

General Data Protection Regulation (GDPR)

Information about data-processing according to GDPR

According to the General Data Protection Regulation, we are obliged to inform you as to why we collect your data and in what form it is processed.

WHO IS RESPONSIBLE FOR DATA-PROCESSING AND WHO CAN YOU CONTACT?

Responsible for data-processing:

AGNOSYS GmbH
Ankerstraße 6
8054 Graz
E-mail: datenschutz@agnosys.at
VAT registration no.: ATU 64799016
Commercial register no.: FN324723i

WHICH DATA ARE PROCESSED?

We process the following personal data: Your personal details such as title, first name, surname, address, telephone number, e-mail address and customer authentication data. In addition, this may also include order data (standing orders or direct debits), bank details, data from the fulfilment of our contractual obligations (consumption, turnover and invoice data), creditworthiness data, terms of payment, data about your system (date of commissioning/decommissioning, repair dates), advertising and sales data, data from customer loyalty programmes, consultation protocols, enquiries, data from customer surveys, sociodemographic data, information from your electronic communication with our company (service portals, apps, cookies) and data to meet legal requirements.

Additionally, we collect company data from the company register and annual reports, VAT registration number, business purposes, industry affiliation and publicly available economic data.

WHERE DOES THIS DATA ORIGINATE?

We process personal data that we have received from you in the course of the business relationship. Moreover, we process data from publicly accessible sources such as the commercial register and the land register, as well as from address list publishers, direct marketing companies and business information agencies, which we have received in a permissible manner.

FOR WHICH PURPOSES AND ON WHICH LEGAL GROUNDS IS THE DATA PROCESSED?

We process your personal data in accordance with data protection regulations.

- **To fulfil contractual obligations (Art. 6 para. 1 lit b GDPR):**
AGNOSYS GmbH or its duly appointed contractors handle your personal data in order to fulfil the contract with you. This includes the billing of your services, the sending of invoices and, if necessary, reminders as well as the communication for the processing of the contract and the processing of payments. The legal basis for the processing and provision of your personal data is therefore the processing for the fulfilment and execution of the contract. Without these we cannot conclude and process the contract.
- **To fulfil legal obligations (Art. 6 para. 1 lit c GDPR):**
The processing of personal data may be necessary for the purpose of fulfilling various legal obligations - the preparation of annual financial statements, ongoing tax obligations and in connection with audits by courts of auditors. Without the provision of your data, we cannot meet our legal obligations.
- **With your consent (Art. 6 para. 1 lit a GDPR):**
If you have given us your consent to process your personal data, processing will only take place in accordance with the purposes and to the extent agreed in the declaration of consent. Any consent given can be revoked at any time with effect in the future (see data processing for advertising purposes).
- **To protect legitimate interests (Art. 6 para. 1 lit f GDPR):**
If necessary, in the context of weighing up interests in favour of AGNOSYS GmbH or a contractor, the processing of data can go beyond the actual fulfilment of the contract to protect the legitimate interests of AGNOSYS or its appointed contractors. In the following cases, data will be processed to protect legitimate interests:
 - Consultation of and data exchange with credit agencies to determine creditworthiness and default risks;
 - Review and optimisation of procedures for needs analysis and direct customer approach as well as measures for business management and further development of services and products;
 - Advertising for your own products, customer evaluation, market and opinion research, as long as you have not opted out of the use of your data according to Art. 21 GDPR;
 - In the context of legal prosecution for defence and enforcement of legal claims;
 - Making contact (e.g. by e-mail, telephone or post) to assess service quality and customer satisfaction;
 - Handling of promotional campaigns and claims for damages;
 - Tax and legal advice such as auditors and experts, consulting and IT services;
 - Maintaining network and information security;
 - Necessary administrative purposes.

HOW DO WE PROCESS YOUR DATA FOR ADVERTISING PURPOSES?

We will process the data which we have obtained in the course of our contractual relationship with you in order to send you e-mails or postal letters for the purpose of illustrating and presenting our products, services and marketing measures (Art. 6 para. 1 lit f GDPR), however, only for a maximum of 3 years after the end of the contract. **You have the right to object to this processing of your data for the purpose of direct advertising at any time, without giving reasons, by writing directly to AGNOSYS GmbH, Ankerstraße 6, 8054 Graz or by e-mail to datenschutz@agnosys.at.** If you exercise your right to object to data processing for direct marketing purposes, your personal data will no longer be processed for these purposes.

WHO RECEIVES YOUR DATA?

Your data will be provided to those departments or employees who need it to fulfil contractual and legal obligations as well as legitimate interests. Furthermore, contractors commissioned by us and other recipients, in particular EU-based companies such as IT, cloud and telecommunications service providers, printing, scanning and data destruction service providers, external auditors and experts, authorities (including the courts or regional government and authorities providing funding), auditors and tax advisors, insurance companies, credit reporting agencies, consulting firms, lawyers receive your data, provided that they need the data to fulfil their respective obligations and services. All contractors are contractually obliged to treat your data confidentially and to process them only within the scope of the provision of services.

Since various recipients and contractors change regularly, it is not possible to specify a particular name in this respect.

HOW LONG WILL YOUR DATA BE STORED?

We process your personal data, if necessary, for the duration of the entire business relationship as well as beyond that for the duration of statutory retention and documentation periods, in particular of the Federal Fiscal Code (*Bundesabgabenordnung, BAO*).

According to § 132 BAO, accounts, records and receipts relevant to tax law must be kept for seven years. Therefore, your data is principally deleted after seven years following the end of our contractual relationship.

WHICH DATA PROTECTION RIGHTS DO YOU HAVE?

You have a right to information, correction, deletion or restriction of the processing of your stored data, a right of objection against the processing, as well as a right to data transferability in accordance with the requirements of data protection law. **If you wish to exercise this right, you can do so informally, without giving reasons, by writing directly to AGNOSYS GmbH, Ankerstraße 6, 8054 Graz or by e-mail to datenschutz@agnosys.at.**