
Rights of data subjects

We are highly concerned to protect your personal data, and would like to provide you with the following information about your rights with this Privacy Policy.

Your rights

If your personal data are processed, you are a data subject within the meaning of the General Data Protection Regulation (GDPR), and you have the following rights vis-à-vis the controller:

1. Right to be informed

You may obtain from the controller confirmation as to whether or not personal data concerning you are being processed..

Where that is the case, you may require the controller to inform you as follows:

- a. of the purposes of the processing of the personal data;
- b. of the categories of personal data which are being processed;
- c. of the recipients or categories of recipient to whom the data concerning you have been or will be disclosed;
- d. of the envisaged period for which the data concerning you will be stored, or, if not possible, the criteria used to determine that period;
- e. of the existence of the right to request from the controller rectification or erasure of the data concerning you or restriction of processing by the controller or to object to such processing;
- f. of the right to lodge a complaint with a supervisory authority;
- g. where the personal data are not collected from you, of any available information as to the source;
- h. of the existence of automated decision-making, including profiling, referred to in Art. 22(1) and (4) GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for you.

You have the right to be informed whether the personal data concerning you are transferred to a third country or to an international organisation. In this context, you have the right to be informed of the appropriate safeguards pursuant to Art. 46 GDPR relating to the transfer.

This right to be informed may be restricted if it is likely to render impossible or seriously impair the research purposes or statistical purposes and the restriction is necessary for achieving the research purposes or statistical purposes.

2. Right to rectification

You have a right to obtain from the controller rectification and/or completion of inaccurate processed personal data concerning you. The controller must effect rectification without undue delay.

Your right to rectification may be restricted if it is likely to render impossible or seriously impair the research purposes or statistical purposes and the restriction is necessary for achieving the research purposes or statistical purposes.

3. Right to restriction of processing

You have the right to obtain from the controller restriction of processing where one of the following applies:

- a. you contest the accuracy of the personal data concerning you, for a period enabling the controller to verify the accuracy of the personal data,
- b. the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead,
- c. the controller no longer needs the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims, or
- d. you have objected to processing pursuant to Art. 21(1) GDPR pending the verification whether the legitimate grounds of the controller override your grounds.

Where processing of the data concerning you has been restricted, such data may, with the exception of storage, only be processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

If the restriction has been restricted in line with the above stipulations, you will be informed by the controller before restriction of processing is lifted.

Your right to restriction of processing may be restricted if it is likely to render impossible or seriously impair the research purposes or statistical purposes and the restriction is necessary for achieving the research purposes or statistical purposes.

4. Right to erasure

a. The obligation to erase

You can obtain from the controller the erasure of personal data concerning you without undue delay, and the controller has the obligation to erase such data without undue delay where one of the following grounds applies:

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

b. Information provided to third parties

Where the controller has made the personal data concerning you public and is obliged pursuant to Art. 17(1) GDPR to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform the controllers which are processing the personal data that you, as the data subject, have requested it to erase any links to, or copy or replication of, those personal data.

c. Exceptions

The right to erasure does not apply to the extent that processing is necessary

- (1) for exercising the right of freedom of expression and information,
- (2) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller,
- (3) for reasons of public interest in the area of public health in accordance with points (h) and (i) of Art. 9(2) as well as Art. 9(3) GDPR,
- (4) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Art. 89(1) GDPR in so far as the right referred to in (a) above is likely to render impossible or seriously impair the achievement of the objectives of that processing, or
- (5) for the establishment, exercise or defence of legal claims.

5. Right to notification

If you have asserted the right to rectification, erasure or restriction of processing vis-à-vis the controller, it is obliged to communicate any rectification or erasure of personal data or restriction of processing carried out to each recipient to whom the personal data concerning you have been disclosed, unless this proves impossible or involves disproportionate effort.

The controller is to inform you about those recipients.

6. Right to data portability

You have the right to receive the personal data concerning you, which you have provided to the controller, in a structured, commonly used and machine-readable format. You also have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where

- a. the processing is based on consent pursuant to point (a) of Art. 6(1) GDPR or point (a) of Art. 9(2) or on a contract pursuant to point (b) of Art. 6(1), and
- b. the processing is carried out by automated means.

In exercising this right, you furthermore have the right to have the personal data concerning you transmitted directly from one controller to another, where technically feasible. This may not adversely affect the rights and freedoms of others.

The right to data portability does not apply to processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

7. Right to object

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on point (e) or (f) of Art. 6(1), including profiling based on those provisions.

The controller is to cease processing the personal data concerning you unless it demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or processing serves the establishment, exercise or defence of legal claims.

Where the personal data concerning you are processed for direct marketing purposes, you have the right to object at any time to processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing.

Where you object to processing for direct marketing purposes, the personal data concerning you are no longer to be processed for such purposes.

In the context of the use of information society services, and notwithstanding Directive 2002/58/EC, you may exercise your right to object by automated means using technical specifications.

Where personal data concerning you are processed for scientific or historical research purposes or statistical purposes pursuant to Art. 89(1) GDPR, on grounds relating to your particular situation, you also have the right to object to processing of personal data concerning you.

Your right to object may be restricted if it is likely to render impossible or seriously impair the research purposes or statistical purposes and the restriction is necessary for achieving the research purposes or statistical purposes.

8. Right to withdraw the declaration of consent under privacy law

You have the right to withdraw your declaration of consent under privacy law at any time. Withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

9. Automated individual decision-making, including profiling

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. This does not apply if the decision

- a. is necessary for entering into, or performance of, a contract between you and the a data controller,
- b. is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests, or
- c. is based on your explicit consent.

Having said that, such decisions may not be based on special categories of personal data referred to in Art. 9(1) GDPR, unless point (a) or (g) of Art. 9(2) applies and suitable measures to safeguard your rights and freedoms and legitimate interests are in place.

In the cases referred to in (1) and (3), the data controller is to implement suitable measures to safeguard your rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express your point of view and to contest the decision.

10. Right to lodge a complaint with a supervisory authority

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with the supervisory authority named below if you consider that the processing of personal data relating to you infringes the GDPR:

The Federal Commissioner for Data Protection and Freedom of Information
Husarenstr. 30
53117 Bonn
Telefon: +49 (0)228 997799-0
Fax: +49 (0)228 997799-5550
E-mail: poststelle@bfdi.bund.de

The supervisory authority informs the complainant about the progress and the outcome of the complaint, including the possibility of a judicial remedy pursuant to Art. 78 GDPR.