

Information on the processing of your personal data in accordance with Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)

We, Kärcher Financial Solutions GmbH (hereinafter "Kärcher", "we" or "us") would like to provide the following information to give you an overview of the processing of your personal data by us and of your rights as a data subject.

The type and purpose of your personal data processed by us depends in particular on whether you would like to establish or wish to enter into a customer relationship with us yourself or whether the company where you are a board member/managing director or employee would like to do so.

Where you provide us with personal [data] of your company's employees or board members, please forward the following information to them.

1. Controller

Kärcher Financial Solutions GmbH, with its registered office at Alfred-Kärcher-Straße 28 - 40, 71364 Winnenden, Germany, is the controller of your personal data.

You can contact us by e-mail at: info@kfs.karcher.com or by phone: 49 (0) 7195/14-0

Contact / data protection officer

If you have any questions regarding data protection, or your rights as a data subject, you can contact the Kärcher data protection officer at:

Data Protection Officer
Kärcher Financial Solutions GmbH

Alfred-Kärcher-Str.28-40
71364 Winnenden, Germany

datenschutz@kfs.karcher.com

2. Personal data processed and origin of data

Kärcher collects and processes various personal data from you when initiating a contractual relationship and also after the formation of a contract. In particular, Kärcher collects and processes your company or personal data, which you or your company make available to us, for example, in the context of the self-disclosure.

In detail, we collect and process the following data:

If you wish to or do become a contractual partner as a company:

- master data about you as the owner, in particular name, date of birth, place of birth, nationality, marital status, number of dependent children;
- your contact details, in particular current address, telephone numbers and e-mail addresses;
- contractual data such as start and end dates, delivery date, lease payments, and repayment terms;
- bank details, if you give a SEPA direct debit mandate, e.g. the IBAN of your account, BIC, details of your bank;
- your income and financial situation in the context of bank and self-reporting, in particular proof of income, information on income, ancillary income, installment payment obligations, household expenses, savings balance, securities, life insurance policy value, value of real property holdings; tax returns; entries in public registers (insolvency proceedings; foreclosures); guarantees;
- data included in the identity card or in other presented identification documents;

- authentication data such as specimen signatures;
- tax-relevant information such as VAT identification number, tax number.

We regularly collect the above data directly from you.

If you are an authorized representative or a board member of the company that wishes to or does become a contracting party, we will collect and process the following personal data about you:

- master data about you, in particular name, date of birth, place of birth, nationality;
- current contact details, such as your work phone number, e-mail and business address;
- data included in the identity card or in other presented identification documents;
- authentication data such as specimen signatures.

We regularly receive the above data from you or from the company whose authorized representative or board member you are.

If you are an employee of and our contact person at the company that wishes to or does become a contracting party, we will collect and process the following personal data about you:

- master data about you, in particular name, current contact details, such as your work phone number, e-mail and business address;

These data are provided to us by yourself or by the company employing you.

Where this is required and permissible for reviewing a contract offer or to provide our contractual services, we furthermore process personal data regarding your company and its legal representatives or authorized representatives that are transmitted to us by other companies of the Kärcher Group or by third parties, such as credit agencies (for example, SCHUFA).

To the extent permitted by law, we also process personal data regarding your company and its legal or authorized representatives from publicly accessible sources such as debtor directories, commercial registers, land registers, the media and the Internet.

3. Purposes and legal bases of processing your personal data

a) Processing for the purpose of contract initiation and compliance with contractual obligations

We process your personal data to carry out pre-contractual measures in response to your inquiry and to comply with our contractual obligations under the leasing agreements concluded with you.

In particular, we process your data for the following purposes:

- processing lease applications submitted by you or your company,
- conclusion and performance of leasing contracts with you or your company,
- transmission of applications to conclude a leasing contract to our partner companies,
- settlement of services provided by us.

The legal basis for this processing is point b of the first sentence of Article 6(1) GDPR.

b) Processing to protect legitimate interests

We furthermore process personal data about you to protect our legitimate interests pursued by us or by a third party, in particular for the following purposes:

- obtaining information from credit agencies (e.g., on creditworthiness and default risks) which based on probabilities obtained by recognized mathematical-statistical processes, assist us in assessing your company's ability to meet its contractual payment obligations;
- establishment, exercise or defense of legal claims in connection with initiation, performance or termination of a leasing contract with you or your company;
- ensuring IT security and our IT operations;
- managing our business operations as well as further developing services and products;

- sending of advertising mail about our services and products by post, unless you have objected to this.

Our legitimate interests in this regard include the effective establishment and defense of our own claims, the assessment of financial risks prior to the conclusion of contracts, compliance with legal requirements and the comprehensive guarantee of our business operations, as well as the interest in us or our advertising partners conducting promotional activities.

