

Privacy statement

Information on data protection pursuant to Articles 13 and 14 GDPR

I. Definitions

The privacy statement of DACHSER SE is based on the definitions used by European legislators since the enforcement of the General Data Protection Regulation (GDPR). We would therefore like to draw your attention to the definitions in Article 4 GDPR. The GDPR can be accessed at:

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN>.

II. Name and address of the controller and of the data protection officer

The controller within the meaning of the GDPR, other valid data protection laws in the member states of the European Union, and other statutory provisions concerned with data protection is:

DACHSER SE

Thomas-Dachser-Strasse 2

87439 Kempten

Germany

Phone: +49 831 5916 0

Fax: +49 831 5916 -1312

Email: info@dachser.de

Website: www.dachser.de

The contact details for the data protection officer of DACHSER SE are:

DACHSER SE

Data protection officer

Thomas-Dachser-Strasse 2

87439 Kempten

Email: info@dachser.de

III. General information on data processing

1. Extent of processing of personal data

We collect and utilise the personal data of users of the programme “**excisecalculator**”, which allows the calculation of excise duty only insofar as it is necessary to make it available. Apart from those used to make the **excisecalculator** available, we only process data after consent has been given. An exception is made in such cases in which previous consent has not been possible for practical reasons or because processing of data is permitted or prescribed due to legal requirements.

2. Handling of personal data

The collection, processing or use of personal data is generally prohibited except where a legal standard explicitly allows the handling of data. Personal data may generally be collected, processed or used according to the GDPR:

- if a contract exists with the data subject.
- in the context of contract initiation or termination with the data subject.
- if and to the extent that the data subject has given his consent.

3. Legal basis for the processing of personal data

Insofar as we obtain the data subject’s consent for processing operations, the legal basis is point (a) of Art. 6(1) GDPR.

Where processing of personal data is necessary for performance of a contract to which the data subject is party, the legal basis is point (b) of Art. 6(1) GDPR. This also applies to processing operations which are necessary prior to entering into a contract.

Where processing is necessary for compliance with a legal obligation, to which our company is subject, the legal basis is point (c) of Art. 6(1) GDPR.

If processing is necessary for the purposes of the legitimate interests pursued by our company or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject, the legal basis is point (f) of Art. 6(1) GDPR.

4. Categories of groups of people concerned and their data

In order to make the **excisecalculator** available, and to fulfil all relevant obligations, the following categories of data exist insofar as they are necessary:

- user data, i.e. company name and address and its contacts as well as data submitted by the user insofar as it is necessary to make the **excisecalculator** available.

Concerning the use of personal data and extent of the data collected, the basic rules of informational self-determination and other data protection standards are observed, these being in particular the preventive principle of prohibition, earmarking, transparency, disclosure and notification obligations, the avoidance and economy of data and the right to rectification, blockage, erasure and objection.

The collection and processing of personal data occurs within the framework of what is legally permissible. The special conditions for collection and processing of sensitive data according to Art. 9(1) GDPR must hereby be adhered to. Generally, only such information as is required for the execution of corporate tasks and which is directly connected to the purpose of processing may be processed and used.

Where other authorities request information on data subjects, this shall only then be transferred because of legal obligations or if a justifiable corporate legitimate interest for transfer exists and there is no doubt as to the identity of the inquirer.

5. Recipients of personal data

Personal data is transferred only to third parties such as processors who are involved in making the **excisecalculator** available.

In particular, we do not sell your personal data to third parties nor otherwise market it.

6. Data transfer to third countries

Data transfer to third countries only takes place to make the **excisecalculator** available to users in the third country. To economise on data, only data necessary for user administration is made available to third country users. Data transfer to a third country without sufficient data protection is permissible between the data subject and the authority required for data processing in order to make the **excisecalculator** available, insofar as data processing is necessary to provide the **excisecalculator**.

7. External providers/order processing/maintenance

Insofar as they are necessary, agreements exist with external providers according to Article 28 GDPR or the standard EU contractual clauses.

8. IT security concept

Beyond the technical and organisational measures taken, and due to the fundamental importance of information security, Dachser has introduced additional relevant regulations.

Since 2011, DACHSER has had an Information Security Management System (ISMS), certified according to ISO 27001.

9. Erasure of data and duration of storage

The data subject's personal data is erased or blocked as soon as the purpose of storage has been fulfilled. Storage may take place beyond this period where this is stipulated by European or national legal authorities in Union directives, laws or other regulations to which the controller is subject. The blockage or erasure of data also takes place when a storage deadline prescribed by the aforementioned standards ceases, except where longer storage is necessary in order to make the **excisecalculator** available.

IV. Rights of the data subject

As long as personal data concerning you is processed, you are a data subject in the meaning of the GDPR, entitling you to the following rights vis-à-vis the controller:

1. Right of access

You have the right to obtain confirmation from the controller as to whether or not personal data concerning you is being processed by us.

Where this is the case, you have the right to demand from the controller access to the following information:

- (1) the purposes of the processing of personal data;
- (2) the categories of personal data being processed;
- (3) the recipients or category of recipients to whom the personal data has been or will be disclosed;
- (4) the envisaged period for which the personal data concerning you will be stored, or, if exact information is not possible, the criteria used to determine the period of storage;
- (5) the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning you by the controller or to object to such processing;
- (6) the right to lodge a complaint with a supervisory authority;

(7) where the personal data is not collected from the data subject, any available information as to its source;

(8) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

Furthermore, you also have the right to be informed as to whether or not personal data has been transferred to a third country or to an international organisation. Where this is the case, you also have the right, pursuant to Art. 46 GDPR, to be informed of the appropriate safeguards relating to the transfer.

