

## **Privacy Policy TKM Austria GmbH**

In the course of our operational activities, we, TKM Austria GmbH, process the personal data of various persons. These especially include:

- our employees
- our applicants
- our business partners and their employees
- relatives of employees
- former employees
- visitors
- event participants
- shareholders

The protection of personal data is of great concern to us. We only process personal data in accordance with applicable legal data protection requirements, and especially the General Data Protection Regulation (GDPR) and the Data Protection Act [Datenschutzgesetz (DSG)].

In the following we inform you about the controller and the data protection officer responsible for your data (Section A), and about your rights regarding the processing of your personal data (Section B).

We will also provide information regarding the processing of your personal data (Sections C - H), especially,

- the personal data or categories of personal data that are processed
- the purposes for which personal data is to be processed

- the legal basis for processing and, if processing is performed on the basis of Art. 6(1) Letter f of the General Data Protection Regulation, the legitimate interests pursued by us or by a third party
- if applicable, the recipients or categories of recipients of personal data
- if applicable, our intention to transfer personal data to a third country or to an international organisation
- the duration for which personal data is stored or, if this is not possible, the criteria for determining the duration
- whether the disclosure of personal data is prescribed by law or by contract, or is necessary for the conclusion of a contract, whether you are required to disclose personal data and the potential consequences of non-disclosure
- whether automated decision-making processes, including profiling under Art. 22(1 & 4) of the General Data Protection Regulation are in place and—where this is the case—provide meaningful information about the grounds, scope and intended implications of these processes
- if we do not collect personal data from you, the data subject, directly, the origin of data and, if applicable, whether the data was derived from publicly accessible sources

The terms used in this Privacy Policy have the meanings assigned to them by the General Data Protection Regulation. More detailed information on the most important terms from the General Data Protection Regulation that this Privacy Policy uses, is provided in the following (Section H).

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## **A. Controller**

### **I. Name and Contact Details of the Controller**

TKM Austria GmbH  
Waidhofner Straße 11, 3333 Böhlerwerk, Österreich  
Telefon: +43 (0) 7442 601 - 0  
Telefax: +43 (0) 7442 601 - 150  
E-Mail: info@tkmaustria.com

### **II. Contact Details of the Controller's Data Protection Officer**

TKM GmbH, confidentially for the Data Protection Officer, In der Fleute 18, 42897 Remscheid, Germany  
datenschutzbeauftragter@tkmgroup.com/Tel.: +49 2191 969 320

## **B. Data Subject Rights**

As the data subject, you have the following rights concerning the processing of your personal data:

- Right of access (Art. 15 of the General Data Protection Regulation)
- Right to rectification (Art. 16 of the General Data Protection Regulation)
- Right to erasure ("right to be forgotten") (Art. 17 of the General Data Protection Regulation)
- Right to restriction of processing (Art. 18 of the General Data Protection Regulation)
- Right to data portability (Art. 20 of the General Data Protection Regulation)
- Right to object (Art. 21 of the General Data Protection Regulation)

- Right to withdraw consent (Art. 7(3) of the General Data Protection Regulation)
- Right to lodge a complaint with a supervisory authority (Art. 77 of the General Data Protection Regulation)

To exercise your rights, you may contact us using the contact details in Section A.

If applicable, information on modalities and mechanisms that may make it easier for you to exercise your rights, especially your rights to data portability and to object, can be found in the information on the processing of personal data in Section B of this Privacy Policy.

Detailed information on your rights concerning the processing of your personal data is provided in the following:

#### **I. Right of Access**

As the data subject, you have a right of access under Art. 15 of the General Data Protection Regulation.

In particular, this means that you have the right obtain confirmation from us about whether we process personal data concerning you. If this is the case, you also have a right to access this personal data and the information specified in Art. 15(1) of the General Data Protection Regulation. This includes, for example, information regarding the purposes of the processing, the categories of personal data concerned and the recipients or categories of recipients to whom the personal data has been or will be disclosed (Art. 15(1) Letters a, b & c of the General Data Protection Regulation).

For the full extent of your right of access, please see Art. 15 of the General Data Protection Regulation at the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>.

#### **II. Right to Rectification**

As the data subject, you have a right to rectification under Art. 16 of the General Data Protection Regulation.

