

Privacy Notice (Valid as of May 25, 2018)

for use in conjunction with the AZL-Group Website

Many thanks for your interest in the services of the AZL-Group and for visiting our website at www.akustikzentrum.de

Data protection is of particular importance for us and has a high priority for the AZL-Group and its companies.

The use of our website is basically possible without any indication and submission of your personal data.

However, if you as a “data subject” (as defined below under Section 1 b)) would like to take advantage of specific services of the AZL-Group via our website, processing of personal data could become necessary.

If in such case the processing of personal data becomes necessary and there is a statutory basis for such processing, we will generally obtain your consent as the data subject in such processing

The processing of personal data, such as the name, address, E-Mail address or telephone number will always be in line with the relevant data protection provisions of the General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG).

By means of this privacy notice the AZL-Group would like to inform clients, interested parties or visitors of our website about the nature, scope and purpose of the personal data we collect, use and process. Moreover, data subjects are also informed by means of this privacy notice of the rights to which they are entitled.

The **AZL-Group** consists of three separate companies, namely **Akustikzentrum GmbH** (*Area: Build Acoustic, i.e. Planning & Construction*) **AZL-Technology Center GmbH** (*Area: Design Acoustic, i.e. Development & Consultation*) and **Prüfstandsservice Lenting GmbH** (*Area: Service & Maintenance*), each of which is a separate controller within the meaning of Article 4 No. 7 GDPR for any personal data it is processing. Any reference to the „AZL-Group“ in this this privacy notice shall basically refer to each of three companies mentioned before.

As the designated responsible persons and controllers for the data processing, the companies of the AZL-Group have implemented numerous technical and organizational measures to ensure and achieve the most complete protection of personal data processed through this website. However, Internet-based data transmissions may in principle have security gaps and vulnerability and thus, an absolute protection may not be guaranteed. For this reason, you are free to choose alternative means for transmission of personal data, e.g. mail, telephone or digital encryption.

1. Definitions

This privacy notice of the AZL-Group predominantly relates to terms set forth in the General Data Protection Regulation or GDPR which are stipulated in part subsequently.

Our privacy notice shall be legible and easy understandable for interested parties as well as our clients and business partners. In case of any inquiries, please do not hesitate to contact us (contact details are provided on our website at the Imprint).

In this privacy notice we use (among other things) the following terms:

- **a) Personal Data (Article 4 No. 1 GDPR)**

Personal data means any information relating to an identified or identifiable natural person („data subject“). An identifiable natural person is one who can be identified directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

- **b) Data Subject (Article 4 No 1 GDPR)**

Data subject is any identified or identifiable natural person, whose personal data is processed by the controller responsible for the processing.

- **c) Processing (Article 4 No. 2 GDPR)**

Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

- **d) Restriction of Processing (Article 4 No. 3 GDPR)**

Restriction of processing means the marking of stored personal data with the aim of limiting their processing in the future.

- **e) Profiling (Article 4 No. 4 GDPR)**

Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

- **f) Pseudonymisation (Article 4 No. 5 GDPR)**

Pseudonymisation means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and

is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

- **g) Controller (Article 4 No. 7 GDPR)**

Controller (also referred to controller responsible for the processing or responsible person, respectively), means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

- **h) Processor (Article 4 No. 8 GDPR)**

Processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

- **i) Recipient (Article 4 No. 9 GDPR)**

Recipient means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

- **j) Third Party (Article 4 No. 10 GDPR)**

Third party means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

- **k) Consent (Article 4 No. 11 GDPR)**

Consent of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

2. Name and Address of the Controllers

Controllers within the meaning of Article 4 No. 7 GDPR und contacts for data processing:

Akustikzentrum GmbH

E-Mail: azl@akustikzentrum.de

AZL-Technology Center GmbH

E-Mail: azl-tc@akustikzentrum.de

Prüfstandsservice Lenting GmbH

E-Mail: psl@akustikzentrum.de

each with registered address at Industriestraße 7, 85101 Lenting, Germany

General telephone number: +49 (0) 8456 – 9135 – 0

General E-Mail Address: info@akustikzentrum.de

3. Cookies

The website of the AZL-Group uses Cookies. Cookies are text files that are filed and stored in a computer system via an Internet browser.

