

## **Setlog Holding AG - Privacy Policy**

Thank you for your interest in our company. Data protection is of particular importance to the management of Setlog Holding AG. The Setlog Holding AG website can be used without the need to provide any personal data. However, if a data subject wishes to make use of special services of our company via our website, it may be necessary to process personal data. If the processing of personal data is necessary and there is no legal basis for such processing, we generally obtain the consent of the data subject.

The processing of personal data, such as the name, address, e-mail address or telephone number of a data subject, is always carried out in accordance with the Basic Data Protection Regulation and in accordance with the country-specific data protection regulations applicable to Setlog Holding AG. By means of this data protection declaration, our company would like to inform the public about the type, scope and purpose of the personal data collected, used and processed by us. Furthermore, data subjects will be informed of their rights by means of this data protection declaration.

Setlog Holding AG, as the person responsible for the processing, has implemented numerous technical and organisational measures to ensure that the personal data processed via this website is protected as completely as possible. Nevertheless, Internet-based data transmissions can have security gaps, so that absolute protection cannot be guaranteed. For this reason, every person concerned is free to transmit personal data to us by alternative means, for example by telephone.

### **Definitions**

The data protection declaration of Setlog Holding AG is based on the terms used by the European guideline and regulation provider when the basic data protection regulation (DS-GVO) was issued. Our data protection declaration should be easy to read and understand both for the public and for our customers and business partners. To ensure this, we would like to explain the terms used in advance.

We use the following terms, among others, in this data protection declaration:

#### **a) personal data**

Personal data are all information relating to an identified or identifiable natural person (hereinafter "data subject"). Identifiable is a natural person who can be identified directly or indirectly, in particular by assignment to an identifier such as a name, an identification number, location data, an online identifier or one or more special characteristics that express the physical, physiological, genetic, psychological, economic, cultural or social identity of that natural person.

#### **(b) person concerned**

Data subject is any identified or identifiable natural person whose personal data are processed by the controller.

#### **c) processing**

Processing means any operation or series of operations carried out with or without

the aid of automated procedures in relation to personal data, such as the collection, collection, organisation, sorting, storage, adaptation or alteration, reading, retrieval, use, disclosure by transmission, dissemination or any other form of provision, comparison or linking, restriction, erasure or destruction.

d) restriction of processing

Restriction of processing is the marking of stored personal data with the aim of restricting their future processing.

e) profiling

Profiling is any form of automated processing of personal data consisting in the use of such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects relating to the performance of work, economic situation, health, personal preferences, interests, reliability, behaviour, location or relocation of that natural person.

f) pseudonymization

Pseudonymisation is the processing of personal data in such a way that the personal data can no longer be assigned to a specific data subject without the use of additional information, provided that this additional information is kept separately and is subject to technical and organisational measures which ensure that the personal data are not assigned to an identified or identifiable natural person.

(g) controller or controller

The data controller or controller is the natural or legal person, public authority, institution or other body which alone or jointly with others decides on the purposes and means of processing personal data. Where the purposes and means of such processing are laid down by Union law or by the law of the Member States, the controller or the specific criteria for his appointment may be laid down in accordance with Union law or the law of the Member States.

(h) contract processors

Processor is a natural or legal person, authority, institution or other body that processes personal data on behalf of the data controller.

(i) recipient

Recipient is a natural or legal person, authority, institution or other body to which personal data is disclosed, regardless of whether it is a third party or not. However, authorities which may receive personal data under Union law or the law of the Member States within the framework of a particular investigation mandate shall not be regarded as recipients.

(j) third parties

A third party is a natural or legal person, authority, institution or other body other than the data subject, the data processor, the data processor and the persons authorised to process the personal data under the direct responsibility of the data processor or the data processor.

#### k) Consent

Consent shall mean any informed and unequivocal expression of will voluntarily given by the data subject in the particular case in the form of a declaration or other clear affirmative act by which the data subject indicates his or her consent to the processing of personal data concerning him or her.

#### **The name and address of the controller**

The person responsible within the meaning of the Basic Data Protection Regulation, other data protection laws in force in the Member States of the European Union and other provisions of a data protection nature is:

#### **Setlog Holding AG**

Alleestraße 80

44793 Bochum

Germany

Phone: T: +49 234 720 285 00

E-mail: holding@setlog.com

Website: <http://www.holding.setlog.com>

#### **Cookies**

The internet pages of Setlog Holding AG use cookies. Cookies are text files which are stored on a computer system via an Internet browser.

Many websites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a string of characters through which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This enables the visited Internet pages and servers to distinguish the individual browser of the person concerned from other Internet browsers that contain other cookies. A particular Internet browser can be recognized and identified by its unique cookie ID.