In particular, this means that you have the right to obtain from us, without undue delay, the rectification of inaccurate personal data concerning you and the completion of incomplete personal data.

For the full extent of your right to rectification, please see Art. 16 of the General Data Protection Regulation at the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>.

### **III. Right to Erasure ("Right to be Forgotten")**

As the data subject, you have a right to erasure ("right to be forgotten") under Art. 17 of the General Data Protection Regulation.

This means that you have the right to obtain from us, without undue delay, the erasure of personal data concerning you and that we are obligated to erase personal data, without undue delay, if one of the grounds under Art. 17(1) of the General Data Protection Regulation applies. This may be the case if personal data is no longer required for the purposes for which it was collected or otherwise processed (Art. 17(1) Letter a of the General Data Protection Regulation).

If we have published personal data which we are required to erase, we are also, under consideration of available technologies and implementation costs, required to take appropriate steps, including technical measures, to inform other controllers processing the personal data, that a data subject requested the erasure of any links to this personal data or of copies or replicas of this personal data (Art. 17(2) of the General Data Protection Regulation).

The right to erasure ("right to be forgotten") does not apply to processing required for reasons under Art. 17(3) of the General Data Protection Regulation. This may apply, for example, if processing is required for compliance with a legal obligation or to exercise, establish or defend legal claims (Art. 17(3) Letters a and e of the General Data Protection Regulation).

For the full extent of your right to erasure, please see Art. 17 of the General Data Protection Regulation at the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>.

### **IV. Right to Restriction of Processing**

As the data subject, you have the right to restriction of processing under Art. 18 of the General Data Protection Regulation.

This means that you have the right to obtain the restriction of processing from us if one of the requirements under Art. 18(1) of the General Data Protection Regulation is met. This may, for example, be the case if you contest the accuracy of the personal data. In this case, the processing restriction will be implemented for a duration that enables us to verify the accuracy of the personal data (Art. 18(1) Letter a of the General Data Protection Regulation).

Restriction means marking stored personal data with the aim of restricting its processing in the future (Art. 4 Number 3 of the General Data Protection Regulation).

For the full extent of your right to restriction of processing, please see Art. 18 of the General Data Protection Regulation at the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>.

## **V. Right to Data Portability**

As the data subject, you have a right to data portability under Art. 20 of the General Data Protection Regulation.

This means that you have the right to receive the data you provided to us in a structured, commonly used and machine-readable format and that you have the right to transmit this data to another controller without hindrance by us if the processing is based on consent pursuant to Art. 6(1) Letter a or Art. 9(2) Letter a of the General Data Protection Regulation or on a contract pursuant to Art. 6(1) Letter b of the General Data Protection Regulation and if the processing is carried out by automated means (Art. 20(1) of the General Data Protection Regulation).

Information on whether processing is carried out on the basis of consent pursuant to Art. 6(1) Letter a or Art. 9(2) Letter a of the General Data Protection Regulation or on a contract pursuant to Art. 6(1) Letter b of the General Data Protection Regulation is provided with the information on the legal bases for processing in Section 0 of this Privacy Policy.

When exercising your right to data portability, you also have the right to have your personal data transmitted directly from one controller to another where technically feasible (Art. 20(2) of the General Data Protection Regulation).

For the full extent of your right to data portability, please see Art. 20 of the General Data Protection Regulation at the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>.

## **VI. Right to Object**

As the data subject, you have a right to object under Art. 21 of the General Data Protection Regulation.

We will expressly refer to your right to object, at the latest, during our first communication with you.

Detailed information is provided in the following:

### **1. Right to Object on Grounds Relating to the Data Subject's Particular Situation**

As the data subject, you have the right to object to the processing of personal data concerning you on grounds relating to your particular situation based on Art. 6(1) Letters e or f of the General Data Protection Regulation. This also applies to profiling based on these provisions.

Information on whether processing is carried out on the basis of Art. 6(1) Letters e or f of the General Data Protection Regulation is provided with the information on the legal bases for processing in Section 0 of this Privacy Policy.

If you object on grounds relating to your particular situation, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or in the establishment, exercise or defence of legal claims.

For the full extent of your right to object, please see Art. 21 of the General Data Protection Regulation at the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>.

