



Data protection information for customers and interested parties
in accordance with Articles 13, 14, and 21 of the General Data Protection Regulation (GDPR)

Data protection is a priority for us. In the following sections, we explain how we handle your data and outline your rights in this context.

1. Who is responsible for the data processing, and whom can you contact?

Malibu GmbH & Co. KG
Carthago Ring 1
88326 Aulendorf, Germany
Phone: +49 7525 92000
Email: info@malibu-carthago.com
Website: www.malibu-carthago.com

2. Contact details of our Data Protection

Officer Christoph Boser
datenschutz@malibu-carthago.com

3. Purpose and legal basis of data processing

We process your personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG) and other relevant data protection regulations. The extent of the processing and use of specific data depends on the agreed or requested service.

3.1 Your consent (Article 6 (1) (a) GDPR)

Where you have granted your consent for us to process your personal data, your consent constitutes the legal basis for the specified processing activities. You may withdraw your consent at any time, with effect for the future.

3.2 Fulfilment of contractual obligations (Article 6 (1) (b) GDPR)

We process your personal data in order to execute our contracts and agreements with you. Furthermore, processing your personal data enables us to perform activities related to pre-contractual relationships.

3.3 Fulfilment of legal obligations (Article 6 (1) (c) GDPR)

We process your personal data to the extent necessary to meet our own legal obligations (e.g. under commercial and tax law). Additionally, we may process your data to comply with the applicable tax-related reporting and notification requirements, as well as for data archiving to ensure data protection and security, and within the scope of audits by tax authorities and other entities. Moreover, it may become necessary for us to disclose personal data in the context of governmental or judicial proceedings for purposes such as evidence collection, criminal prosecution or the enforcement of civil claims.

3.4 Our legitimate interests and those of third parties (Article 6 (1) (f) GDPR)

We may also process your personal data based on a balancing of interests, i.e. to uphold our own legitimate interests or those of third parties. Such processing may serve the following purposes:

- To review and optimise processes relating to demand analysis and direct customer engagement.
- For advertising or market research, provided you have not objected to such use of your data.
- To allow limited storage of your data in cases where its deletion is not possible or only feasible with disproportionate effort due to the specific nature of the storage.
- For the ongoing development of our services and products as well as our existing systems and processes.
- For statistical evaluations or market analyses.
- For internal and external investigations and/or security checks.
- For certifications related to private or regulatory matters.

4. Categories of personal data that we process

We process the following categories of personal data:

- Personal data (your name, date of birth, profession/industry and comparable data)
- Contact data (your address, email address, telephone number and comparable data)
- Customer history

We also process personal data from public sources (e.g. the internet, media, press)

5. Who receives your data?

Within our company, we share your personal data with the departments that require this information to fulfil our contractual and legal obligations or to pursue our legitimate interests.

Additionally, the following entities may receive your data:

- Processors engaged by us (Article 28 GDPR), service providers for supporting activities, as well as other controllers as defined by the GDPR, particularly in the areas of IT services, logistics, courier services, printing services, external data centres, support/maintenance activities for IT applications, archiving, document processing services, accounting and controlling, data destruction, purchasing/procurement, customer management, letter shops, marketing, telephone services, website management, tax consulting, auditing services and credit institutions
- Public authorities and institutions in cases where we have a legal or regulatory obligation to provide, report or disclose data
- Other entities to whom we may transfer your data based on your consent

6. Transfer of your data to third countries or international organisations

We do not process data outside the EU or EEA.

7. For how long do we store your data?

To the extent necessary, we process your personal data for the duration of our business relationship, which includes the initiation and execution of a contract with you.

In addition, we are subject to various retention and documentation obligations under the German Commercial Code (HGB) and the German Fiscal Code (AO). The prescribed retention periods under these laws may extend up to ten years beyond the end of the business relationship or the pre-contractual legal relationship.

Ultimately, the retention period is also influenced by statutory limitation periods. According to sections 195 et seq. of the German Civil Code (BGB), these typically last for three years but may extend to up to thirty years under certain circumstances.

8. To what extent do you carry out automated decision-making in individual cases?

We do not use any purely automated decision-making processes as defined in Article 22 GDPR. Should we implement such processes in individual cases, we will inform you separately about this, to the extent that we are required to do so by law.

9. Your data protection rights

You have the right to access your data (Article 15 GDPR), the right to have it rectified (Article 16 GDPR), the right to have it erased (Article 17 GDPR), the right to restrict its processing (Article 18 GDPR), and the right to data portability (Article 20 GDPR). Additionally, you have the right to lodge a complaint with a data protection supervisory authority (Article 77 GDPR). Furthermore, you have the right to object to the processing of your personal data by us (Article 21 GDPR). However, your right to object only applies in cases where particular circumstances concerning your situation exist, and our rights as a business may override your right to object. If you wish to exercise any of these rights, please contact our Data Protection Officer (info@malibu-carthago.com).

10. What data do you need to provide to us?

You only need to provide the data necessary for us to establish and maintain a business relationship or pre-contractual relationship with you, and data that we are legally required to collect. Without this data, we will generally not be able to enter into or fulfil the contract with you. This may also include data required later in the course of our business relationship. If we request any additional data from you, we will specifically inform you of the extent to which providing that information is voluntary.

11. Information about your right to object (Article 21 GDPR)

You have the right, due to reasons arising from your particular situation, to object at any time to the processing of your data based on Article 6 (1) (f) GDPR (processing based on a balancing of interests) or Article 6 (1) (e) GDPR (processing in the public interest). This also applies to profiling based on this provision as defined in Article 4 (4) GDPR.

If you file an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms, or unless the processing is necessary to establish, assert or defend against legal claims. We may also process your personal data for direct-marketing purposes. If you do not wish to receive marketing communications, you have the right to opt out at any time. If you choose to opt out, we will apply your decision to any future processing.

This means your data will no longer be processed for direct-marketing purposes if you object to such processing. You can inform us that you wish to opt out by simply sending an email to the address provided in section 1.

12. Your right to lodge a complaint with the competent supervisory authority

You have the right to lodge a complaint with the data protection supervisory authority

(Article 77 GDPR). The supervisory authority responsible for us is:

Landesbeauftragte für Datenschutz und Informationsfreiheit Baden-Württemberg

Königstrasse 10 a

70173 Stuttgart Phone:

0711/615541-0

poststelle@lfdi.bwl.de