

DATA PROTECTION INFORMATION FOR OUR BUSINESS PARTNERS INFORMATION PURSUANT TO ARTICLES 13, 14 AND 21 OF THE GENERAL DATA PROTECTION REGULATION (GDPR)

Gust. Alberts GmbH & Co. KG, Blumenthal 2, 58849 Herscheid

The following information provides an overview of how Gust. Alberts GmbH & Co. KG ("Alberts") processes your personal data, as well as the rights to which you are entitled. The specific data processed and the manner in which it is used depend largely on the agreed contracts or services. Please also pass this information on to your employees.

1. Data controller

The data controller is: Gust. Alberts GmbH & Co. KG
Blumenthal 2, 58849 Herscheid

Further contact details can also be found in the header of this document. We have appointed a company data protection officer, whom you can contact at the following email address: bsdb@alberts.de

2. Sources and categories of data

We process data that we receive from our business relationship with you or in connection with the establishment of a business relationship with you. We generally receive this data directly from you, e.g. when concluding a contract or placing an order, or in connection with enquiries, quotations and consultations. Specifically, we process the following data:

- Company name, where applicable surname, first name, address, contact details (telephone and fax numbers, email addresses);
- additional contact persons, names, their roles and contact details as listed above;
- Identification data (e.g. ID details), authentication data (e.g. specimen signature), tax ID;
- payment transaction and order data (e.g. bank details, payment orders);
- Credit score (payment history);
- subject matter of the order, order history and turnover;
- Correspondence (e.g. correspondence with you) and
- in individual cases, advertising and sales data.

3. Purpose of processing and legal basis

Below, we inform you about the purposes for which and the legal basis on which we process your data.

3.1 Fulfilment of contractual obligations – Art. 6(1)(b) GDPR

We process your data to fulfil our contracts with you, in particular to carry out your orders and provide our services to you. The specific purposes of data processing depend on the particular services and the contractual documents. Where your data is concerned as a contracting party or in the context of contract negotiations, the legal basis is therefore Article 6(1)(b) of the GDPR.

3.2 Legitimate interests – Article 6(1)(f) of the GDPR

We may also use your data on the basis of a balancing of interests to safeguard our legitimate interests or those of third parties. This is done for the following purposes:

- Supporting our staff in advising and supporting business customers and in sales;
- General business management and the further development of services and products;
- Advertising, market and opinion research;
- Asserting legal claims and defending against legal disputes;
- Prevention and investigation of criminal offences;
- Handling complaints and processing warranty claims;
- Ensuring IT security and IT operations.

Our interest in the respective processing arises from the respective purposes and is, moreover, of an economic nature (efficient

In so far as the specific purpose permits, we process your data in a pseudonymised or anonymised form. The legal basis is therefore our legitimate interest within the meaning of Article 6(1)(f) of the GDPR.

3.3 Credit check – Article 6(1)(f) of the GDPR

On the basis of our legitimate interest in assessing our risk in relation to customers to whom we supply goods or services on credit and for whom we therefore bear a credit risk, we carry out a credit check with an external provider. The legal basis for the credit check is therefore Article 6(1)(f) of the GDPR.

3.4 Consent – Article 6(1)(a) GDPR

Where you have given us consent to process personal data, that consent forms the legal basis for the processing specified therein. This applies in particular to any consent you may have given upon entering into a contract regarding the disclosure of your data to our staff for the purposes of advice and support. The legal basis in these cases is Article 6(1) sentence 1(a) of the GDPR. In addition, you may have consented to receiving marketing communications by email or telephone. You may withdraw your consent at any time with effect for the future. The withdrawal only applies to future processing.

3.5 Legal requirements – Article 6(1)(c) GDPR

We are subject to various legal obligations, i.e. statutory requirements (e.g. under the German Commercial Code or tax laws).

3.6 Sanctions list check – Art. 6(1)(c) GDPR

We use our customers' data, including data relating to your company and, where necessary, to employees of your company, as well as information regarding orders (recipient of a delivery, destination, quantity and type of goods ordered, etc.) to check whether national or international sanctions or embargoes are in place and whether a business relationship is prohibited and/or whether authorisation is required. The legal basis is our legal obligation under Article 6(1)(c) of the GDPR to comply with the sanctions lists of the European Union and the Federal Republic of Germany, as well as with sanctions lists designated as binding by them.