Many websites and servers use Cookies. Many Cookies contain a so-called Cookie ID. A Cookie ID is a unique identifier of the Cookie. It consists of a character string through which Internet pages and servers can be assigned to the specific Internet browser in which the Cookie was stored. This allows visited Internet sites and servers to differentiate your individual browser from other Internet browsers that contain other Cookies. A specific Internet browser can be recognized and identified using the unique Cookie ID.

Through the use of Cookies, the AZL-Group can provide the users of this website with more user-friendly services that would not be possible without the Cookie setting.

By means of a Cookie, the information and offers on our website can be optimized with the user in mind. Cookies allow us, as previously mentioned, to recognize our website users. The purpose of this recognition is to make it easier for users to utilize our website. The website user that uses Cookies, e.g. does not have to enter access data each time the website is accessed, because this is taken over by the website, and the Cookie is thus stored on the user's computer system.

You may at any time prevent the setting of Cookies through our website by means of a corresponding setting of the Internet browser used and may thus permanently deny the setting of Cookies. Furthermore, already set Cookies may be deleted at any time via an Internet browser or other software programs. This is possible in all popular Internet browsers. Please note that if you deactivate the setting of Cookies in the Internet browser used, not all functions of our website may be entirely usable.

4. Collection of General Data and Information

The website of the AZL-Group collects a series of general data and information when you or automated system calls up the website. This general data and information are stored in the server log files. Collected may be (1) the browser types and versions used, (2) the operating system used by the accessing system, (3) the website from which an accessing system reaches our website (so-called referrers), (4) the sub-websites, (5) the date and time of access to the Internet site, (6) an Internet protocol address (IP address), (7) the Internet service provider of the

accessing system, and (8) any other similar data and information that may be used in the event of attacks on our information technology systems.

When using these general data and information, the AZL-Group does not draw any conclusions about you. Rather, this information is needed to (1) deliver the content of our website correctly, (2) optimize the content of our website as well as its advertisement, (3) ensure the long-term viability of our information technology systems and website technology, and (4) provide law enforcement authorities with the information necessary for criminal prosecution in case of a cyber-attack.

Therefore, the AZL-Group analyzes anonymously collected data and information statistically, with the aim of increasing the data protection and data security of our companies, and to ensure an optimal level of protection for the personal data we process. The anonymous data of the server log files are stored separately from all personal data provided by you.

5. Contacting us

The website of the AZL-Group contains information that enables a quick electronic contact to our companies, as well as direct communication with us, which also includes a communication via electronic mail (E-Mail). If you contact us by E-Mail, telephone, facsimile or via our contact form, the personal data transmitted by you are automatically stored. Such personal data transmitted by you on a voluntary basis to us are stored for the purpose of processing your inquiry or contacting you.

6. Transfer of personal data to Third Parties or Third Countries

Depending to which of the three companies of the AZL-Group your personal data were delivered, they may be further group-internally transferred to the proper company in order to appropriately deal with your inquiry; there will, however, be basically no transmission to persons outside the AZL-Group, *unless* this would be necessary for the performance of a contract or to handle a pre-contractual request (Article 6(1) point b GDPR), you have given your consent (Article 6(1) point a GDPR), there is a legitimate interest on our side or a third party for such processing (Article 6(1) point f GDPR) or it would be necessary for the compliance of a legal obligation that we are subject to (Article 6(1) point c GDPR).

In general, it is not necessary to transfer your personal data to a Third Country, i.e. a country outside the European Economic Area and Switzerland (cp. §1(6) BDSG).

However, in relation to the performance and execution of activities of the AZL-Group, in particular with those dealing with any assembly work and in connection the proper performance and fulfillment of our contractual obligation with our customers, there might be a need and a requirement to disclose such data to a Third Country.

The legal conditions for the transfer and disclosure in this regard are set forth in Article 44 et seq. GDPR and either require an adequate level of data protection in the Third Country (Article 45 GDPR), the existence of appropriate safeguards (Article 46 GDPR) or the application of certain exemptions (Article 49 GDPR).

7. Erasure of Personal Data

The AZL-Group processes and stores personal data of data subjects only for the period necessary to achieve the purpose of the storage and in accordance with applicable laws and regulation, in particular in fulfillment of retention requirements under tax and commercial laws.

If the storage purpose is not applicable any longer or if the relevant statutory storage period expires, the personal data will be erased in accordance with legal requirements.

