

# Kiwa Deutschland GmbH – Data privacy statement

As of May 2018



**Trust  
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## Data privacy statement

Below we provide you with information on the collection of personal data when you use our website. Personal data are any data that are relatable to you personally, e.g. name, address, e-mail addresses, user behaviour. We have taken comprehensive technical and operational precautions in order to protect your data from accidental or deliberate manipulation, loss, destruction or access by unauthorised persons. Our security procedures are regularly checked and adjusted to technological advances.

### 1 Data processing controller

In accordance with article 4 paragraph 7 EU General Data Protection Regulation (GDPR) the controller is Kiwa Deutschland GmbH, Grüner Deich 1, 20097 Hamburg, Tel.: +49 (0)40 / 30 39 49 60, Fax: +49 (0)40 / 30 39 49 79, E-mail: info@kiwa.de (see our legal notice).

### 2 Possibility of contacting the data protection officer

You can reach our data protection officer at [datenschutz@kiwa.de] or our postal address, adding the label of "Data protection officer".]

### 3 Your rights

You have the following rights vis-à-vis ourselves in terms of the personal data concerning you:

#### 3.1 General rights

You have the right to information, rectification, erasure, restriction of processing, objection to processing and data portability. If processing is conducted on the basis of your consent, you have the right to withdraw this consent with effect for the future.

#### 3.2 Rights in cases of data processing according to legitimate interests

In accordance with article 21 paragraph 1 GDPR you have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on article 6 paragraph 1 e GDPR (data processing in the public interest) or article 6 paragraph 1 f GDPR (data processing to safeguard a legitimate interest), this also applies to profiling based on this provision. If you object, we shall no longer process your personal data, unless we can demonstrate compelling legitimate reasons for the processing which override your interests, rights and freedoms, or the processing is necessary for the establishment, exercise or defence of legal claims.

#### 3.3 Rights in cases of direct marketing

If we process your data for direct marketing purposes, in accordance with article 21 paragraph 2 GDPR you have the right to object at any time to processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing.

In the event that you object to processing for direct marketing purposes, we shall no longer process your personal data for such purposes.

#### 3.4 Right to lodge a complaint with a supervisory authority

You also have the right to lodge a complaint with a competent data protection supervisory authority regarding our processing of your personal data.

## 4 Collection of personal data when you visit our website

When you use our website merely for informative purposes, i.e. if you do not register or provide us with any other information, we only collect the personal data that your browser transmits to our server. If you wish to view our website, we collect the following data, which are technically necessary for us to display our website to you and guarantee stability and security. The legal basis for this is article 6 paragraph 1 f GDPR:

–IP address, date and time of the request, time zone difference to Greenwich Mean Time (GMT), content of the request (specific pages), access status/HTTP status code, each transferred amount of information, website from which the request comes, browser, operating system and interface, language and version of browser software.

## 5 Making contact by e-mail or contact form

When you contact us by e-mail or using a contact form, the data you provide (your e-mail address, and possibly your name and telephone number) are stored by us in order to respond to your questions. If we request information on our contact form which is not strictly necessary for entering into contact with us, we always mark these fields as optional. We use this information to substantiate your enquiry and streamline the processing of your request. This information is provided on a voluntary basis alone, and with your consent, as per, article 6 paragraph 1 a GDPR. If the information is regarding channels of communication (for example e-mail addresses, telephone numbers), you also give your consent to our contacting you via this channel of communication, in order to answer your request. Naturally you may withdraw this consent at any time for the future.

We erase the data accrued in relation to this when storage of said data is no longer necessary, or restrict the processing of them, if there are mandatory legal retention periods.

## 6 Newsletter

### 6.1 General information

If you give your consent in accordance with article 6 paragraph 1 a GDPR, you can subscribe to our newsletter, through which we inform you of our latest offers.

For registration for our newsletter, we use the so-called double opt-in process. This means that after you register, we send you an e-mail to the e-mail address you provided, asking for confirmation that you would like the newsletter to be sent to you. If you do not confirm your registration within [24 hours], your information is blocked and automatically deleted after one month.

In addition we store the IP addresses you use and the times of the registration and confirmation. The purpose of this process is to prove that you have registered and to be able to clarify any possible misuse of your personal data.

The only information required for sending the newsletter is your e-mail address. The declaration of other, separately-marked data is voluntary and we use them to contact you in person. After you send your confirmation, we save your e-mail address for the purpose of sending out the newsletter. The legal basis is article 6 paragraph 1 a GDPR.

You can at any time withdraw your consent to the dispatch of the newsletter and unsubscribe from the newsletter. You can withdraw consent by clicking on the link provided in each newsletter e-mail or by sending a contact enquiry to the data protection officer named above.