2. Right to rectification

You have the right vis-à-vis the controller to obtain the rectification of inaccurate personal data concerning you, and/or to have incomplete data completed. The controller must rectify this data without undue delay.

3. Right to restriction of processing

You have the right to restriction of processing of personal data concerning you where one of the following applies:

(1) when you contest the accuracy of the personal data concerning you for a period enabling the controller to verify the accuracy of the personal data;

(2) the processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead;

(3) the controller no longer needs the personal data for the purposes of the processing, but you require it for the establishment, exercise or defence of legal claims, or

(4) you object to processing pursuant to Article 21(1) GDPR pending the verification whether the legitimate grounds of the controller override your own.

Where processing of personal data concerning you has been restricted, such personal data shall, with the exception of storage, only be processed with your consent, or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of an important public interest of the Union or of a Member State.

Where processing of personal data has been restricted under the above circumstances, the controller shall inform you before restriction is lifted.

4. Right to erasure

a. Obligation to erase

You have the right to obtain from the controller the erasure of personal data concerning you without undue delay, and the controller is obliged to erase this data without undue delay where one of the following grounds applies:

(1) the personal data concerning you is no longer necessary in relation to the purposes for which it was collected or otherwise processed;

(2) you withdraw consent on which the processing is based according to point (a) of Article 6(1), or point (a) of Article 9(2) GDPR, and where there is no other legal ground for the processing;

(3) you object to the processing pursuant to Article 21(1) GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing pursuant to Article 21(2) GDPR;

(4) the personal data concerning you has been unlawfully processed;

(5) the personal data concerning you has been erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;

(6) the personal data concerning you has been collected in relation to the offer of information society services referred to in Article 8(1) GDPR.

b. Information to third parties

Where the controller has made the personal data concerning you public and is obliged pursuant to Art. 17(1) GDPR to erase the same, he shall, taking account of available technology and the cost of implementation, take reasonable steps, including technical measures, to inform controllers who are processing the personal data that you as the data subject have requested the erasure of any links to, or copy or replication of, this personal data.

c. Exceptions

The right to erasure shall not apply to the extent that processing is necessary

(1) for exercising the freedom of expression and information;

(2) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

(3) for reasons of public interest in the area of public health in accordance with points (h) and (i) of Art. 9(2) as well as Art. 9 (3) GDPR;

(4) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Art. 89(1) GDPR in so far as the right referred to in section a) is likely to render impossible or seriously impair the achievement of the objectives of that processing; or

(5) for the establishment, exercise or defence of legal claims.

5. Notification obligation

Where you have exercised the right to rectification, erasure or restriction of processing vis-à-vis the controller, the latter is obliged to communicate any rectification or erasure of data or restriction of processing to each recipient to whom the personal data concerning you has been disclosed, unless this proves impossible or involves disproportionate effort.

You have the right vis-à-vis the controller to be informed about those recipients.

6. Right to data portability

You have the right to obtain the personal data concerning you, which you have provided to the controller, in a structured, commonly used and machine-readable format. You furthermore have the right to transmit this data to another controller without hindrance from the controller to which the personal data has been provided, where

(1) the processing is based on consent pursuant to point (a) of Art. 6(1) GDPR or point (a) of Article 9(2) GDPR or on a contract pursuant to point (b) of Article 6(1) GDPR and

(2) the processing is carried out by automated means.

Furthermore, in exercising this right you have the right to have the personal data transmitted directly from one controller to another, where technically feasible. The rights and freedoms of others shall hereby not be adversely affected.

The right to data portability does not apply where processing of personal data is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

7. Right to object

You have the right to object, on grounds relating to your personal situation, at any time to processing of personal data concerning you which is based on point (e) or (f) of Art. 6(1) GDPR, including profiling based on those provisions.

The controller shall no longer process the personal data concerning you unless he can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

Where personal data concerning you is processed for direct marketing purposes, 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.

Where you object to processing for direct marketing purposes, the personal data concerning you shall no longer be processed for such purposes. In the context of the use of information society services, and notwithstanding Directive 2002/58/EC, you may exercise your right to object by automated means using technical specifications.

8. Right to withdraw consent to a data privacy declaration

You have the right to withdraw your consent to a data privacy declaration at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

9. Automated decision in specific cases, including profiling

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you. This shall not apply if the decision

(1) is necessary for entering into, or performance of, a contract between yourself and the data controller;

(2) is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests; or

(3) is based on your explicit consent.

However, decisions shall not be based on special categories of personal data referred to in Art. 9(1) GDPR, unless point (a) or (g) of Art. 9(2) GDPR applies and suitable measures to safeguard your rights and freedoms and legitimate interests are in place.

In the cases referred to in (1) and (3), the data controller shall implement suitable measures to safeguard your rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.

10. Right to lodge a complaint with a supervisory authority

Without prejudice to any other administrative or non-judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of data concerning you infringes the GDPR.

The supervisory authority with which the complaint has been lodged shall inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy pursuant to Art. 78 GDPR.