

## **Information of your rights as data subject within the meaning of the General Data Protection Regulation (GDPR)**

### **1. Right of access**

You can request confirmation from the data controller about whether personal data that concerns you is processed by us. If such processing takes place, you can request the following information from the data controller:

- (1) the purposes for which the personal data is processed;
- (2) the categories of personal data that is processed;
- (3) the recipients or categories of recipient to whom the personal data has been or will be disclosed;
- (4) the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- (5) the existence of a right to request from the data controller rectification or erasure of personal data, a right to the restriction of processing of personal data concerning the data subject or to object to such processing;
- (6) the existence of a right to complain to a supervisory authority;
- (7) all available information about the origin of the data where the personal data is not collected from the data subject;
- (8) the existence of automated decision-making, including profiling, pursuant to Art. 22 Para. 1 and 4 GDPR and – at least in these instances – meaningful information about the logic involved as well as the consequences and effects aspired to by processing of this kind.

You have the right to information about whether personal data was transmitted to a third country or to an international organisation. In this connection, you have the right to be informed of suitable guarantees in connection with the transfer pursuant to Art. 46 GDPR.

### **2. Right to rectification**

You have a right to rectification and/or completion by the controller, provided the processed personal data that concerns you is inaccurate or incomplete. The data controller must carry out the rectification without undue delay.

### **3. Right to restrict processing**

Subject to the following prerequisites, you can request the restriction of processing of the personal data that concerns you:

- (1) if you can test the accuracy of the personal data that concerns you for a period that enables the controller to check the accuracy of the personal data;
- (2) the processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead;
- (3) the controller no longer needs the personal data for the purposes of processing, but they are required by the data subject for the establishment, exercise or defence of legal claims; or
- (4) if you have objected to processing pursuant to Art. 21 Para. 1 GDPR pending verification of whether the legitimate grounds of the data controller override those of the data subject.

If the processing of the personal data that concerns you is restricted, this data may – apart from its storage – be processed only with your consent or for the establishment, exercise or defence of legal claims or for the protection of rights of another natural person or legal entity or on grounds of public interest of the Union or a member state. If the restriction of

the processing is carried out in accordance with the above-mentioned prerequisites, you are notified by the data controller before the restriction takes place.

#### **4. Right to erasure**

##### **a) Erasure obligation**

You can request that the data controller erases personal data that concerns you without undue delay, and the data controller is obliged to erase this data without undue delay, provided one of the following reasons applies:

- (1) The personal data that concerns you is no longer necessary for the purposes for which it was collected or otherwise processed.
- (2) You withdraw consent on which the processing is based according to Art. 6 Para. 1 lit. a, or Art. 9 Para. 2 lit. a, GDPR and where there is no other legal basis for the processing.
- (3) You object to the processing pursuant to Art. 21 Para. 1 GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Art. 21 Para. 2 GDPR.
- (4) The personal data has been unlawfully processed.
- (5) The personal data has 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 has been collected in relation to the offer of information society services referred to in Art. 8 Para. 1 GDPR.

##### **b) Information given to third parties**

If the controller has made the personal data public and is obliged pursuant to Art. 17 Para. 1 GDPR to erase the personal data, we, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that you have requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

##### **c) Exceptions**

The right to erasure does not exist, provided the processing is required

- (1) for exercising the right of freedom of expression and information;
- (2) for compliance with a legal obligation, which requires the processing in accordance with the law of the Union or member states 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 pursuant to Art. 9 Para. 2 lit. h, i GDPR and Art. 9 Para. 3 GDPR;
- (4) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes pursuant to Art. 89 Para. 1 GDPR, provided that the right mentioned under section a) probably makes the realisation of the goals of this processing impossible or seriously impairs it, or
- (5) for the establishment, exercise or defence of legal claims.

#### **5. Right to notification**

If you have asserted your right to obtain rectification, erasure or restriction of your personal data from the data controller, the controller is obliged to notify all the recipients to whom the personal data affected was disclosed of this rectification or erasure of the data or the restriction of the processing, unless this proves impossible or involves disproportionate effort. You have the right to request that the controller notifies you of these recipients.

## **6. Right to data portability**

You have the right to receive the personal data that concerns you, which you have provided to us, in a structured, commonly used and machine-readable format. In addition, you have the right to transmit this data to another controller without hindrance from the controller to which the personal data has been provided, provided

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

In exercising this right, you have the further right to have the personal data transmitted directly from one controller to another, where technically feasible. The rights and freedoms of others must not be adversely affected by this. The right to data portability does not apply to the processing of personal data that is 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 for reasons resulting from your special situation to object to the processing of personal data that concerns you, pursuant to Art. 6 Para. 1 lit. e or f GDPR; this also applies to profiling based on these provisions. The data controller shall no longer process the personal data that concerns you unless it can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims. If your personal data is processed for direct marketing purposes, you have the right to object at any time to the processing of the personal data concerned for the purpose of this sort of advertising; this also applies to profiling, provided it is connected to such direct advertising. If you object to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes. You have the option, in connection with the use of services of the information society – notwithstanding Directive 2002/58/EC – to exercise your right to object by means of automated processes in which technical specifications are used.

## **8. Right to withdraw consent**

You have the right to withdraw your consent regarding data protection law at any time. The withdrawal of consent does not affect the legality of the processing carried out on the basis of the consent up until the point of 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

- (1) is necessary for entering into, or performance of, a contract between you and the data controller;
- (2) 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
- (3) is based on your explicit consent.

However, decisions may not be based on special categories of personal data referred to Art. 9 Para. 1 GDPR, provided Art. 9 Para. 2 lit. a or g GDPR do not apply and suitable measures to safeguard your rights and freedoms and legitimate interests are in place. In the cases referred to in points (1) and (3), the data controller shall 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 data controller, to express his or her point of view and to contest the decision.

## **10. Right to lodge a complaint with a supervisory authority**

If you consider that the processing of personal data relating to you infringes the GDPR, you have, without prejudice to any other administrative or judicial remedy, the right to lodge a complaint with a supervisory authority, in particular in the member's state of your habitual residence, place of work or place of the alleged infringement. The supervisory authority where the complaint was lodged, informs the complainant of the status and results of the complaint including the possibility of judicial remedy pursuant to Art. 78 GDPR.

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