

Privacy Statement

This privacy statement explains the type, scope and purpose of the personal data (hereinafter referred to as “data”) processing procedure of our online offer and the respective websites, functions and contents, as well as external online presences such as our Social Media profile (hereinafter referred to as “online offer”). As to the terms used, e.g. “processing” or “entity responsible”, we relegate to the definitions in art. 4 of the General Data Protection Regulation (DSGVO).

Entity responsible

ITW Automotive Products GmbH

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Link to the Legal Notice: <https://www.itw-deltar.de/impressum/>
General Management Martin Raida, Jose Luis Serrada, Alberto Andena

Our site:

ITW Automotive Products GmbH

Body & Fuel Europe
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Telephone:
00499338/80-0
Fax: 00499338/1682
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Data protection officer contact details:
datenschutzbeauftragter@itw-deltar.de

The following data types are processed:

- Master data (e.g. name, address).
- Contact data (e.g. email address, phone numbers).
- Content data (e.g. text input, pictures, videos).
- Usage data (e.g. websites visited, interest in contents, access times).
- Meta and communication data (e.g. device information, IP addresses).

Categories of persons concerned

Visitors and users of the online offers (hereinafter collectively referred to as “users”)

Data processing purpose

- Provision of our online offer, its functions and contents.
- Response to contact inquiries and communication with users.
- Security measures.
- Range-of-coverage measurement/Marketing

Terms used

“Personal data” comprises all information which refers to an identified or non-identifiable natural person (hereinafter referred to as “person concerned”); a natural person is referred to as identifiable if identification is possible via assignment to an identifier such as name, ID number, site data or online ID (e.g. cookie), or to one or several particular characteristics indicating the physical, physiological, genetic, mental, economic, cultural or social identity of such natural person.

“Processing” is each action carried out with or without the help of automated procedures, or each line of action connected to personal data. The term is far-reaching and includes virtually all data handling actions.

“Pseudonymization” is the processing of personal data in a manner which no longer allows any assignment of personal data to one specific person without the use of additional information if such additional information is stored separately and is subject to technical and organizational measures which guarantee that the personal data are not assigned to an identified or identifiable natural person.

“Profiling” is any type of automated processing of personal data which uses personal data for the evaluation of personal aspects related to a natural person, in particular for the analysis or forecast of aspects regarding a natural person’s work performance, economic situation, health, personal preferences, interests, reliability, behavior, place or change of residence.

“Person responsible” is the natural person or legal entity, government authority, institution or similar who or which decides autonomously or jointly upon the purpose and means of personal data processing.

“Processor” is a natural person or a legal entity, government authority, institution or similar who or which processes personal data on behalf of the person responsible.

Relevant legal basis

As required by art. 13 DSGVO we shall inform you of the legal basis of our data processing procedure. The following applies if the legal basis is not clearly stated in the data protection statement: Legal basis for the procurement of consent is art. 6 par. 1 lit. a and art. 7

DSGVO, the legal basis for the processing of data in order to provide our services and execute contractual action and to reply to inquiries is art. 6 par. 1 lit. b DSGVO, the legal basis for the processing of data for the execution of our legal requirement is art. 6 par. 1 lit. c DSGVO, and the basis for the processing of data in order to protect our rightful interests is art. 6 par. 1 lit. f DSGVO. Should vital interests of the person concerned or of any other natural person require the processing of personal data, art. 6 par. 1 lit. d DSGVO serves as

legal basis.

Security measures

We take suitable technical and organizational measures as set forth by art. 32 DSGVO considering the state of the art, the implementation cost and the type, scope, circumstances and purpose of processing as well as of the various probabilities of occurrence and severity of risk for the rights and freedom of natural persons in order to guarantee a security level which meets such risks.

These measures are, in particular, the assurance of confidentiality, integrity and availability of data by verification of the physical access to the data and the respective access, input, forwarding, assurance of availability and disconnection. We also put measures in place which guarantee the exercise of rights of those concerned, the deletion of data and response to endangerment of data. We furthermore take the protection of personal data into account as early as during the development and/or selection of hardware, software and procedures according to the principle of data protection by technology design and by data-friendly presetting (art. 25 DSGVO).

Collaboration with data processors and third parties.

If we disclose data within the framework of our processing procedure to other persons and companies (data processors or third parties), pass them on or grant them access to the data, we do so based on legal permission (e.g. if data transmission to a third party, for example a payment service provider, is required for contractual performance as set forth in art. 6 par. 1 lit. b DSGVO) granted by you, required by law or based on our rightful interests (e.g. use of authorized representatives, webhosts, etc.).

If we contract third parties for the processing of data based on a so-called “order processing contract”, we adhere to the regulations of art. 28 DSGVO.

