

## Data protection information for business partners (m/f/d)

The following data protection information informs you about the processing of your personal data as our business partner (m/f/d) at the SayWay GmbH, its group companies, departments and groups in accordance with the Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG).

Pursuant to Art. 4 No. 1 GDPR, your personal data includes all information that relates or can be related to your person, in particular by means of assignment to an identifier such as a name or customer number by which your person can be identified.

We are providing this Privacy Notice to Business Partners ("**Notice**") to explain, as a data controller, the data processing procedures relating to our customers, business partners and suppliers (m/f/d) (collectively, "**Business Partners**") and, where applicable, their employees who are associated with the SayWay GmbH.

### Responsible for the processing of your personal data

The competent and responsible body for the collection, processing and use of your personal data is, unless otherwise contractually agreed:

SayWay GmbH

5073 Köln

Holbeinstr. 6

### Scope

This notice applies if you are an independent business partner of the SayWay GmbH or if you are an employee of a business partner acting on behalf of the business partner with the SayWay GmbH.

### Categories of personal data and data sources

The SayWay GmbH may process the following personal data about you, its business or third parties:

- **Personal data relating to independent business partners:** Name, business contact details, services or products offered, contract information, communication content (such as emails or business letters), payment information, billing information and business relationship history.
- **Personal data relating to employees of a business partner:** name, business contact details, name of employer, title/position and communication content (such as emails or business letters).
- Personal data collected from publicly available sources or credit agencies.

### Data processing purposes, legal basis and consequences

Your personal data is processed for the purposes of fulfilling the contractual relationship with the business partner (including the fulfilment of contractual performance obligations, invoice processing, communication and compliance with legal requirements), for marketing and CRM activities and for fraud prevention.

The SayWay GmbH relies on the following legal bases with regard to data processing:

- Fulfilment of the contractual relationship with the business partner (Art. 6 lit. b GDPR);
- Legitimate interest of the SayWay GmbH, (Art. 6 lit. f GDPR). Legitimate interests may include in particular marketing and CRM activities, as well as prevention of fraud, IT misuse, money laundering, operation of a whistleblowing system, physical security, IT and network security, internal investigations;
- Consent (Art. 6 lit. a GDPR);
- Fulfilment of legal obligations (Art. 6 lit. c GDPR);

The provision of personal data is necessary for the conclusion and/or performance of the contractual relationship and is voluntary. However, if you do not provide this data, it could delay or even make impossible the business partner management and administrative processes.

### **Categories of recipients**

The SayWay GmbH may use service providers acting as processors to provide IT and other administrative support (e.g. service providers providing IT hosting or maintenance support). These service providers may have access to your personal data to the extent necessary to provide such services. Where appropriate, personal data may be disclosed to courts, government agencies, law firms or similar third parties as permitted by law and necessary to comply with applicable law or to defend or enforce legal claims.

Any access to your personal information is limited to those who need the information to complete your activities.

### **Retention period**

The personal data will be stored by the SayWay GmbH and its service providers for as long as necessary until our obligations have been fulfilled. The data will be backed up for as long as necessary for the purpose in accordance with the GDPR. As soon as the SayWay GmbH no longer needs the data to fulfil contractual or legal obligations, it will be removed from our systems and records and/or measures will be taken so that your personal data is properly anonymised and thus no longer identifiable. Except where we need to retain their personal data to comply with legal or regulatory obligations to which the SayWay GmbH is subject. For example, legally required retention periods arising from the Commercial Code, tax law or the Money Laundering Act, which are usually between 5 and 10 years, or we need to preserve evidence within the statute of limitations, which is usually 3 years but can last up to 30 years.

### **Your data subject rights**

You have the following rights vis-à-vis us if the legal requirements are met:

- Right to information, Art. 15 GDPR  
You have the right to information about the personal data stored about you.
- Right to rectification, Art. 16 GDPR  
If you find that inaccurate data relating to you is being processed, you may request rectification. Incomplete data must be completed taking into account the purpose of the processing.
- Right to erasure, Art. 17 GDPR  
You have the right to request the erasure of your data if certain grounds for erasure exist, unless our legitimate interest or a legal obligation to process the data conflicts with this.

- Right to restrict processing, Art. 18 GDPR  
You have the right to restrict the processing of your data. This means that your data will not be deleted, but will be marked to restrict its further processing or use.
- Right to data portability, Art. 20 GDPR  
You have the right to receive the personal data you have provided to SayWay GmbH in a structured, common and machine-readable format. Furthermore, you have the right to transfer this data to another controller without hindrance by the SayWay GmbH.

#### RIGHT OF OBJECTION, ART. 21 GDPR

YOU HAVE THE RIGHT TO OBJECT AT ANY TIME, ON GROUNDS RELATING TO YOUR PARTICULAR SITUATION, TO THE PROCESSING OF PERSONAL DATA CONCERNING YOU WHICH IS CARRIED OUT ON THE BASIS OF ART. 6(1)(E) OR (F) OF THE GDPR.

YOUR PERSONAL DATA WILL THEREAFTER NO LONGER BE PROCESSED UNLESS WE CAN DEMONSTRATE COMPELLING LEGITIMATE GROUNDS FOR THE PROCESSING WHICH OVERRIDE YOUR INTERESTS, RIGHTS AND FREEDOMS, OR THE PROCESSING SERVES THE PURPOSE OF ASSERTING, EXERCISING OR DEFENDING LEGAL CLAIMS. IF YOU HAVE ANY QUESTIONS ABOUT YOUR RIGHTS AND HOW TO EXERCISE YOUR RIGHTS, PLEASE CONTACT SAYWAY GMBH OR THEIR COMPANY DATA PROTECTION OFFICER.

If you have given your consent with regard to certain processing activities, your data will only be processed to the extent agreed in the consent. Your consent in these cases is voluntary and can be revoked by you at any time with effect for the future. This revocation will not affect the previous processing of data. You will not suffer any disadvantages from non-consent or a later revocation of consent.

In addition, if you believe that the processing of personal data concerning you violates the GDPR, you have the right to lodge a complaint with any competent data protection supervisory authority (Art. 77 GDPR in conjunction with §19 BDSG). You can assert this right at a supervisory authority in the member state of your place of residence, your place of work or the place of the alleged infringement.

Note that the above rights may be limited by national law.

#### **Automated decision-making / profiling**

The SayWay GmbH does not use automated decision-making including profiling within the meaning of Article 22 GDPR.

You can reach the data protection officer of the SayWay GmbH at the following contact details:

E-mail: [dataprotection@sayway.com](mailto:dataprotection@sayway.com)