8. Your Rights as a Data Subject

The following rights are granted to you to the extent you are a data subject as defined above:

- **a) Right of Confirmation (Article 15(1), 1st half sentence, GDPR)**

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

- **b) Right of Access (Article 15 GDPR)**

In case personal data from you are being processed, you have the right at any time to receive the following information:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- the existence of the right to request from the us rectification or erasure of personal data, or restriction of processing of personal data concerning you, or to object to such processing;
- the right to lodge a complaint with a supervisory authority;
- where the personal data are not collected from you, any available information as to their source;
- 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 envisaged consequences of such processing for you.

Furthermore, you have the right to obtain information as to whether personal data are transferred to a third country or to an international organisation. Where this is the case, you have the right to be informed of the appropriate safeguards relating to the transfer.

- **c) Right to Rectification (Article 16 GDPR)**

You have the right to obtain from us without undue delay the rectification of inaccurate personal data concerning you. Moreover, taking into account the purposes of the processing, you have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

- **d) Right to Erasure (Right to be Forgotten) (Article 17 GDPR)**

You have the right to obtain from us the erasure of your personal data without undue delay, and we shall have the obligation to erase your personal data without undue delay where one of the following grounds applies:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- the data subject withdraws consent to which the processing is based according to point (a) of Article 6(1) GDPR, or point (a) of Article 9(2) GDPR, and where there is no other legal ground for the processing;
- the data subject objects to the processing pursuant to Article 21(1) GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) GDPR;
- the personal data have been unlawfully processed;
- the personal data must be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- the personal data have been collected in relation to the offer of information society services referred to in Article 8(1) GDPR.

If one of the aforementioned reasons applies and you wish to request the erasure of personal data stored by us, you may at any time contact us.

In case your personal data have been made public, the specific conditions and limitations of Article 17(2) GDPR will apply.

- **e) Right to Restriction of Processing (Article 18 GDPR)**

You have the right to obtain from us restriction of processing of your personal data where one of the following applies:

- the accuracy of the personal data is contested by you (for a period enabling us to verify the accuracy of the personal data);
- the processing is unlawful and you oppose the erasure of the personal data and requests instead the restriction of their use instead;
- we do no longer need your personal data for the purposes of the processing, but they are required by us for the establishment, exercise or defence of legal claims;
- you have objected to processing pursuant to Article 21(1) GDPR pending the verification whether the legitimate grounds on our side override those of you.

If one of the aforementioned reasons applies and you wish to request the restriction of processing of your personal data stored by us, you may at any time contact us.

- **f) Right to Data Portability (Article 20 GDPR)**

You have the right to receive the personal data concerning you and which was provided to us, in a structured, commonly used and machine-readable format.

Moreover, in accordance with the conditions set forth under Article 20 GDPR you have right to transmit such data or have them transmitted by us to another controller (even to persons other than the AZL-Group companies).

In order to assert the right to data portability, you may at any time contact us.

- **g) Right to Object (Article 21 GDPR)**

You have the right to object on grounds relating to your particular situation, at any time, to processing of your personal data you which is based on point (e) or (f) of Article 6(1) GDPR. This also applies to profiling based on these provisions.

The AZL-Group shall no longer process your personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which either override your interests, rights and freedoms, or are necessary for the establishment, exercise or defence of legal claims.

If the AZL-Group processes personal data for direct marketing purposes, you have the right to object at any time to processing of your personal data for such marketing. This applies to profiling to the extent that it is related to such direct marketing. If you object to the processing for direct marketing purposes, the AZL-Group will no longer process the personal data for these purposes.

In addition, you have the right, on grounds relating to your situation, to object to processing of your personal data by the AZL-Group for scientific or historical research purposes, or for statistical purposes pursuant to Article 89(1) GDPR, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

In order to exercise the right to object, you may contact us at any time. Moreover, you are free in the context of the use of information society services, and notwithstanding Directive 2002/58/EC, to use your right to object by automated means using technical specifications.

- **h) Automated individual Decision-Making, including Profiling (Article 22 GDPR)**

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, *as long as* the decision (1) is not necessary for entering into, or the performance of, a contract between you and us, or (2) is not authorised by Union or Member State law to which we are subject to and which also lays down suitable

measures to safeguard your rights and freedoms and legitimate interests, or (3) is not based on your explicit consent.

