

CSM UK – Privacy Policy

Privacy policy, contractual relationship (Information on data protection regarding our data processing in the context of the contractual relationship in accordance with articles 13,14 and 21 of the General Data Regulation (GDPR) and what rights you are entitled to under the GDPR.

(Last updated: 25 May 2018)

1. Data Controller and Contact Details

Data Controller according to GDPR:

CSM Bakery Solutions Ltd
Stadium Road
Wirral CH62 3NU

Contact details of our data protection officer:

Mr Richard Collinge – UK HR Director
Phone: +44 151 343 1600
Mobile: +44 7841 499 326
richard.collinge@csmbakerysolutions.com

2. Purposes and Legal Bases of the Data Processing

We process personal data in accordance with the provisions of the General Data Protection Regulation (“GDPR”), the applicable national Data Protection Law and other applicable data protection statutes. Details in the following:

2.1 Purposes for performance of a contract or for the implementation of pre-contractual measures (Art. 6 para. 1 lit. b GDPR)

We process your personal data: Name, e-mail address, if necessary, telephone number/mobile phone number, billing address, bank details, address (postcode, city, street number), title, date of birth, which you make available to us within the scope of concluding the contract and which is necessary for concluding the contract and for providing our products, to justify, execute and, if necessary, terminate our contract with you and the execution of your orders. We process personal data that we receive as part of a complaint in order to examine the incident and process it. However, we also use our customers' data to collect our claims.

2.2 Purposes for the purposes of the legitimate interests pursued by the controller or by a third party (Art. 6 para. 1 lit. f GDPR)

Beyond the actual performance of the (preliminary) contract, we process your data, if necessary, where it is required to protect our legitimate interests or those of third parties, provided that your interests or fundamental rights and freedoms do not conflict with this. Justifiable interests may include our economic interests, our legal interests, our interest in complying with

and ensuring compliance or IT security. Justifiable interests exist in particular for the following purposes:

- Advertising or market and opinion research, as long as you have not objected to the use of your data;
- Obtaining information on creditworthiness from credit agencies;
- Quality control, testing and optimization of procedures for needs analysis and communication with you;
- Management and control by affiliated companies (e.g. parent company) or the corresponding supervisory bodies or controlling bodies (e.g. auditors);
- Recovery of receivables by debt collection companies;
- Enforcement of legal claims and defense in legal disputes by lawyers;
- Video surveillance for the protection of house rights, for the collection of evidence in the event of criminal offences;
- Measures for building and system security (e.g. access controls) and for securing house rights;
- Guarantee of EDP/IT security;
- Prevention and investigation of criminal offences;
- Verifiability of orders and other agreements as well as for quality control and training purposes by recording telephone conversations;
- Fair dealing proceedings.

2.3 Use of Data for Advertising Purposes (Art. 6 para. 1 lit. a, f GDPR)

With your consent we use your data for advertising purposes, such as the transmission of our newsletter, for advertising surveys or invitations to events of interest to you, or we use your data for market research purposes. We collect mandatory information such as your e-mail address, but also information that you voluntarily provide to us. We use the voluntary data to permanently improve our customer relationship and make it customer-friendly for you, to be able to address you individually in the future, to analyse your preferences and to inform you about the products of interest to you. You can unsubscribe at any time by clicking on the link provided in the newsletter to unsubscribe or by contacting our customer service at the contact address above.

We process your data for the dispatch of newsletters, surveys etc. and the personalization of the address on the following legal basis:

- If you have given us your consent, in accordance with Art. 6 para. 1 lit. a DSGVO;
- If you have provided us with your e-mail address in connection with the purchase of goods or services or if we send you personalised advertising in order to safeguard our legitimate interests pursuant to Art. 6 para. 1 lit. f DSGVO; our legitimate interest is based on our economic interests in the implementation of advertising measures and target group-oriented advertising.

Right to object

If we receive your e-mail address in connection with the conclusion of a contract for the provision of our products or services and you have not objected to this, we may use your email-address to regularly send you commercial offers via email for similar products or services from our range of products. You can object to this use of your e-mail address at any time by sending a message to the contact option described above or by clicking a link provided for this purpose in every commercial e-mail.