## **2. Right to Object to Direct Marketing**

If personal data is processed for direct marketing purposes, you have the right to object, at any time, to the processing of personal data concerning you for marketing of this nature, which includes profiling to the extent that it is related to direct marketing.

Information on whether and to what extent personal data is processed for direct marketing purposes is provided with the information on processing purposes in Section 0 of this Privacy Policy.

If you object to the processing for direct marketing purposes, we will no longer process the personal data for these purposes.

For the full extent of your right to object, please see Art. 21 of the General Data Protection Regulation at the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>.

## **VII. Right to Withdraw Consent**

If processing is carried out on the basis of Art. 6(1) Letter a or Art. 9(2) Letter a of the General Data Protection Regulation you, as the data subject, have the right under Art. 7(3) of the General Data Protection Regulation to withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of processing based on consent before the withdrawal of consent. We will inform you of this before you grant your consent.

Information on whether processing is carried out on the basis of consent pursuant to Art. 6(1) Letter a or Art. 9(2) Letter a of the General Data Protection Regulation is provided with the information on the legal bases for processing in Section 0 of this Privacy Policy.

## **VIII. Right to Lodge a Complaint with a Supervisory Authority**

As the data subject, you have the right to lodge a complaint with the competent supervisory authority, under Art. 77 of the General Data Protection Regulation.



## **C. Processing Personal Data of our Employees**

In the course of our operational activities, we process personal data of our employees.

In particular, we process data of our employees for the purposes of recruitment, employment contract performance – including compliance with legal or collective agreement obligations –, managing, planning and organising work, workplace equality, health and safety, protecting our or our customer's property and to exercise individual or collective employment related rights and services for the purpose of terminating the employment relationship.

Our employees will receive more detailed information with our employee privacy policy.

### **Processing Personal Data of Our Applicants**

In the course of our operational activities, we process personal data of persons who apply to us.

We process data of our applicants for the following purposes:

- performing the application process, especially reviewing applications, contacting the applicant and conducting interviews to assess and select suitable applicants
- storage for an interim period for evidentiary purposes and, if necessary, to establish, exercise or defend legal claims

Detailed information is provided in the following:

## I. Details of Processed Personal Data

Categories of processed personal data	Personal data included in the categories	Data sources	Data disclosure obligations
Master data.	Name, date of birth, nationality, place of birth, country of birth, marital status.	Applicant or personnel service provider commissioned by the applicant.	Data disclosure is not required by law or by contract. The data subject is not obligated to provide data.  However, non-disclosure may make the application process impossible and prevent hiring.
Contact data.	Private address, email address, telephone number.	Applicant	Data disclosure is not required by law or by contract. The data subject is not obligated to provide data.  However, non-disclosure may make the application process impossible and prevent hiring.
Application data.	Contents of application documents, especially the applicant's image, CV and reports.  Contents of written (including electronic) correspondence for the application.	Applicant	Data disclosure is not required by law or by contract. The data subject is not obligated to provide data.  However, non-disclosure may make the application process impossible and prevent hiring.
	Contents of test notes, interview impressions, feedback and assessments.	Generated independently	-

## II. Details on the Processing of Personal Data

Purpose of processing personal data	Categories of processed personal data	Automated decision-making	Legal basis and, if applicable, legitimate interests
Performing the application process, especially reviewing applications, contacting applicants and conducting interviews to assess and select suitable applicants.	Master, Contact data, Applicant data.	No automated decision-making is performed.	Decision about whether to establish an employment relationship (Art. 88(1) of the General Data Protection Regulation, Section 26(1) of the German Federal Data Protection Act).  Performance of pre-contractual measures (Art. 6(1) Letter b of the General Data Protection Regulation).
Storing documents for evidentiary purposes and to establish, exercise or defend legal claims.	Master data, Contact data, Applicant data.	No automated decision-making is performed.	The legal basis for storage for evidentiary purposes is a weighing of interests (Art. 6(1) Letter f of the General Data Protection Regulation). Our legitimate interest is the establishment, exercise or defence of legal claims.

### D. Processing Personal Data of Our Business Partners and of Their Employees

In the course of our operational activities, we process personal data of our business partners and of their employees.

Business partner means any natural or legal persons with whom we have a business relationship. This especially includes our customers, suppliers and distribution partners. Data of our business partners may be personal data if our business partners are natural persons. Personal data also means data that refers to employees of our business partners.