The use of cookies enables Setlog Holding AG to provide users of this website with more user-friendly services that would not be possible without cookies.

By means of a cookie, the information and offers on our website can be optimized for the user. Cookies enable us, as already mentioned, to recognize the users of our website. The purpose of this recognition is to make it easier for users to use our website. For example, the user of a website that uses cookies does not have to re-enter his access data each time he visits the website because this is taken over by the website and the cookie stored on the user's computer system. Another example is the cookie of a shopping basket in the online shop. The online shop remembers the items that a customer has placed in the virtual shopping basket via a cookie.

The person concerned can prevent the setting of cookies by our website at any time by means of an appropriate setting of the Internet browser used and thus permanently object to the setting of cookies. Furthermore, cookies that have already been set can be deleted at any time via an Internet browser or other software programs. This is possible in all common internet browsers. If the person concerned

deactivates the setting of cookies in the Internet browser used, not all functions of our Internet site may be fully usable.

### **Collection of general data and information**

The Setlog Holding AG website collects a series of general data and information each time a person or an automated system accesses the website. This general data and information is stored in the log files of the server. We may record (1) the browser types and versions used, (2) the operating system used by the accessing system, (3) the website from which an accessing system reaches our website (so-called referrer), (4) the subwebsites which are accessed via an accessing system on our website, (5) the date and time of access to the Website, (6) an Internet Protocol address (IP address), (7) the Internet service providers of the accessing system, and (8) other similar data and information used for security purposes in the event of attacks on our information technology systems.

Setlog Holding AG does not draw any conclusions about the person concerned when using this general data and information. Rather, this information is required to (1) correctly deliver the contents of our website, (2) optimize the contents of our website and the advertising for it, (3) ensure the permanent functionality of our information technology systems and the technology of our website, and (4) provide law enforcement authorities with the information necessary for criminal prosecution in the event of a cyber attack. These anonymously collected data and information are therefore evaluated by Setlog Holding AG statistically and with the aim of increasing data protection and data security in our company in order ultimately to ensure an optimum level of protection for the personal data processed by us. The anonymous data of the server log files are stored separately from all personal data provided by a person concerned.

### **Routine deletion and blocking of personal data**

The controller shall process and store the personal data of the data subject only for the time necessary to achieve the data retention purpose or to the extent provided for by the European regulator or other legislator in laws or regulations to which the controller is subject.

If the storage purpose ceases to apply or if a storage period prescribed by the European Directive and Regulation Giver or another competent legislator expires, the personal data is routinely blocked or deleted in accordance with the statutory provisions.

### **Rights of the data subject**

#### **a) Right to confirmation**

Every data subject shall have the right granted by the European legislator of directives and regulations to require the controller to confirm whether personal data concerning him/her are being processed. If a data subject wishes to exercise this right of confirmation, he may contact an employee of the controller at any time.

#### **b) Right to information**

Any person concerned by the processing of personal data shall have the right granted by the European legislator of directives and regulations to obtain, at any time

and free of charge, information from the controller concerning the personal data relating to him/her stored and a copy of that information. Furthermore, the European regulator has granted the data subject the following information:

- the processing purposes
- the categories of personal data to be processed
- the recipients or categories of recipients to whom the personal data have been or are still being disclosed, in particular recipients in third countries or international organisations
- if possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration
- the existence of a right of rectification or deletion of personal data concerning him or of a restriction on processing by the controller or of a right of opposition to such processing
- the existence of a right of appeal to a supervisory authority
- if the personal data is not collected from the data subject: All available information about the origin of the data
- the existence of automated decision-making, including profiling in accordance with Article 22(1) and (4) DS-GMO and, at least in these cases, meaningful information on the logic involved and the scope and intended effects of such processing for the data subject

Furthermore, the data subject has a right of access to information as to whether personal data have been transferred to a third country or to an international organisation. If this is the case, the data subject also has the right to obtain information on the appropriate guarantees in connection with the transfer.

If a data subject wishes to exercise this right of access, he may contact an employee of the controller at any time.

#### (c) Right to correction

Any person data subject to the processing of personal data shall have the right granted by the European legislator of directives and regulations to request the immediate correction of inaccurate personal data concerning him/her. Furthermore, taking into account the purposes of the processing, the data subject has the right to request the completion of incomplete personal data, including by means of a supplementary declaration.

If a data subject wishes to exercise this right of rectification, he or she may contact an employee of the controller at any time.