2.4 Purposes for Compliance with a Legal Obligation (Art. 6 para. 1 lit. c GDPR)

Like everyone who participates in economic activities, we are also subject to a large number of legal obligations. These are primarily statutory requirements (such as, but not limited to, commercial and tax laws), but also, where applicable, regulatory or other official requirements. The purposes of processing may include identity and age verification, fraud and money laundering prevention, the prevention, combating and investigation of terrorist financing and offences endangering assets, the fulfilment of fiscal control and reporting obligations and the archiving of data for the purposes of data protection and data security as well as verification by tax and other authorities. Furthermore, the disclosure of personal data within the framework of official/judicial measures may become necessary for the purposes of taking evidence, prosecution or the enforcement of civil law claims.

2.5 Purpose of Data Transmission to Credit Agencies

We use the data provided by you (name, address, date of birth and, if necessary, sex) for the purpose of the application, execution and termination of the business relation also for inquiries and credit information on the basis of mathematical-statistical procedures from credit agencies, in order to examine your creditworthiness before conclusion of a contractual relation, and transfer, if necessary, data on non-contractual behavior or fraudulent behavior during the contractual relation to a credit agency. The exchange of data with a credit agency also serves to verify identity. We can see from the concordance rates transmitted by the credit agency whether a person's data is stored in their database with the address provided by the customer.

If we obtain a request from a credit agency, the legal basis is Art. 6 para. 1 lit. b GDPR, or if we pass on information on non-contractual behavior to a credit agency, the legal basis is Art. 6 para. 1 lit. f GDPR, insofar as this is necessary for protecting the legitimate interests of us or of third parties and your interests or fundamental rights and freedoms, which require the protection of personal data, do not prevail. The legitimate interest is that the credit agency informs third parties about negative payment experiences and thus protects them from their own disadvantages.



3. The Categories of Data processed by us and its Origin, where we do not receive Data directly from you

As far as it is necessary for the provision of our services and for the purposes mentioned above, we process personal data legitimately received from other companies or from other third parties (e.g. credit agencies, address publishers). In addition, we process personal data that we have legitimately obtained, received or acquired from publicly accessible sources (such as telephone directories, trade and association registers, civil registers, debtor registers, land registers, press, Internet and other media) and that we are entitled to process.

4. Recipients or Categories of Recipients of your Data

Within our Group, those internal departments and all other companies affiliated with us under company law receive your data which require the data in order to preform our contractual and statutory obligations or in the course of processing and implementing our legitimate interest.

Your data will **only** be passed on to the following external parties:

- Affiliated companies within our group of companies, insofar as they act as data processors for us and, for example, provide IT services or insofar as this is necessary for,
- Payment service providers and banks to collect outstanding payments from accounts or to pay refunds,
- Call centers and complaint processors to receive and process your inquiries and complaints,
- Agencies, printers and lettershops that support us in carrying out advertising measures, competitions, promotions, etc.,
- IT service providers who store data, support the administration and maintenance of the systems as well as file archivists and shredders,
- Logistics service providers to deliver goods, etc.,
- Banks,
- credit agencies when calling up credit information,
- Collection companies and legal advisors in asserting our claims,
- public authorities and institutions insofar as we are legally obliged to do so.

Beyond the above, we will not pass on your data to third parties.

5. Duration of Storage of your Data

We process your data for the duration of our business relationship. This also includes the initiation of a contract (pre-contractual legal relationship) and the performance of a contract.

In addition, we are subject to various storage and documentation obligations . The periods for storage or documentation specified there are up to ten years beyond the end of the business relationship or the pre-contractual legal relationship.

Furthermore, special legal regulations may require a longer storage period, e.g. the preservation of evidence within the framework of the legal statute of limitations.

If the data are no longer required for the fulfilment of contractual or statutory obligations and rights, they are regularly deleted, unless their - limited - further processing is necessary to fulfil the purposes listed above under III. 3.. In these cases, even after termination of our business relationship or our pre-contractual legal relationship, we may store and, if necessary, use your data for a period compatible with the purposes.

6. Transfer to third parties

Furthermore we may transfer your personal data from the European Union to recipients situated outside the European Union.