We process data of our business partners and of their employees for the following purposes:

- identifying our business partners
- performing pre-contractual measures, including pre-contractual communication and the preparation of offers and cost estimates
- performance of contracts with our business partners, including invoicing and payment

- orderly internal management, including IT system operations, for administrative purposes
- orderly accounting and storage for compliance with legal storage obligations, especially under commercial and tax law, and for evidentiary purposes in the establishment, exercise or defence of legal claims
- Establishing, exercising or defending legal claims
- Business partner relationship management, including contact for informative purposes and for maintaining relationships with our business partners, as well as coordination
- Adapting our services to the needs and wishes of our business partners.

Detailed information is provided in the following:

## I. Details of Processed Personal Data

Categories of processed personal data	Personal data included in the categories	Data sources
Master data.	Company, register number, VAT ID number, business identification number.	Business partners.
	Customer number(s).	Generated independently.
Identification data.	Information on the economic beneficiary.	Business partners.
Contact data.	Name, company address, email address, telephone number, fax number, company contact person.	Business partners.
Bank data.	Account holder, bank, IBAN, BIC.	Business partners.
Communication data.	Contents of business communication, especially via mail, email, telephone or fax.	Business partners.
	Circumstances of business communication, especially participants, dates and duration.	Generated independently.

Contract data.	Information we receive from our business partners for the performance of pre-contractual measures and/or the performance of contracts with our business partners.	Business partners.
	Data from written (including electronic) contract documents we receive from our business partners.	Business partners.
	Information we receive from third parties for the performance of pre-contractual measures and/or the performance of contracts with our business partners.	Third parties.
	Data from written (including electronic) contract documents prepared by us.	Generated independently.
Invoice data.	Data from invoices and payment reminders we receive from our business partners, especially dates, invoice items and invoice amounts.	Business partners
	Data we generate independently for invoicing purposes, especially contents of internal time recording and activity reports.	Generated independently.
	Data from invoices and payment reminders we prepare, especially dates, invoice items and invoice amounts.	Generated independently.
Payment data.	Data on payment transactions, especially dates and payment amounts.	Generated independently.

## II. Details on the Processing of Personal Data

Purpose of processing personal data	Categories of processed personal data	Automated decision-making	Legal basis and, if applicable, legitimate interests
Identifying our business partners.  We use specialised service providers for identification, who process data on our behalf.	Master data,  Identification data.	No automated decision-making is performed.	Compliance with legal obligations, especially under the German Money Laundering Act [Geldwäschebekämpfungsgesetzes (GwG)] (Art. 6(1) Letter c of the General Data Protection Regulation),

			Weighing of interests (Art. 6(1) Letter f of the General Data Protection Regulation). Our legitimate interest consists of knowledge of our business partners.
<p>Performance of pre-contractual measures, including pre-contractual communication and the preparation of offers and cost estimates.</p> <p>Depending on the service, performance of pre-contractual services may require cooperation with our affiliated companies within our group or with companies outside of our group.</p> <p>When sending documents by mail, we will provide the address data of the recipient to the respective postal service provider.</p>	<p>Master data, Contact data, Communication data, Contract data.</p>	No automated decision-making is performed.	<p>If the data subject is our (potential) business partner, the legal basis for the performance of pre-contractual measures is a request by the data subjects (Art. 6(1) Letter b of the General Data Protection Regulation).</p> <p>If the data subject is not our (potential) business partner, the legal basis consists of a weighing of interests (Art. 6(1) Letter f of the General Data Protection Regulation). Our legitimate interest is the performance of pre-contractual measures requested by our (potential) business partner.</p>
<p>Performance of contracts with our business partners, including contractual communication, service exchanges, invoicing and payment.</p> <p>Depending on the service, performance of pre-contractual services may require cooperation with our affiliated companies of our group or with companies outside of our group.</p> <p>We use specialised service providers for invoicing and payment, who process data on our behalf.</p>	<p>Master data, Contact data, Bank data, Communication data, Contract data, Invoice data, Payment data.</p>	No automated decision-making is performed.	<p>If the data subject is our business partner, the legal basis is the performance of a contract to which the data subject is a party (Art. 6(1) Letter b of the General Data Protection Regulation).</p> <p>If the data subject is not our business partner, the legal basis consists of a weighing of interests (Art. 6(1) Letter f of the General Data Protection Regulation). Our legitimate interest is the performance of the contract with our business partner.</p>
Orderly internal management, including IT system operations, for administrative purposes.	<p>Master data, Identification data,</p>	No automated decision-making is performed.	Weighing of interests (Art. 6(1) Letter f of the General Data Protection Regulation). Our legitimate interest is orderly internal management.