#### d) Right to cancellation (right to be forgotten)

Any person concerned by the processing of personal data shall have the right granted by the European legislator of directives and regulations to require the data controller to request that the personal data concerning him/her be deleted immediately, provided that one of the following reasons applies and insofar as the processing is not necessary:

The personal data have been collected or otherwise processed for such purposes for which they are no longer necessary.

The data subject withdraws his/her consent on which the processing was based pursuant to Article 6(1)(a) DS-GMO or Article 9(2)(a) DS-GMO, and there is no other legal basis for the processing.

The data subject opposes processing under Article 21(1) DS-GMO and there are no

overriding legitimate grounds for processing or the data subject opposes processing under Article 21(2) DS-GMO.

The personal data have been processed unlawfully.

The deletion of personal data is necessary to fulfil a legal obligation under Union law or the law of the Member States to which the data controller is subject.

The personal data was collected in relation to information society services offered in accordance with Art. 8 para. 1 DS-GMO.

If one of the above-mentioned reasons applies and a data subject wishes to have personal data stored at Setlog Holding AG deleted, he/she may contact an employee of the data controller at any time. The employee of Setlog Holding AG will arrange for the request for deletion to be complied with immediately.

If Setlog Holding AG has made the personal data public and our company is obliged to delete the personal data in accordance with Art. 17 para. 1 DS-GMO, Setlog Holding AG shall take appropriate measures, including technical measures, taking into account the available technology and the implementation costs, to inform other persons responsible for data processing who process the published personal data, that the person concerned has requested that all links to this personal data or copies or replications of this personal data be deleted by these other persons responsible for data processing, insofar as processing is not necessary. The employee of Setlog Holding AG will take the necessary steps in individual cases.

#### (e) Right to limitation of processing

Any person data subject to the processing of personal data shall have the right granted by the European legislator of directives and regulations to require the controller to restrict the processing if one of the following conditions is met:

The accuracy of the personal data is disputed by the data subject for a period that enables the data controller to verify the accuracy of the personal data.

The processing is unlawful, the data subject refuses to delete the personal data and instead requests that the use of the personal data be restricted.

The data controller no longer needs the personal data for the purposes of the processing, but the data subject needs them to assert, exercise or defend legal claims.

The data subject has lodged an objection to the processing pursuant to Art. 21 para. 1 DS-GMO and it has not yet been determined whether the legitimate reasons of the data controller outweigh those of the data subject.

If one of the above conditions is fulfilled and a data subject wishes to request the restriction of personal data stored by Setlog Holding AG, he may contact an employee of the data controller at any time. The employee of Setlog Holding AG will arrange for the processing to be restricted.

#### f) Right to data transferability

Any data subject shall have the right granted by the European legislator to receive personal data relating to him/her provided by the data subject to a data controller in a structured, current and machine-readable format. It shall also have the right to transmit such data to another data controller without obstruction by the controller to whom the personal data have been made available, provided that the processing is based on the consent provided for in Article 6(1)(a) DS GMO or Article 9(2)(a) DS

GMO or on a contract in accordance with Article 6(1)(b) DS-GMO and that the processing is carried out using automated procedures, unless the processing is necessary for the performance of a task in the public interest or in the exercise of public authority conferred on the data controller.

Furthermore, in exercising his right to data transferability pursuant to Article 20(1) DS-GMO, the data subject has the right to obtain that the personal data be transferred directly by a data controller to another data controller, provided this is technically feasible and provided that the rights and freedoms of other persons are not affected thereby.

The person concerned may contact an employee of Setlog Holding AG at any time to assert the right to data transferability.

#### g) Right of objection

Any person concerned by the processing of personal data shall have the right granted by the European legislator for reasons arising from their particular situation to object at any time to the processing of personal data concerning them under Article 6(1)(e) or (f) of the DS-GMO. This also applies to profiling based on these provisions.

Setlog Holding AG will no longer process personal data in the event of an objection, unless we can prove compelling reasons worthy of protection for the processing, which outweigh the interests, rights and freedoms of the data subject, or the processing serves to assert, exercise or defend legal claims.

If Setlog Holding AG processes personal data in order to carry out direct advertising, the person concerned has the right to object at any time to the processing of personal data for the purpose of such advertising. This also applies to profiling insofar as it is connected with such direct advertising. If the person concerned objects to Setlog Holding AG processing for direct advertising purposes, Setlog Holding AG will no longer process the personal data for these purposes.

In addition, the data subject has the right to object to the processing of personal data concerning him/her which is carried out at Setlog Holding AG for scientific or historical research purposes or for statistical purposes in accordance with Art. 89 para. 1 DS-GVO for reasons arising from his or her particular situation, unless such processing is necessary to fulfil a task in the public interest.