In these cases, the recipients are either situated in a country for which an adequacy decision by the Commission exists, the recipients have implemented Binding Corporate Rules or CMS has entered into standard data protection clauses adopted by the Commission or adopted by a supervisory authority and approved by the Commission. You can ask the Data Protection Officer of CMS to provide you with a copy of the respective standard data protection clauses.

7. Your Rights as Data Subject

Under certain conditions you can assert your data protection rights against us.

- **Right to information:** You are entitled to request confirmation from us at any time within the scope of Art. 15 GDPR as to whether we are processing personal data relating to you; If this is the case, you are also entitled under Art. 15 GDPR to receive information about such personal data as well as other specific information (inter alia, processing purposes, categories of personal data, categories of recipients, planned storage period, the origin of the data, the use of automated decision-making and, in the case of transfers to third countries, the appropriate guarantees) and a copy of the data.

- **Right to correction:** According to Art. 16 GDPR, you are entitled to demand correction of the personal data stored about you if it is inaccurate or incorrect.

- **Right to deletion:** You are entitled, under the conditions of Art. 17 GDPR, to request from us the deletion of personal data relating to you without delay. Among other things, there is no right of deletion if the processing of personal data is necessary for (i) the exercise of the right to freedom of expression and information, (ii) the fulfilment of a legal obligation to which we are subject (e.g. statutory retention obligations) or (iii) the assertion, exercise or defense of legal claims.

- **Right to limitation of processing:** Under the conditions of Art. 18 GDPR you are entitled to request from us the limitation of the processing of your personal data.

- **Right to data transferability:** You are entitled, under the conditions of Art. 20 GDPR, to request from us the provision to you of the personal data relating to you that you have

submitted to us in a structured, current and machine-readable format.

- **Right to objection:** You are entitled to object to the processing of your personal data under the conditions of Art. 21 GDPR, meaning that we have to terminate the processing of your personal data. The right of objection exists only within the limits provided for in Art. 21 GDPR. In addition, our interests may prevent the processing from being terminated, so that we are entitled to process your personal data despite your objection.

- **Right of revocation:** You have the right to revoke your consent to the processing of personal data at any time with effect for the future.

- **Right of appeal to a supervisory authority:** You are entitled to file a complaint with a supervisory authority, in particular in the Member State of your place of residence, work or suspected infringement, under the conditions laid down in Article 77 GDPR, if you believe that the processing of personal data concerning you infringes the GDPR. The right of appeal is not prejudicial to any other administrative or judicial remedy.

However, we recommend that you always address a complaint to our data protection officer first.

If possible, your applications for the execution of your rights should be addressed in writing to the above address or directly to our data protection officer.

8. Scope of your Obligations to provide Data

You only need to provide those data which are necessary for the establishment and execution of a business relationship or for a pre-contractual relationship with us or to whose collection we are legally obliged. Without this information, we will usually not be able to conclude or preform the contract. This may also refer to data required later in the course of the business relationship. If we request further data from you, you will be informed separately about the voluntary nature of the data.

9. Automated Decision Making in Individual Cases (including Profiling)

We do not use automated decision making in accordance with Art. 22 GDPR or profiling. If we should nevertheless use such a procedure in individual cases in the future, we will inform you separately about this.

Information about your right of objection Art. 21 GDPR

- 1. You have the right to object at any time to the processing of your data on the basis of Art. 6 para. 1 f GDPR (data processing on the basis of a balance of interests) or Art. 6 para. 1 e GDPR (data processing in the public interest), if there are reasons for this arising from your particular situation. This also applies to profiling based on this provision within the meaning of Art. 4 No. 4 GDPR.**

If you object, we will no longer process your personal data, unless we can prove compelling and applicable reasons for the processing, which outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

- 2. We also process your personal data in individual cases for direct marketing purposes. If you do not wish to receive advertising, you have the right to object to it at any time; this also applies to profiling, insofar as it is associated with such direct advertising. We will take this contradiction into account in the future.**

We will no longer process your data for direct marketing purposes if you object to the processing for these purposes.

The objection can be made without formality and should be addressed to

Mr Richard Collinge – Data Protection Officer

richard.collinge@csmbakerysolutions.com