<p>We may also use specialised service providers, who process data on our behalf, for IT operations.</p>	<p>Contact data, Bank data, Communication data, Contract data, Invoice data, Payment data.</p>		
<p>Orderly accounting and storage to comply with legal storage obligations, especially under commercial and tax law, and for evidentiary purposes in the establishment, exercise or defence of legal claims.</p> <p>We may use specialised service providers, who process data on our behalf, for accounting.</p> <p>We may use specialised service providers, who process data on our behalf, for storage.</p>	<p>Master data, Identification data, Contact data, Bank data, Communication data, Contract data, Invoice data, Payment data.</p>	<p>No automated decision-making is performed.</p>	<p>Compliance with a legal obligation (Art. 6(1) Letter c of the General Data Protection Regulation), especially compliance with legal requirements for proper accounting and legal storage obligations, especially under professional, trade and commercial law.</p> <p>If the data subject is our business partner, the legal basis is also the performance of a contract to which the data subject is a party (Art. 6(1) Letter b of the General Data Protection Regulation).</p> <p>If the data subject is not our business partner, the legal basis consists of a weighing of interests (Art. 6(1) Letter f of the General Data Protection Regulation). Our legitimate interest is the performance of the contract with our business partner.</p>
<p>Storage for evidentiary purposes in the establishment, exercise or defence of legal claims.</p> <p>We may use specialised service providers, who process data on our behalf, for storage.</p>	<p>Master data, Identification data, Contact data, Bank data,</p>	<p>No automated decision-making is performed.</p>	<p>Weighing of interests (Art. 6(1) Letter f of the General Data Protection Regulation). Our legitimate interest is the establishment, exercise or defence of legal claims.</p>

	<p>Communication data,</p> <p>Contract data,</p> <p>Invoice data,</p> <p>Payment data.</p>		
<p>Establishment, exercise or defence of legal claims, including cooperation with external attorneys.</p>	<p>Master data,</p> <p>Identification data,</p> <p>Contact data,</p> <p>Bank data,</p> <p>Communication data,</p> <p>Contract data,</p> <p>Invoice data,</p> <p>Payment data.</p>	<p>No automated decision-making is performed.</p>	<p>Weighing of interests (Art. 6(1) Letter f of the General Data Protection Regulation). Our legitimate interest is the establishment, exercise or defence of legal claims.</p>
<p>Cooperation with external tax consultants and/or auditors for compliance with legal obligations.</p>	<p>Master data,</p> <p>Identification data,</p> <p>Contact data,</p> <p>Bank data,</p> <p>Communication data,</p> <p>Contract data,</p>	<p>No automated decision-making is performed.</p>	<p>Compliance with a legal obligation (Art. 6(1) Letter c of the General Data Protection Regulation).</p>



	Invoice data, Payment data.		
Cooperation with supervisory authorities, courts and other public authorities for compliance with legal obligations.	Master data, Identification data, Contact data, Bank data, Communication data, Contract data, Invoice data, Payment data.	No automated decision-making is performed.	Compliance with legal obligations (Art. 6(1) Letter c of the General Data Protection Regulation).
Business partner relationship management, including contact for informative purposes and for the maintenance of relationships with our business partners and adapting our services to the needs and wishes of our business partners.	Master data, Contact data, Communication data, Contract data.	No automated decision-making is performed.	The legal basis for business partner relationship management is a weighing of interests (Art. 6(1) Letter f of the General Data Protection Regulation). Our legitimate interest is the maintenance of relationships with our business partners and adapting our services to the needs and wishes of our business partners.  The legal basis for contacting our business partners by email and through other electronic means of communication for informative purposes is consent (Art. 6(1) Letter a of the General Data Protection Regulation).

#### E. Processing Personal Data of Other External Categories of Data Subjects

We process personal data of other external categories of data subjects, e.g.