The legal basis for this processing is point f of the first sentence of Article 6(1) GDPR.

c) Processing to comply with legal obligations

As a leasing company, we are subject to comprehensive legal obligations, for example under the German Banking Act (Kreditwesengesetz), the German Money Laundering Act (Geldwäschegesetz), tax laws, and regulatory requirements, in particular from the German Federal Financial Supervisory Authority (Bundesanstalt für Finanzdienstleistungsaufsicht), the Bundesbank, and, where applicable, further regulatory authorities.

These obligations include, but are not limited to the following:

- verifying identity and age;
- checking your company's creditworthiness;
- preventing fraud and money laundering;
- preventing terrorist financing;
- legal obligations under commercial and tax law, such as control and retention obligations; and
- regulatory control and reporting obligations as well as risk management obligations.

The legal basis for processing your personal data insofar is point c of the first sentence of Article 6(1) GDPR in conjunction with our respective legal obligation.

d) Processing based on your consent

Where we have requested your consent to the processing of your personal data for individual purposes and you have given us this consent, this consent is the legal basis for the processing of your data pursuant to point a of the first sentence of Article 6(1) GDPR.

You may revoke any consent given to us at any time with effect for the future. You may address your revocation to datenschutz@kfs.karcher.com. Please note that any processing carried out up to the time of revocation will remain lawful.

Revocation of consent does not affect applied for or existing leases. Only processing carried out based on your consent, such as sending information about our services by way of electronic mail, will no longer be permitted once you have revoked your consent.

4. Sharing your personal data

Within Kärcher Financial Solutions GmbH, the bodies requiring your personal data to perform the purposes stated in section 3 above will be given access to such data.

Your data on application, performance or termination of a contractual relationship of your company with us and, as the case may be, information on non-contractual or fraudulent behavior will be transmitted by us to SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden. Transmission to SCHUFA may be made only if this is required to protect our legitimate interests pursued by us or by a third party, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of your personal data. Data on you or your company are furthermore shared in order to comply with statutory obligations to check the creditworthiness of leasing customers. In particular, SCHUFA processes the data provided to it for the purpose profiling in the form of scoring in order to provide its contractual partners in the European Economic Area and in Switzerland and also, as the case may be, in other third countries (where the European Commission has established an adequate level of data

protection) with information on, among other things, the creditworthiness of individuals and companies. Detailed information on the activities of SCHUFA are available online at www.schufa.de/datenschutz.

If you are an employee of and our contact person at the company that wishes to or does become a contracting party, we will not transmit any personal data about you to SCHUFA.

Following conclusion of your leasing contract, we will send a notification of the formation of the leasing contract, including your name, contact and order details to the manufacturer of the leased item to enable them to prepare the provision of the leased item for your company. We will also provide your contact details to suppliers that we have contracted to deliver the leased item to you.

At times we use external service providers or other cooperation partners to perform the purposes specified in clause 3 above, and also share personal data with them. These service providers are:

- IT service providers,
- logistics companies,
- tax consultants, public accountants and attorneys,
- financial technology companies,

The service providers involved by us usually are processors. Processors are companies that we contract (service providers, vicarious agents) for the processing of data within the scope provided by law (Article 28 GDPR) and instruct accordingly. In this case as well, we remain responsible for the protection of your personal data.

Attorneys, tax consultants and public accountants or comparable consulting service providers do not regularly act as processors. However, they are subject to statutory or contractually stipulated non-disclosure obligations.

The following may also receive your personal data:

- public bodies and institutions, e.g. regulatory authorities that we are obligated to provide with information or data;
- law enforcement authorities or authorities responsible for the prosecution of administrative offenses, where this is required to clarify or prosecute illegal facts or if we are obliged to provide information;
- other third parties, should be obligated to do under statutory provisions or enforceable regulatory or judicial order.

5. Need to provide your personal data

Under our business relationship, you must provide those personal data required to establish and perform a contractual relationship with you or your company and to comply with the associated contractual obligations, or which we are required to collect by law. As a rule, without such data, we have to refuse conclusion of a leasing contract or will no longer be able to perform an existing contract and, as the case may be, may have to terminate it.

In particular, under money laundering regulations we are obligated to identify you prior to establishing the business relationship, for example, by way of your identity card, and in so doing, we have to collect and record your name, place of birth, date of birth, nationality as well as your residential address. To enable us to comply with this statutory obligation, you are required to provide us with the necessary information and documents under the provisions of the German Money Laundering Act and notify us without undue delay of any changes occurring in the course of the business relationship. In the event that you do not provide us with the necessary information and documents, we must not establish or continue the business relationship requested by you or your company.

If you are an agent or authorized representative of your company, the above statements apply subject to the proviso that, as a rule, without your data, we regularly must reject you as an or authorized representative or cancel an existing representative authority or power of attorney.

6. Automated individual decision-making

To establish and conduct a business relationship with you or your company, we generally do not use fully automated automatic decision-making as defined in Article 22 GDPR. Where we refer to the creditworthiness data determined by SCHUFA, we only do so to prepare our decision regarding the formation of a business relationship or its conditions.

Should we use such an individual decision-making process, we will inform you separately within the scope of existing statutory obligations.

