

Sample Data Protection Information for Other Data Subjects*

The General Data Protection Regulation (GDPR) became directly enforceable in Germany on May 25, 2018 and imposes extensive information obligations in connection with collecting personal data. When handling contracts regarding the service connection or the use of the service connection, we regularly collect not only data regarding the service customer or Service User but may also unavoidably collect personal data concerning employees, service providers, agents or servants of our actual service customer or Service User; this may happen when a point of contact is designated for the service customer or Service User, for example.

We therefore wish to inform you of your rights under the GDPR in the event that we have obtained your personal data (e.g. name and job or function title) in your capacity as an employee, service provider, agent or servant of our service customer or Service User.

We process personal data in particular to fulfill our contractual obligations to our service customer or Service User. We have listed all the purposes of our processing of personal data in **2.** below.

1. Who is responsible for the processing of my personal data, and whom can I contact if I have questions?

The controller as defined by data protection laws (e.g. GDPR) in connection with the processing of your personal data is: **Infraserv GmbH & Co. Höchst KG, Industriepark Höchst, 65926 Frankfurt am Main, email netznutzung@infraserv.com.**

Our data protection officer is available to answer questions relating to the processing of your personal data at **Data Protection Officer, Infraserv GmbH & Co. Höchst KG, Industriepark Höchst, 65926 Frankfurt am Main, email datenschutz@infraserv.com.**

2. What types of personal data relating to me are you processing? What are the purposes and legal bases for the processing?

We process the following categories of personal data:

- contact details (e.g. name, email address, phone number)
- Job or professional titles (e.g. "Dipl.-Ing.", Head of Power System Control Room)

We process personal data relating to you for the following purposes on the following legal bases:

- Performance of the contractual relationship regarding the service connection or the use of the service connection with our service customer or Service User and taking of the associated steps prior to entering into a contract on the basis of GDPR Art. 6 (1) point (b).
- Compliance with a legal obligation (e.g. under tax or accounting laws) on the basis of GDPR Art. 6 (1) point (c).
- Processing in order to safeguard the legitimate interests of the controller or of a third party (e.g. contract fulfillment and performance of market processes without affecting the data subject's overriding interests) within the meaning of GDPR Art. 6 (1) point (f).
- Data interchange in connection with an interruption in the supply of energy.
- Responding to inquiries received from interested parties.

3. Do you share my personal data with other recipients?

We disclose or share your personal data with the following recipients or categories of recipients solely for the purposes specified in **2.**:

Group companies, IT service providers and other authorized parties provided we are authorized or obligated by law to do so.

4. Do you transfer my personal data to or into third countries?

We do not transfer your personal data to or into third countries or to international organizations.

5. How long do you store my personal data for?

We store personal data for the purposes stated under **2.** for as long as it is required to fulfill these purposes. Personal data will be deleted once the contract relating to the underlying business relationship has been terminated, all mutual claims have been met, there are no circumstances which constitute permission to use the data beyond the time of termination, and there are no legal retention obligations or other (legal) bases that would justify retaining the data. Statutory retention obligations are imposed by the German Commercial Code (HGB) and the German Tax Code (AO), among other laws.

6. What are my rights with respect to the processing of my personal data?

Your rights vis-à-vis us with respect to your personal data include, without limitation:

- Right to access the personal data that we have stored concerning you (GDPR Article 15)

- Right to rectification if the stored data concerning you is defective, obsolete or otherwise incorrect (GDPR Article 16)
- Right to erasure if the retention is unlawful, the purpose of the processing is fulfilled and retention is therefore no longer necessary, or you have withdraw consent previously given for the processing of certain personal data (GDPR Article 17)
- Right to restriction of processing where one of the conditions stated in GDPR Article 18 (1) points (a) to (d) applies (GDPR Article 18)
- Right to receive the personal data concerning you which you have provided (GDPR Article 20)
- Right to withdraw previously given consent where the withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal (GDPR Article 7 (3))
- Right to lodge a complaint with a supervisory authority (GDPR Article 77)

7. Is the provision of personal data required by law or contract or necessary to enter into a contract? Is there a duty to provide the personal data, and what would the consequences be of not providing it?

Under the contract regarding the service connection or the use of the service connection, the service customer or Service User must provide the personal data (see 2.) required to enter into the contract regarding the service connection or the use of the service connection and to perform the contractual obligations associated with the contract. This unavoidably includes contact details for employees or third parties (e.g. agents, servants or service providers) consensually employed by the service customer or Service User. It may not be possible to enter into or perform a contract regarding the service connection or the use of the service connection without being able to personally communicate back and forth with the responsible employees or – if so desired by the service customer or Service User – with other third parties.

8. Is there any automated decision-making including profiling?

We do not use automated decision-making including profiling to enter into and perform the contract with our service customer or Service User regarding the service connection or the use of the service connection.

Right to object

You have the right to object at any time to the processing of personal data for legitimate interests as defined by GDPR Article 6 (1) point (f) on grounds relating to your particular situation, provided you state these grounds along with your objection. If your objection is justified, we will generally stop processing the personal data for the purposes in question and delete the data, unless we can demonstrate compelling reasons for the processing that override your interests, rights and freedoms, or the processing serves the establishment, exercise or defense of legal claims.

Please address the objection to Infracerv GmbH & Co. Höchst KG, Industriepark Höchst, 65926 Frankfurt am Main, email: netznutzung@infracerv.com.

*The Privacy Policy of the Infracerv Höchst Group, found at www.infracerv.com/en/allgemeine_informationen/impressum/datenschutz/index.html, applies in addition