

## INFORMATION REQUIREMENTS ACCORDING TO ARTICLE 13 GDPR

The protection of your personal data is very important to us. We therefore process your personal data (referred to as "data") solely on the basis of legal provisions. With this privacy statement, we want to provide you with comprehensive information about the processing of your data in our company and the data protection claims and rights to which you are entitled in accordance with Article 13 of the European General Data Protection Regulation (EU GDPR).

### 1. Who is responsible for data processing and whom can you contact?

Responsible:

Gaststättenbetriebe Kurt Lilly GmbH & Co. KG  
Messezentrum  
90471 Nürnberg  
Telefon +49 911 74938-15  
info@lilly-ist-lecker.de

The company's data protection officer is:

Gerald Lill  
Projekt 29 GmbH & Co. KG  
Ostengasse 14  
93047 Regensburg  
E-Mail: g.lill@projekt29.de  
Phone: 0941-2986930

### 2. Which data is processed and from which sources is this data collected?

We process the data that we have received from you in the context of contract negotiations or settlements, or based on consents, or within the framework of your application or your employment with us.

#### Personal data includes:

Your master / contact data, which for **customers** includes, for example, full name, address, contact information (e-mail address, phone number, fax), bank details.

For **applicants** and **employees** this includes, for example, full name, address, contact information (e-mail address, phone number, fax), date of birth, data from your CV and work certificates, bank details, religious affiliation.

For **business partners** this includes, for example, the name of their legal business representatives, company name, commercial register number, VAT number, company number, address, the contact person's contact information (e-mail address, phone number, fax), bank details.

Furthermore, we also process the following additional personal data:

- information on the type and content of contract data, order data, sales and receipt data, customer and supplier history and advice documents,
- advertising and sales data,
- information from your electronic data communication with us (e.g. IP address, log-in data),
- other data that we have received from you within our business relationship (e.g. in customer meetings),
- data that we generate ourselves from master / contact data as well as other data, e.g. via customer demand and customer potential analyses,

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- the documentation of your consent to receive e.g. newsletters.

### 3. For what purposes and on what legal basis will the data be processed?

We process your data in accordance with the provisions of the General Data Protection Regulation (GDPR) and the Federal Data Protection Act 2018, as amended:

- **for the fulfillment of (pre) contractual obligations (Article 6 (1) lit.b GDPR):**  
The processing of your data for contract settlements takes place online or in one of our branches, for your employment contract settlement in our company. The data will be processed in particular at business initiation and during contract executions with you.
- **for the fulfillment of legal obligations (Art. 6 (1) lit.c GDPR):**  
Processing your data is necessary for the purpose of complying with various legal obligations, e.g. the Commercial Code or the Tax Code.
- **for the protection of legitimate interests (Art. 6 (1) lit.f GDPR):**  
Due to a balancing of interests, data processing beyond the actual fulfillment of the contract may be carried out in order to safeguard our own or third parties' legitimate interests. Data processing for the protection of legitimate interests takes place, for example, in the following cases:
  - advertising or marketing (see no. 4),
  - business management and further development of services and products;
  - maintaining a group-wide customer database in order to improve customer service
  - in the context of legal action.
- **as part of your consent (Art. 6 (1) lit.a GDPR):**  
If you have given us consent to process your data, e.g. by subscribing to our newsletter.

### 4. Processing personal data for advertising purposes

You may object to the use of your personal data for advertising purposes fully or partly at any time without incurring more than the transmission costs according to the basic rates.

Under the legal requirements of § 7 (3) UWG (Law Against Unfair Competition), we are entitled to use the e-mail address you provided in the contract for directly advertising our own related products or services. You will receive these product recommendations from us, regardless of whether you have subscribed to a newsletter. If you do not want us to send you such recommendations via e-mail, you may object to the use of your address for this purpose at any time without incurring any costs other than the transmission costs according to the basic rates. A notification in written form is sufficient for this purpose. Of course, each e-mail always includes an unsubscribe link.