7. Storage period

Your personal data that are necessary for examination within the scope of initiation or performance of the contractual relationship with you or your company will be erased three years after the end of the examination within the scope of contract initiation or after termination of the contractual relationship, unless this conflicts with any statutory obligations to continued storage of your personal data or our interests in the establishment, exercise or defense of legal claims. The admissibility of this storage period is based on the regular limitation period under Sections 195, 199 of the German Civil Code (Bürgerliches Gesetzbuch, BGB). In special cases, the limitation period may exceed the regular limitation period, and may be up to 30 years.

To the extent technically possible, your personal data, which we process based on our legitimate interest, will be erased on short notice if you have objected to processing or if our legitimate interest in processing your data ceases to exist and if such erasure neither conflicts with your legitimate interests nor with our legitimate interests or those of third parties. Legitimate interests include, for example, the establishment or defense of legal claims, the compliance of legal obligations.

Your personal data, which are processed based on your consent, will be erased without undue delay once you have revoked your consent to such data processing, except in case of any statutory obligation to continued storage of your personal data.

Statutory retention periods are based, inter alia, on the German Commercial Code (Handelsgesetzbuch, HGB), the German Fiscal Code (Abgabenordnung, AO) and the German Banking Act (Kreditwesengesetz, KWG). These periods are up to ten years.

Section 8 (4) of the German Money Laundering Act provides that, as a rule, any personal data processed in the context of a money laundering audit are stored for a period of five years, but in any case no longer than for ten years.

8. Transfer to a third country or to an international organization

Data are transferred to countries outside the European Union or the European Economic Area (so-called third countries) only where this is required to perform a contract with you or your company or if it is prescribed by law (e.g. reporting obligations under tax law), if you have given us your express consent or within the context of processing. If service providers in third countries are used, in addition to our written instructions, they are also obligated to agree to the so-called EU standard contractual clauses and, if applicable, additional measures, in order to comply with the level of data protection in Europe.

9. Your rights

With regard to the processing of your personal data, your rights vis-à-vis us are as follows:

- You have the right, to request **information** about the processing of those personal data relating to you in accordance with the respective legal provisions. You have the right to obtain a copy of the personal data that are the subject of processing (Articles 15 GDPR).
- You have the right to request the **rectification** of inaccurate or incomplete personal data relating to you without undue delay in accordance with the respective statutory provisions (Article 16 GDPR).

- You have the right to request the **erasure** of personal data relating to you without undue delay, provided that the deletion does not conflict with any statutory obligations, such as statutory retention periods, or if other legitimate interests on our part permit further storage (Article 17 GDPR).
- You have the right to request the **restriction** of processing your personal data in accordance with the respective statutory provisions (Article 18 GDPR).
- Where we have obtained separate consent for the processing of your data, you have the right to revoke such consent at any time **with effect for the future**. However, any processing carried out on the basis of your consent until your revocation will remain lawful in such case (Article 7 GDPR).
- You have the right to receive the personal data concerning you, which we process by automated means based on your consent according to point a of Article 6(1) GDPR or a contract according to point b of Article 6(1) GDPR, in a **structured, common and machine-readable format** and to transmit them to third parties. This right does not apply if the rights and freedoms of other persons are affected by the transfer. You also have the right to request that your personal data, where technically feasible, be transferred by us to third parties (Article 20 GDPR).
- Finally, you have the right to lodge a **complaint** with any supervisory authority of your choice, in particular in the EU Member State of your habitual residence, place of work or the place of the alleged infringement, if you consider that the processing of data concerning you infringes the statutory provisions. Additional administrative or judicial remedies which you may be entitled to will not be affected (Article 77 GDPR).
- You have the right to **object** at any time to the processing of personal data concerning you by us, in whatever form (Article 21 GDPR). This also applies to profiling using your personal data. Should you object, your personal data will no longer be processed. You may address your objection without the requirement to adhere to specific form requirement to datenschutz@kfs.karcher.com.

Where we process your personal data to protect legitimate interests pursuant to point f of the first sentence of Article 6(1) GDPR, you have the right to object to the processing pursuant to Article 21 GDPR on grounds relating to your particular situation. In this case, we will no longer process your data, unless we can demonstrate compelling legitimate grounds for the processing. Such grounds must override your interests, rights and freedoms, or the processing serves the establishment, exercise or defense of legal claims. You may address your objection, together with the grounds, without the requirement to adhere to specific form requirement to datenschutz@kfs.karcher.com.

The supervisory authority responsible for us is the State Commissioner for Data Protection and Freedom of Information (Landesbeauftragter für Datenschutz und Informationsfreiheit) of Baden-Württemberg, who can be contacted as follows:

Königstraße 10a
70173 Stuttgart, Germany
Phone +49 (0) 711/615541-0
Fax +49 (0) 711/615541-15
E-mail: poststelle@ldi.bwl.de

The online complaints form is available at: <https://www.baden-wuerttemberg.datenschutz.de/online-beschwerde>