



Information on the collection and processing of personal data (Article 13 and 14 of the General Data Protection Regulation)

www.engie-deutschland.de/de/datenschutz-informationsschreiben-dsgvo

On 25 May 2018, the European Data Protection Regulation ("GDPR") entered into force, which aims to protect individuals with respect to the processing of their personal data. We, ENGIE Deutschland AG, collect and process personal data within the scope of our business relationships with you as a supplier, subcontractor, service provider, etc. in compliance with the applicable legal framework, provided you are a natural person. This also includes personal data of employees or representatives, e.g. contact persons named by you. We take the protection and the confidentiality of this data very seriously and comply with data protection law, in particular the European General Data Protection Regulation ("GDPR"). For the purposes of this notice, personal data means information relating to an identified or identifiable natural person.

1. Controller according to Art. 4 No. 7 GDPR

Controller within the meaning of the data protection regulations is

ENGIE Deutschland GmbH

Aachener Str. 1044, 50858 Köln, Germany

Phone: +49 0221/46905-0

E-Mail: info-deutschland@engie.com

2. Data Protection Officer

You can reach the Data Protection Officer of ENGIE Deutschland AG at the following contact details:

Mr. Boris Reibach

Scheja und Partner Rechtsanwälte mbB

Adenauerallee 136, 53113 Bonn, Germany

Phone: +49 228 227226-0

Contact form: scheja-partner.de/en/contact/contact

3. Sources and categories of personal data processed

We process personal data which we

- collect directly from our business partners in the course of our business relationship;
- permissibly obtain from publicly accessible sources (e.g. land registers, commercial and association registers, press, internet) in the course of providing our services, or which are permissibly transmitted to us by third parties (e.g. a credit agency or service providers in the area of the address determination and research).

The personal data concerned are of the following categories: personal details (name, business e-mail address, business phone number, business bank account(s) and, if applicable, other business contact data, for entrepreneurs who are natural persons additionally address, as well as date and place of birth), and furthermore data in connection with the performance of the contract (e.g. required personal qualification or suitability certificates, social security certificates, job or function titles), as well as other data comparable to the aforementioned categories.

4. Purposes and legal bases of processing

We collect and process personal data only for the purposes stated below:

- **Preparation and execution of our business relationship**

This includes, in particular, the examination of offers and invoices as well as the transmission of contract-related information to the respective business partner. Legal bases in this respect are Art. 6(1)(b) and (c) GDPR.

- **Credit assessment**

In order to decide on the establishment, implementation and termination of contractual relationships with natural persons, we may transmit their name, address and – if known – date of birth to credit agencies such as **Creditreform** or **Bisnode** in order to carry out a credit check. You can object to the transmission of this data to the mentioned service providers at any time, however, it may then no longer be possible to conclude a contract. The legal basis for this is Art. 6(1)(f) GDPR, whereby the legitimate interest of ENGIE is to minimize the risk of incomplete delivery or service.

- **Data processing based on consent given**

Processing of personal data by ENGIE that goes beyond the aforementioned purposes only takes place insofar as we have been granted consent to process personal data for the respective purpose by the data subject. The legal basis in these cases is Art. 6(1)(a) GDPR.

5. Recipients of your personal data

We only pass on personal data to external recipients outside ENGIE if this is necessary for one of the purposes mentioned in section 4, if we have been given consent to do so by the data subject, or if there is other legal permission. External recipients can be, for example:

- Processors: Commissioned service providers that we use to provide services, for example in the areas of technical infrastructure and maintenance, or the provision of contractually relevant content.
- Public bodies: Authorities or state institutions, such as courts or tax authorities, to which we must transfer personal data for legally compelling reasons.

In addition, we only pass on personal data to third parties insofar as this is necessary to achieve the purposes stated in section 4.

6. Transfer to third countries or international organizations

Personal data may be transferred to recipients whose registered office or place of data processing is not located in a member state of the European Union or in another state which is party to the Agreement on the European Economic Area.

In this case, we ensure before the transfer that, outside of exceptional cases permitted by law, either an adequate level of data protection exists at the location of the recipient (e.g. through an adequacy decision of the European Commission, through suitable guarantees such as the agreement with the recipient of so-called EU data protection standard contractual clauses of the European Commission) or your express consent has been given.

You can obtain a copy of the specifically agreed regulations to ensure the appropriate level of data protection from us. Please use for your request the contact details under item 1.

7. Duration of storage of your personal data

We store personal data only as long as it is necessary for the fulfilment of the purposes. In some cases, we are also legally obliged to store the data, for example, due to commercial and tax retention periods or due to statutory limitation regulations.

If we have been given consent, we delete the personal data concerned if the consent is withdrawn by the data subject and no other legal basis applies.

8. Your rights

You have the right of **access** to your personal data stored at ENGIE Deutschland AG at any time (Art. 15 GDPR in conjunction with § 34 BDSG [German Federal Data Protection Act]). In accordance with the relevant legal provisions, you have the **right to rectification** (Art. 16 GDPR), the **right to erasure** (Art. 17 GDPR in conjunction with § 35 BDSG), the right to **restriction of processing** (Art. 18 GDPR) as well as the right to receive your personal data stored at ENGIE Deutschland AG in a structured, commonly used and machine-readable format, and to have it transmitted directly to a third party designated by you (**right to data portability**, Art. 20 GDPR). You can also **object** to the processing of your personal data by ENGIE Deutschland AG under the conditions of Art. 21 GDPR (for more information, see "Right to object").

Insofar as you have given us consent to the processing of personal data for certain purposes, you can **withdraw** this at any time towards ENGIE Deutschland AG. This also applies to the withdrawal of declarations of consent given before 25 May 2018. The lawfulness of the processing of your personal data until withdrawal remains unaffected.

If you believe that the processing of your personal data by ENGIE Deutschland AG violates the provisions of data protection, you have the **right to lodge a complaint** (Art. 77 GDPR) with the competent supervisory authority.

9. Obligation to provide personal data

The personal data marked as mandatory in our order and contact forms (physical and electronic) are required for the conclusion of the contract. You are obliged to provide this personal data. If the data is withheld, proper execution and performance of the contract cannot be guaranteed, so that the contract cannot be concluded.

10. Automated decision-making and profiling

We do not use automated decision-making or profiling.



Right to object

Individual right to object

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data by ENGIE Deutschland AG concerning you which is based on Art. 6(1)(f) GDPR (in this respect, cf. the indication of the legal bases above under section 4). If you object to the processing, we will no longer process your personal data for the respective purposes unless we can demonstrate compelling legitimate grounds which override your interests, rights and freedoms, or the processing serves to establish, exercise or defend legal claims.

The objection can be made free of form using the contact data mentioned under section 1.

Status: 1 April 2020