### 5. Who receives my data?

Should we use a service provider for processing orders, we nevertheless remain responsible for the protection of your data. All processors are contractually obliged to treat your data confidentially and to solely process it as part of their respective service provision. The processors commissioned by us will receive your data if it is required to fulfill their respective service. These are e.g. IT service providers that we need for operating and securing our IT systems, as well as advertising and address publishers for our own advertising campaigns. Your data will be processed in our customer database. The customer database supports enhancing the data quality of the existing customer data (duplicate cleanup, moved / deceased indicator, address correction), and allows enrichment with data from public sources. These data are provided to our affiliated companies, if necessary for the contract settlement. The storage of customer data takes place company-related and separately, whereby our

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parent company acts as service provider for the individual participating companies. In case of legal obligations and in the context of prosecution, authorities and courts as well as external auditors may be the recipients of your data. In addition, for the purpose of contract initiation and fulfillment insurances, banks, credit bureaus and service providers may be recipients of your data.

### 6. How long will my data be stored?

We process your data until the end of the business relationship or until the expiry of the applicable statutory retention periods (for example, from the Commercial Code, the Tax Code, Home Act or Working Hours Act); beyond that, until the termination of any legal disputes in which the data is required as evidence.

### 7. Is personal data transmitted to a third country?

Basically, we do not transmit any data to a third country. Transmission in individual cases will only take place on the basis of an adequacy decision by the European Commission, standard contractual clauses, appropriate warranties or your express consent.

### 8. What privacy rights do I have?

You have the right to information, rectification, deletion or restriction of the processing of your stored data, a right to objection to the processing as well as a right to data portability and right of appeal in compliance with the requirements of data protection law.

#### **Right to information:**

You can request information as to whether and to what extent we process your data.

#### **Right to rectification:**

Should we process your incomplete or incorrect data, you can request a completion or correction at any time.

#### **Right to deletion:**

You may request deletion of your data from us if we process it illegitimately or if the processing disproportionately interferes with your legitimate interests. Please note that there may be reasons opposing an immediate deletion, e.g. in the case of legally regulated storage requirements. Regardless of the exercise of your right to deletion, we will erase your data promptly and completely, as far as there is no legal or statutory retention obligation in this regard.

#### **Right to restriction of processing:**

You may require us to restrict the processing of your data if

- you deny the accuracy of the data for a duration that allows us to verify the accuracy of the data,
- the processing of the data is illegitimate, but you reject a deletion and instead require a restriction of data usage,
- we no longer need the data for the intended purpose, but you still need the data to assert or defend legal claims, or
- you have objected to the processing of the data.

#### **Right to data portability:**

You may request us to provide you with the data you have provided to us in a structured, common and machine-readable format and that you may transfer that data to another person without hindrance, provided that

- we process this data based on a revocable consent given by you, or for executing a contract between us, and
- this processing takes place via automated procedures.

In case of technical feasibility, you can request a direct transfer of your data from us to another person in charge.

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### **Right to objection:**

If we process your data for legitimate interests, you can object to this data processing at any time; this would also apply to a profiling based on these provisions. We will then no longer process your data unless we can demonstrate compelling legitimate reasons for the processing that outweigh your interests, rights and latitudes, or the processing serves the purpose of enforcing, pursuing or defending legal claims.

You can object to the processing of your data for the purpose of direct mailings at any time without stating reasons.

### **Right of appeal:**

If you think that we violate German or European data protection laws when processing your data, we ask you to contact us in order to clarify questions.

Of course, you also have the right to turn to your responsible supervisory authority, the respective State Office for Data Protection Supervision. If you wish to assert one of the mentioned rights against us, please contact our data protection officer. If in doubt, we may request additional information to confirm your identity.

### **9. Am I obliged to provide data?**

We require the processing of your data in order to complete or fulfill your contract with us. If you do not provide this data, we will generally have to reject the contract conclusion or can no longer perform an existing contract and consequently have to terminate it. However, you are not obliged to give your consent for data processing with regard to data that are not relevant or legally required for the fulfillment of the contract.