Furthermore, insofar as this concerns (in particular where not directly binding) US sanctions lists, the legal basis is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR in maintaining our international business capacity by avoiding our own sanctioning for contravention of the aforementioned sanctions lists.

4. Disclosure of data

Your data will only be disclosed to the extent permitted by a relevant legal basis. Within our organisation, your data will be received by those departments that require it to fulfil our contractual and legal obligations or to carry out their respective tasks (e.g. sales and marketing).

Furthermore, personal data may be disclosed if this is necessary to fulfil our contractual obligations. In addition, the following departments may receive your data:

- processors engaged by us (Art. 28 GDPR), particularly in the areas of IT services and logistics, who process your data on our behalf in accordance with our instructions;
- transport companies and freight forwarders;
- public authorities and institutions (e.g. tax authorities) where there is a legal or regulatory obligation;
- Entities we engage to enforce our claims;
- Credit reference agencies and
- other bodies for which you have given us your consent to the transfer of data

5. Duration of storage, deletion

Where necessary, we process your personal data for the duration of our business relationship, which also includes the initiation and execution of a contract. Furthermore, we are subject to various retention and documentation obligations arising, amongst other things, from the German Commercial Code (HGB) and the German Fiscal Code (AO). The retention and documentation periods specified therein range from two to ten years. Finally, the storage period is also determined by the statutory limitation periods, which, for example, under Sections 195 et seq. of the German Civil Code (BGB) are generally three years, but may in certain cases extend to up to thirty years.

6. Transfers to third countries

As a general rule, personal data is not transferred to third countries or international organisations. We will only transfer your data to countries outside the European Economic Area (EEA) – third countries – if and to the extent that this is necessary for the performance of the contractual relationship with you, is required by law (e.g. for accounting or administrative purposes), or you have given us your consent. Where we use software from providers based in third countries or software from providers with subcontractors/service providers in third countries to fulfil our contractual relationship with you, your data or parts of your data may be transferred to third countries, depending on the purpose of processing.

Furthermore, where service providers process personal data in a third country for which the European Commission has not determined, within the framework of an adequacy decision, that the third country offers a sufficiently equivalent level of data protection, we agree, where necessary, to the Standard Data Protection Clauses issued by the European Commission, together with additional safeguards.

Some service providers are subject to Binding Corporate Rules (BCR) approved by a European data protection supervisory authority within the meaning of Article 47 of the GDPR or to codes of conduct approved by a European data protection authority within the meaning of Article 40 of the GDPR, which may each serve as a legal basis for the transfer of data

With regard to the transfer of personal data to the USA, certification under the "EU-US Data Privacy Framework" (DPF) may also be considered as a legal basis in accordance with Article 45 of the GDPR. The list of certified companies and services can be viewed at: <https://www.dataprivacyframework.gov/s/participant-search>.

Further information on this is available via the contact details provided in section 1.

7. Data protection rights

Subject to the relevant legal requirements, you have the right to access (Article 15 GDPR, Section 34 BDSG), to rectification (Article 16 GDPR), to erasure (Article 17 GDPR, Section 35 BDSG), to restriction of processing (Art. 18 GDPR) and to data portability

(Art. 20 GDPR). You also have the right to lodge a complaint with a data protection supervisory authority (Art. 77 GDPR).

8. Obligation to provide data

Within the scope of our business relationship, you are only required to provide those personal data that are necessary for the establishment, performance and termination of a business relationship, or which we are legally obliged to collect. Without this data, we will generally have to refuse to conclude the contract or execute the order, or will no longer be able to perform an existing contract and may have to terminate it.

9. Automated decision-making

We do not use automated decision-making in accordance with Article 22 of the GDPR to establish or carry out the business relationship. Should we use such procedures in individual cases, we will inform you of this separately, provided this is required by law.

10. Profiling

We do not process your data for the purpose of evaluating specific personal aspects (so-called 'profiling').

Date: 21 April 2026

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