Transmission into third countries

If we process data in a third country (i.e. outside of the European Union (EU) or the European Economic Area (EEA)) or if data are processed within the framework of the usage of third-party services or the disclosure and/or transmission of data to third parties, this is done exclusively for the fulfillment of our (pre)contractual duties, on the basis of your consent, due to a legal obligation or based on our rightful interests. Subject to legal and contractual consent, we process data or have data processed in a third country only in presence of the special prerequisites set forth in art. 44 et sqq. DSGVO. This means that processing is carried out, for example, on the basis of special guarantees such as the officially recognized ascertainment of an EU-compliant data protection level (e.g. by the “Privacy Shield” in case of the USA) or the adherence to officially recognized special contractual obligations (so-called “standard contract clauses”).

Rights of the persons concerned

You have the right to request confirmation whether specific data are processed and to be provided information on these data and on further information and copies of the data as set forth in art. 15. DSGVO.

According to art. 16 DSGVO you also have the right to request completion or correction of any incorrect data concerning your person.

Art. 17 DSGVO grants you the right to request immediate deletion of the data concerned or to request limited processing of such data as set forth in art. 18 DSGVO.

According to art. 20 DSGVO you have the right to request access to the data you made available to us and to demand their transmission to others in authority.

According to art. 77 DSGVO you furthermore have the right to file a complaint with the regulating authority in charge.

Right of withdrawal

You have the right to withdraw granted consent as set forth in art. 7 par. 3 DSGVO with effect for the future.

Right of objection

You can object to the future processing of the data concerning your person as set forth in art. 21 DSGVO. You can object in particular to data processing for the purpose of direct advertising.

Cookies and right to objection in case of direct advertising

“Cookies” are small files stored on the computers of the users. Such cookies can store different tasks.

A cookie is primarily used to store information on the user (or the device in which the cookie is stored) during or after the user’s visit of an online offer. Temporary cookies, also called “session cookies” or “transient cookies”, are cookies which are deleted when the user exits the online offer and shuts the browser. These cookies can store, for example, the contents of a shopping cart in an online shop or a login status.

Cookies are called “permanent” or “persistent” if they remain stored after closure of the browser. These cookies save, for example, the login status for a renewed user access after several days. These cookies may also save the user interests which are then used for range measurement or marketing purposes. “Third-party cookies” are cookies offered by providers which are not those responsible for the online offer (the cookies of the entity responsible for the online offer are called “first-party cookies”).

We can use temporary and permanent cookies and clarify their usage within the framework of our data protection statement.

If you do not wish the storage of cookies on your computer, you are asked to deactivate the respective option in the browser settings. Stored cookies can be deleted in the browser settings. The deactivation of cookies may cause functional limitations to the online offer.

You can file your general objection to the use of cookies for online marketing by service providers, especially if it concerns tracking, via the US American page <http://www.aboutads.info/choices/> or the EU page <http://www.youronlinechoices.com/>. The storage of cookies can also be prevented by deactivation in the browser settings. Please note that in case of deactivation you might no longer be able to use all functions of the online offer.

Deletion of data

The data processed by us are deleted or their processing limited as set forth in art. 17 and 18 DSGVO. Unless explicitly stated in this data protection statement, the data stored by us are deleted as soon as they are no longer required for their purpose and their deletion is not contradicted by any legal storage obligations. If the data are not deleted because they are needed for other and legally allowed purposes, their processing will be limited. i.e. the data are blocked and not processed for other purposes. This applies, for example, to data which must be stored for commercial or tax reasons.

According to legal requirements applicable in Germany, storage in particular for 10 years is subject to §§ 147 par. 1 AO (German General Fiscal Law), 257 par. 1 no. 1 and 4, par. 4 HGB (German Commercial Code) (books, records, financial reports, receipts, account books, documents relevant for taxation, etc.) and 6 years subject to § 257 par. 1 no. 2 and 3, par. 4 HGB (German Commercial Code) (business letters).

According to legal requirements in Austria, storage in particular for 7 years is subject to § 132 par. 1 BAO (General Federal Fiscal Law) (Accounting documents, receipts/invoices, accounts, documents in support, business papers, receipts, summary statement of revenue and expenditure, etc.), for 22 years in connection with real estate and for 10 years regarding documents associated with electronically provided goods and services, services for telecommunication, radio and TV which are provided to non-entrepreneurs in EU member countries and for which the Mini-One-Stop-Shop (MOSS) is made use of.

Business-related processing

We also process

- contract data (e.g. subject matter of the contract, maturity, customer category).
- payment date (e.g. bank details, payment history)

data of customers, prospective customers and business partners for the performance of contractually agreed upon jobs, services, customer care, marketing, advertising and market research.

Contractual performances

We process the data of our contractual partners and prospective customers as well as of other ordering parties, customers, clients or contractual partners (uniformly referred to as “contractual partners”) as set forth in art. 6 par. 1 lit. b. DSGVO in order to provide our contractually and pre-contractually agreed upon services. The data processed in this context, their type, scope and purpose and necessity of processing is established in the respective contract.

