following data protection rights:

1. the right to access to information about data stored by the TÜV Rheinland Service GmbH (Article 15 EU GDPR) and
2. the right to correction (Article 16 EU GDPR),
3. the right to erasure (Article 17 EU GDPR),
4. the right to restriction of processing (Article 18 EU GDPR),
5. the right to data portability (Article 20 EU GDPR),
6. and the right to object (Article 21 EU GDPR)

In addition, you hold the right to lodge a complaint with the responsible supervisory authority:  
Die Landesbeauftragte für den Datenschutz Nordrhein-Westfalen, Kavalleriestraße 2-4,  
40213 Düsseldorf

#### **H. Obligation to Provide Data**

As part of our business relationship, you must provide the personal data required to commence, perform and terminate a business relationship and to fulfill the contractual obligations it entails or those data that we are required by law to collect. Without these data we will generally be unable to enter into a contract with you and to perform it. Furthermore, in both our contract forms and on our websites, it is clearly indicated when the entry of details is optional or mandatory.

## **1. Automated Decisions in Individual Cases**

As a matter of principle we do not use automated decision-making processes within the meaning of Article 22 of the EU GDPR for establishing and performing business relationships.

## **2. Profiling**

However, in some cases we use so-called profiling in the context of our Cloud Services and Apps as basis to improve user experience and service quality.

### **I. Right to object**

#### **1. Right to object in individual cases**

You are entitled to object to processing of your personal data at any time, for reasons resulting from your particular personal situation, if processing is conducted on the legal basis of Article 6, Paragraph 1, Letter e of the EU GDPR (processing in the public interest) and Article 6, Paragraph 1, Letter f of the EU GDPR (data processing based on the weighing up of interests). This also applies to profiling based on this provision.

If you lodge an objection we will stop processing your personal data, with the exception of cases in which we can prove compelling justified grounds for the necessity of processing that override your interests, rights and freedoms, or processing serves the assertion, exercising or defense of legal claims.

#### **2. Right to object against processing of data for the purpose of direct advertising**

In individual cases, it may be that we process your personal data for direct advertising purposes (e.g. to inform you about new Cloud Services, new functions, etc). You are entitled to object to processing of your personal data for the purpose of said advertising. This also applies to profiling in relation to said direct advertising.

#### **3. Recipient of the objection**

You can send your objection to us informally with the subject "Objection", stating your name, address and date of birth:

TÜV Rheinland Service GmbH, Am Grauen Stein, 51105 Köln