- Relatives of employees
- Former employees
- Visitors
- Event participants
- Shareholders

under the following legal bases:

**For the fulfilment of contractual obligations (Art. 6(1) Letter b of the General Data Protection Regulation)**

Data is processed for the purposes of contract performance.

**Due to legal requirements (Art. 6(1) Letter c of the General Data Protection Regulation)**

We are subject to various legal obligations that entail data processing.

These include:

- tax laws and legal accounting
- compliance with requests or requirements of supervisory or law enforcement authorities
- compliance with auditing and reporting obligations under tax law

Furthermore, personal data may have to be disclosed during official/court measures for collecting evidence, prosecution or enforcing civil law claims.

**For a weighing of interests (Art. 6 Abs. 1 f of the General Data Protection Regulation)**

If required, we will process your data beyond the actual performance of the contract to safeguard our or a third party's legitimate interests.

**F. Recipients of Personal Data and Transfer of Personal Data to Third Countries and/or International Organisations**

**Who will receive your data?**

### **Within the TKM Group**

- Employees to contact you and for contractual cooperation (including the performance of pre-contractual measures)
- Affiliated companies of the TKM Group, if required for contract performance

### **For order processing**

Your data may be transferred to service providers who process data on our behalf for:

- support with or maintenance of EDP or IT applications
- accounting
- data destruction

When involving service providers in data processing procedures, TKM's high data protection standards will be transferred to the service providers contractually, and legally standardised data protection agreements will be concluded.

### **Other third parties**

Data will only be transferred to external recipients in compliance with any applicable data protection regulations. Recipients of personal data may include:

- public authorities and institutions (e.g., fiscal or law enforcement authorities) in case of legal or official obligations
- banks and financial service providers (payment transactions)
- tax consultants or auditors (legal auditing order)

Personal data will only be transmitted to states outside of the European Economic Area (EEA) if required for the business activities, on the basis of consent, for the fulfilment of legal requirements or through commissioned processors. For service providers outside of the EEA, data protection standards required by European law are achieved through compliance with Art. 45 *et seq.* of the General Data Protection Regulation.

## **G. Personal Data Storage Duration**

We will process and store your personal data for as long as required for the fulfilment of our contractual and legal obligations.

Exceptions may apply

- In case of legal storage obligations, e.g., under the German Commercial Code [Handelsgesetzbuch (HGB)] or the German Fiscal Code [Abgabenordnung (AO)]. The storage and documentation periods specified therein usually last six to ten years
- For the preservation of evidence under legal limitation periods. Under Section 195 *et seq.* of the German Civil Code [Bürgerliches Gesetzbuch (BGB)], these limitation periods may last up to 30 years, though limitation periods generally last 3 years.

## H. Terms of the General Data Protection Regulation Used in This Privacy Policy

The terms used in this Privacy Policy have the meaning assigned to them by the General Data Protection Regulation. Detailed information on the most important terms of the General Data Protection Regulation used in this Privacy Policy is provided in the following

- **"Personal data"** means any information relating to an identified or identifiable natural person ("data subject"); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
- **"Data subject"** means the identified or identifiable natural person to whom the personal data refers;
- **"Processing"** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, comparison or combination, restriction, erasure or destruction;
- **"Profiling"** means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;
- **"Controller"** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of this processing are determined by Union or Member State law, the controller or the specific criteria for their nomination may be provided for by Union or Member State law;

- **"Processor"** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
- **"Recipient"** means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;
- **"Third party"** means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
- **"International organisation"** means an organisation and its subordinate bodies governed by public international law, or any other body which is set up by, or on the basis of, an agreement between two or more countries;
- **"Third country"** means a country that is not a Member State of the European Union (EU);
- **"Special categories of personal data"** means data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

For the full extent of the definitions of the General Data Protection Regulation, please see Art. 4 of the General Data Protection Regulation at the following link: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>.

## I. **Validity of and Changes to This Privacy Policy**

This Privacy Policy is valid as of 31 May, 2018.

Due to technical advances and/or changes to legal and/or official requirements, adjustments to this Privacy Policy may become necessary.

The respectively current version of this Privacy Policy may be found at any time at [www.tkmgroup.com](http://www.tkmgroup.com).