The processed data comprise the master data of our contractual partners (e.g. name and address), contact data (e.g. mail addresses and telephone numbers) as well as contract data (e.g. services used, contract contents, contractual communication, names of contact persons) and payment data (e.g. bank details, payment history).

Special categories of personal data are not processed unless they are part of an authorized or contractual processing procedure.

We process data necessary for the justification and fulfillment of contractual performances and indicate the necessity of the task if it is not evident for the contractual partner. Data disclosure to external persons or companies is effected only if necessary within the framework of a contract. Processing of the data provided to us within the framework of a

contract are treated as instructed by the contracting entity and prescribed by legal requirements.

During the use of our online services we can store the IP address and the time of user action. Storage is based on our rightful interests and those of the user interested in the protection against misuse and other non-authorized use of the data. We will not forward these data to third parties unless forwarding is necessary for the pursuit of our claims as in art. 6 par. 1 lit. f DSGVO or required by law as in art. 6 par. 1 lit. c DSGVO.

The data are deleted if no longer needed for the fulfillment of contractual or legal obligations or for the management of warranty or comparable duties; the data storage requirements are checked every three years; the legal storage obligations apply.

Administration, financial accounting, office management, contact management

We process data within the framework of administration tasks such as the organization of our business, financial accounting and adherence to the legal requirements, e.g. archiving. In this context, we process the same data we work with for being able to provide our contractual performances. Basis to data processing are art. 6 par. 1 lit. c. DSGVO, art. 6 par. 1 lit. f. DSGVO. Data processing concerns customers, prospective customers, business partners and website visitors. Purpose and interest in data processing lies with administration, financial accounting, office management, archiving of data, i.e. tasks which serve for the maintenance of our business transactions, execution of tasks and provision of services. The deletion of data with regard to contractual performances and contractual communication corresponds to the tasks mentioned for these processing activities.

In this regard, we disclose or transmit data to financial administrations, consultants such as accountants or auditors, fee institutions and payment service providers.

Furthermore and based on our business interests, we store information regarding suppliers, organizers and other business partners, e.g. for later contacting. These mainly business-related data are stored permanently.

Business analysis and market research

To run our business in an efficient manner and to identify the wishes of our contractual partners and users, we analyze the data available to us in regard to business transactions, contracts, inquiries, etc. We process master data, communication data, contract data, payment data, usage data, metadata on the basis of art. 6 par. 1 lit.f DSGVO. The persons concerned include contractual partners, prospective customers, customers, visitors and users of our online offer.

The purpose of the analyses comprises business evaluations, marketing and market research. In this context, we can take the profiles of the registered users with information e.g. the performances they made use of, into consideration. The analyses serve to increase user friendliness, to optimize our offer and to make our business more efficient. The analyses are for our use only and are not disclosed to the public unless it is an anonymous analysis with aggregated values.

If these analyses or profiles relate to persons, they are deleted or anonymized when the user cancels the contract, otherwise two years after contract conclusion. Whenever possible, overall business and general trend analyses are generated anonymously.

Data protection information during the application process

We process applicant data only for the purpose and within the framework of the application process and compliant with the legal requirements. Processing of applicant data is effected in order to fulfill our (pre)contractual obligations regarding the application process in the sense of art. 6 par. 1 lit. b. DSGVO art. 6 par. 1 lit. f. DSGVO insofar as data processing, e.g. Within the framework of legal proceedings, is necessary for us (in Germany, § 26 BDSG applies as well).

The application process requires the applicant to communicate the respective applicant data. The necessary applicant data are, insofar as we provide an online form, marked and/or result from the job descriptions; in general, such data are information on the person, mail and contact addresses, documents which are part of the application, e.g. letters, CV and certificates. Applicants may send additional information on a voluntary basis.

With the transmission of their application the applicants automatically consent to the processing of their data within the framework of their application in compliance with the type and scope explained in this data protection statement.

If, within the framework of the application process, the applicant by choice provides us with special categories of personal data in the sense of art. 9 par. 1 DSGVO, their processing in generally conform with art. 9 par. 2 lit. b DSGVO (e.g. health data such as severe disability or ethnic origin). If, within the framework of the application process, the applicant is asked to provide us with special categories of personal data in the sense of art. 9 par. 1 DSGVO, their processing in generally conform with art. 9 par. 2 lit. a DSGVO (e.g. health data if they are required for the execution of the job).

If made available, applicants can send their applications using the online form on our website. Their data are transmitted according to the latest state-of-the-art encryption practices. The applicants can also send their applications by email. It should be noted, however, that emails are not sent encrypted, i.e. the applicants themselves need to provide encryption. We cannot assume responsibility for the application transmission path from sender to reception on our server and therefore recommend using an online form or send the application by mail. Instead of sending their applications using the online form or email, the applicants can always send their applications by conventional mail.