## 7 Applications

You can apply for jobs at our company electronically and in particular via e-mail or website form. Naturally, we will use your details exclusively for the processing of your application and not pass them on to third parties. Please note that e-mails sent unencrypted are not transmitted access-protected.

If you have applied for a particular post and this has already been filled, or we consider you to be equally or even more suitable for another post, we would be happy to pass your application on within the company. Please tell us if you do not agree to such a transfer.

At the end of the application process, or at most after 6 months, your personal data are automatically erased, unless you have given us your express consent for longer storage of your data or a contract is concluded. The legal basis is article 6 paragraph 1 a, b and f GDPR, and § 26 German Federal Data Protection Law (BDSG).

## 8 Use of cookies:

When you use our website cookies are stored on your computer. Cookies are small text files that are saved on the browser you use and which provide certain information to the party placing the cookie. Cookies cannot execute programs or transmit viruses to your computer. They are used to make the Internet offer more user-friendly and efficient as a whole. We also use cookies to identify you on future visits, if you have an account with us. Otherwise you would have to log in again every time you visit.

This website uses the following types of cookies, the scope and functionality of which are explained below:

### 8.1 Transient cookies

These cookies are automatically erased when you close your browser. In particular, these include session cookies, which save a so-called session ID, with which different requests from your browser can be assigned to a joint session. In this way, your computer can be recognised if you come back to our website. Session cookies are erased when you log out or close your browser.

### 8.2 Persistent cookies

These cookies are automatically deleted after a designated period which can be decided for each cookie. You can erase the cookies at any time using the security settings of your browser.

### 8.3 Flash cookies

Flash cookies used are not stored by your browser, but by your Flash plugin. Moreover we use HTML5 storage objects, which are set on your end device. These objects save the necessary data regardless of the browser you use, and have no automatic expiry date. If you do not want to process the Flash cookies, you must install a corresponding add-on, e.g. "Better Privacy" for Mozilla Firefox (<https://addons.mozilla.org/de/firefox/addon/betterprivacy/>) or the Adobe Flash Killer Cookie for Google Chrome. You can prevent the use of HTML5 storage objects by using private mode in your browser. In addition, we recommend that you regularly delete your cookies and the browser history manually.

### 8.4 Prevention of cookies

You can configure your browser settings in accordance with your wishes and, for example, decline the acceptance of third-party cookies or all cookies. However we point out that you may not be able to use all of the functions of this website.

## 8.5 Legal bases and retention period

The legal bases for any processing of personal data and the retention period thereof vary, and are presented in the sections below.

## 9 Website analysis

For the purposes of analysing and optimising our website, we use different services which are presented below. This analysis allows us to understand, for example, how many users visit our site, what information is most in demand and how users find it. Among other things, we collect data on which website a data subject came to our website from (so-called referrer), which sub-pages of the website were accessed or how often and for how long a sub-page was viewed. This helps us to design and improve our offers in a user-friendly manner. The data collected is not intended to personally identify individual users. Anonymous or at most pseudonymous data are collected. The legal basis for this is article 6 paragraph 1 f GDPR.

### 9.1 Google Tag Manager

We may also use Google Tag Manager in order to integrate Google Analytics and marketing services in our website and administrate them.

You can find more information on data usage for marketing purpose by Google on the overview page: <https://www.google.com/policies/technologies/ads>, and Google's privacy policy is available at <https://www.google.com/policies/privacy>.

If you would like to object to interest-related advertising by Google Marketing Services, you can use the settings and opt-out possibilities provided by Google:

<http://www.google.com/ads/preferences>. The legal basis is legitimate interest in accordance with article 6 paragraph 1 Lit. f GDPR.

## 10 Data transfer

In principle your data are not transferred unless we are obliged to transfer them by law, or the data transfer is necessary for performance of the contractual relationship, or you have specifically given your prior consent to the transfer of your data.

External service providers and partner companies such as online payment providers, for example, or the shipping companies charged with delivery, receive your data only to the extent that this is necessary for the processing of your order. In these cases however, the scope of the data transferred is limited to the necessary minimum. If our service providers come into contact with your personal data, in the context of article 28 GDPR we guarantee that they will similarly meet the requirements of the regulation. Please also take note of the respective data protection statements of the providers. The respective service provider is responsible for the contents of third-party services, which we check, within reasonable limits, to ensure that they comply with legal requirements.

We attach great importance to the processing of your data within the EU / EEA. In some instances we may however use service providers who process data outside the EU / EEA. In these cases we guarantee that the recipient has created a suitable level of data protection prior to the transfer of your personal data. This means that a level of data protection comparable to the standards within the EU is attained through EU standard contractual clauses or an adequacy decision, like the EU Privacy Shield.



## 11 Data security

We have taken comprehensive technical and operational precautions in order to protect your data from accidental or deliberate manipulation, loss, destruction or access by unauthorised persons. Our security procedures are regularly checked and adjusted to technological advances.

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