To exercise the right of objection, the person concerned may directly contact any employee of Setlog Holding AG or any other employee. The data subject shall also be free to exercise his right of opposition in relation to the use of information society services by means of automated procedures using technical specifications, notwithstanding Directive 2002/58/EC.

#### h) Automated decisions in individual cases including profiling

Any person data subject to the processing of personal data shall have the right granted by the European legislator of directives and regulations not to be subject to a decision based exclusively on automated processing, including profiling, which has

legal effect against him or significantly affects him in a similar manner, provided that the decision (1) is not necessary for the conclusion or performance of a contract between the data subject and the data controller, or (2) is admissible under Union or Member State law to which the data controller is subject and that such law contains appropriate measures to safeguard the rights, freedoms and legitimate interests of the data subject, or (3) with the express consent of the data subject.

If the decision (1) is necessary for the conclusion or fulfilment of a contract between the data subject and the data controller or (2) is taken with the express consent of the data subject, Setlog Holding AG will take appropriate measures to protect the rights and freedoms as well as the legitimate interests of the data subject, including at least the right to obtain the intervention of a data controller, to state his own position and to challenge the decision.

If the data subject wishes to assert rights relating to automated decisions, he or she may contact an employee of the controller at any time.

i) Right to revoke consent under data protection law

Any person concerned by the processing of personal data has the right granted by the European legislator of directives and regulations to revoke consent to the processing of personal data at any time.

If the data subject wishes to exercise his/her right to withdraw his/her consent, he/she may contact an employee of the controller at any time.

### **Legal basis of the processing**

Art. 6 I lit. a DS-GMO serves our company as a legal basis for processing operations for which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the data subject is a party, as is the case for example with processing operations necessary for the delivery of goods or the provision of other services or consideration, the processing is based on Art. 6 I lit. b DS-GMO. The same applies to such processing processes that are necessary to carry out pre-contractual measures, for example in cases of enquiries about our products or services. If our company is subject to a legal obligation which requires the processing of personal data, for example to fulfil tax obligations, the processing is based on Art. 6 I lit. c DS-GMO. In rare cases, the processing of personal data may become necessary to protect the vital interests of the data subject or another natural person. This would be the case, for example, if a visitor were injured in our company and his name, age, health insurance data or other vital information had to be passed on to a doctor, a hospital or other third parties. The processing would then be based on Art. 6 I lit. d DS-GMO. Ultimately, processing operations could be based on Art. 6 I lit. f DS-GMO. Processing operations which are not covered by any of the aforementioned legal bases are based on this legal basis if processing is necessary to safeguard a legitimate interest of our company or a third party, provided that the interests, fundamental rights and freedoms of the data subject do not prevail. Such processing procedures are permitted to us in particular because they have been specifically mentioned by the European legislator. In this respect, it took the view that a legitimate interest could be

assumed if the person concerned is a customer of the person responsible (recital 47, second sentence, DS-GMO).

### **Entitled interests in the processing pursued by the controller or a third party**

If the processing of personal data is based on Article 6 I lit. f DS-GMO, it is in our legitimate interest to conduct our business for the well-being of all our employees and our shareholders.

### **Duration for which the personal data is stored**

The criterion for the duration of the storage of personal data is the respective legal retention period. After the expiry of this period, the corresponding data will be routinely deleted, provided that it is no longer necessary for the fulfilment or initiation of the contract.

### **Legal or contractual provisions for the provision of personal data; necessity for the conclusion of the contract; obligation of the data subject to provide the personal data; possible consequences of failure to provide them**

We inform you that the provision of personal data is partly required by law (e.g. tax regulations) or may also result from contractual regulations (e.g. information on the contractual partner). In some cases, it may be necessary for a contract to be concluded if a data subject provides us with personal data which must subsequently be processed by us. For example, the person concerned is obliged to provide us with personal data if our company enters into a contract with him/her. Failure to provide personal data would mean that the contract with the data subject could not be concluded. Prior to the provision of personal data by the data subject, the data subject must contact one of our employees. Our employee will inform the data subject on a case-by-case basis whether the provision of personal data is required by law or contract or required for the conclusion of the contract, whether there is an obligation to provide the personal data and what consequences the failure to provide the personal data would have.

### **Existence of automated decision making**

As a responsible company, we do without automatic decision-making or profiling.

This data protection declaration was created by the data protection declaration generator of the DGD Deutsche Gesellschaft für Datenschutz GmbH, which acts as external data protection officer for Regensburg, in cooperation with the Cologne IT and data protection lawyer Christian Solmecke.