If the decision (1) is necessary for entering into, or the performance of, a contract between you and us, or (2) it is based on your explicit consent, we shall implement suitable measures to safeguard your rights and freedoms and legitimate interests, at least the right to obtain human intervention on our part, to express our view and contest the decision.

If you wish to exercise the rights concerning automated individual decision-making, you may contact us at any time.

- **i) Right to withdraw Data Protection Consent (Article 7(3) GDPR)**

You have the right to withdraw your consent to processing of your personal data at any time.

If you wish to exercise the right to withdraw the consent, you may contact us at any time.

9. Legal Basis for Processing

If you are interested in our services and products and contact us by E-Mail, telephone, facsimile or by using our contact form, we will collect personal data, such as your particulars (name Address, E-Mail address and other contact details), in order to properly handle your inquiry and, in case there would be follow-up questions, we may collect further personal data in relation to your order, e.g. for the proper execution of the order and business handling process (e.g. bank account details, tax relevant data).

The following legal grounds of the GDPR can be applicable in relation to the collection and processing of personal data:

- a) Article 6(1) point (a) GDPR serves as the legal basis for processing for which we obtain your **consent** for a specific processing purpose. This is e.g. the case, if you use the **contact form** on our website to approach us with an inquiry or request and express your consent for the processing of your personal data you submit by ticking the box before the contact form can be sent to us.
- b) If the processing of personal data is necessary for the **performance of a contract** concerning products and services of the AZL-Group, to which you are or will be a party, the processing is based upon Article 6(1) point (b) GDPR. The same applies to such processing operations which are essential for **carrying out pre-contractual measures**, e.g. in case of inquiries relating to our products and services, and where you have not already given your consent by using the contact form (see above under point a)) and/or to be in a position to contact you in order to respond to potential follow-up questions, respectively. If applicable, we may transmit your personal data also to third parties including but not limited to the companies of the AZL-Group (e.g. also to external service providers) by always observing the principle of data minimisation and only to

the necessary scope, e.g. if this is essential for the handling or performance of a contract with us.

- c) In case processing of personal data is necessary in order to **comply with legal obligations of the AZL-Group**, such as the fulfillment of tax related obligations, the legal basis for such processing is Article 6(1) point (c) GDPR.
- d) Moreover, processing of personal data can be based on Article 6(1) point (f) GDPR. This provision is used of processing personal data that is not already covered by any of the aforementioned legal grounds or which may apply cumulatively, in cases such processing is necessary for **the purposes of the legitimate interests of the AZL-Group or a third party**, *except* where such interests are overridden by your interests or fundamental rights or freedoms which inevitably require the protection of your personal data. A legitimate interest for processing on our side can be e.g. accepted, if you are a person or even a client who could reasonably expect the processing for specific purposes (see Recital 47 2nd sentence GDPR). This in turn, can be e.g. assumed in relation to our interest to handle the inquiries and requests from the users of our website properly (might it be by letter, facsimile, E-Mail or telephone) and our interest to offer you a website which is as attractive as possible to meet your demand. Likewise, a transmission of your personal data that was provided to a designated company within the AZL-Group can take place, if and to the extent necessary and essential to provide you with the best possible reply in relation to your inquiries and requests and to provide you with the best possible customer driven service.

10. Statutory or contractual provisions for providing personal data; Necessity for the conclusion of a contractual relationship; Your obligation to provide personal data and possible consequences of failure to do so

Following the information provided above in relation to the collection and processing of personal data, we would like to remind you, that the provision of personal data is partly required by law (e.g. tax regulations) or can result from contractual provisions (e.g. information on the contractual partner).

Sometimes it may be necessary to conclude a contract that you provide us with personal data, which must subsequently be processed by us. You are, for example, obliged to provide us with personal data when any of the AZL-Group companies signs a contract with you. The non-provision of the personal data would have the consequence that the contract with you could not be concluded.

11. Existence of automated decision-making

As a responsible company, we do not use automatic decision-making or profiling.

12. Adjustments and Changes of this Privacy Notice

We expressly reserve the right to change and adjust the contents of this privacy notice from time to time. Only the respective currently valid version thereof shall apply and govern which can be found and downloaded from our Website at any time at www.akustikzentrum.de

Important Notice

This privacy notice is originally written in the German language and the English translation shall be for convenience purposes only. The German version shall control and prevail over the English version in any case.