We may process the data provided by the applicants for the purpose of their employment relationship if their application is successful. Otherwise, i.e. if their application for a job opening was not successful, the applicant data will be deleted. The applicant data are deleted also if an applicant makes use of his legal right to withdraw the application.

Unless the applicant rightfully withdraws the application, the applicant data are deleted after expiry of a period of six months so that we can respond to follow-up questions regarding the application and comply with our burden of proof from the Equal Treatment Act. Invoices regarding compensation for traveling are archived according to the tax-based requirements.

Talent pool

Within the framework of their application we offer our applicants the option to become part of our “talent pool” for a period of two years and based on their consent to as set forth in art. 6 par. 1 lit.b and art. 7 DSGVO.

The talent pool application documents are exclusively processed within the framework of future job advertisements and recruitment and will be destroyed no later than after expiry of the period. The applicants are informed that their consent to being part of the talent pool was given voluntarily, that it has no influence on the current application process and that they can revoke their consent at any time for the future as set forth in art. 21 DSGVO.

Establishment of contact

When we are contacted by a user (e.g. via contact form, email, telephone or social media), the user data are processed within the framework of the contact inquiry and handling according to art. 6 par. 1 lit. b DSGVO. The user information can be stored in a Customer Relationship Management System (“CRM System”) or similar inquiry organization system.

We delete the inquiries when they are no longer needed. We check the necessity every two years and adhere to the legal archiving requirements.

Hosting and emailing

The hosting services we make use of serve for the provision of the following services: Infrastructure and platform services, computing capacity, storage space and database services, email transmission, security services and technical maintenance services which we use for the operation of our online offer.

In this context we and/or our hosting provider process(es) master data, contract data, context data, contract data, usage data, metadata and communication data of customers, prospective customers and visitors of our online offer on the basis of our rightful interests in the efficient and secure provision of this online offer according to art. 6 par. 1 lit. f DSGVO in connection with art. 28 DSGVO (conclusion of order handling contract).

Collection of access data and log files

We and/or our hosting provider collect(s) data on the basis of our rightful interests in the sense of art. 6 par. 1 lit. f DSGVO of each access to the server providing this service (so-called server log files). Access data comprise the name of the called-up webpage, file, date and time of call, amount of data transmitted, report on the successful call, browser type and version, user operating system, referrer URL (previously visited page), IP address and inquiring provider.

For security reasons (e.g. to investigate cases of abuse or fraud), log file information is stored max. 7 days and then deleted. Data which needs to be stored longer for the purpose of evidence are exempt from deletion until final clarification of the respective case.

Google Analytics

Based on our rightful interests (i.e. interest in the analysis, optimization and efficient operation of our online offer in the sense of art. 6 par. 1 lit. f. DSGVO), we use Google Analytics, a web analysis service provided by Google LLC (“Google”). Google uses cookies. The information produced by the cookie about your use of the online offer by the user is transferred to a Google server in the USA and stored there.

Google is certified according to the Privacy Shield Agreement and thus guarantees the adherence to the European Data Protection Law (<https://www.privacyshield.gov/participant?id=a2zt000000001L5AAI&status=Active>).

Google will use such information on our behalf in order to evaluate the use of our online offer by the user, to compile reports on the activities within this online offer and to provide further services associated with the use of this online offer and the internet. In this process, pseudonymous usage profiles of the users can be compiled from the processed data.

We use Google Analytics exclusively with activated IP anonymization. This means that Google shortens the IP address within the European Union member states or in other states which signed the agreement of the European economic area. The full and unabbreviated IP address is transferred to a US-based Google server only in exceptional cases and shortened on site.

The IP address transmitted by the user’s browser is not consolidated with other Google data. The users can prevent the storage of cookies in the browser software settings; the users can also prevent the collection and transfer of data generated by the cookie on the usage of the online offer to Google, and the processing of these data by Google by downloading and installing the provided browser plugin available at the following link: <http://tools.google.com/dlpage/gaoptout?hl=de>.

For more information on the usage of data by Google, setting and objection possibilities, please read the Google data protection statement provided at (<https://policies.google.com/technologies/ads>) and in the settings for the presentation of Google advertisements (<https://adssettings.google.com/authenticated>).

All personal user data are deleted or anonymized after 14 months.

Online presence in social media

We have online presences in social networks and platforms in order to communicate with customers, prospective customer and users who actively use them and to inform them on our services. The call-up of the respective network and platform is subject to the Terms and Conditions and data processing guidelines of the respective provider.

Unless otherwise specified in our data protection statement, we process the user data insofar as they communicate with us within the social networks and platforms, e.g. publish articles on our online presences or send us messages.

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