

DATA PRIVACY STATEMENT / RIGHT TO BE INFORMED

(As at: June 2020, version 1.0)



Protecting your data is an especially important concern for us, which is why we comply with the applicable data protection provisions, particularly GDPR and the Austrian Data Protection Act (DSG), when processing your personal data (e.g. master data).

You can find more detailed information on how we carry out data processing below:

1. Controller

Thomas Peterseil

Laaher Strasse 8

4052 Ansfelden, Austria

Phone: +43 (0) 660 488 7930

E-mail: business@realsim.at

As we are not under any statutory obligation to do so, we have not appointed a data protection officer or appointed one from the Austrian Data Protection Authority.

2. Rights of the data subject/right to object and withdraw/right to complain

2.1. You have the following rights with regard to the personal data concerning you:

- **Right of access (Article 15 GDPR)**
- **Right to rectification (Article 16 GDPR) or erasure (Article 17 GDPR)**
- **Right to restriction of processing (Article 18 GDPR)**
- **Right to data portability (Article 20 GDPR)**
- **Right to object to processing (Article 21 GDPR)**

Right to object: As the processing of your personal data is based on the **consideration of interests** (Article 6 (1) f) GDPR: legitimate interests), you have the **right** to file an **objection** to this processing for reasons related to your particular circumstances **at any time**. In the event that you exercise your right to object, we will ask you to state your reasons for withdrawing consent for the processing of your personal data for the purposes we have already carried out. We will verify the circumstances and either stop the data processing, adjust it or show you our urgent reasons that need protecting and continue with the data processing. We will then also continue data processing if it serves to assert, exercise or defend against legal claims.

You can object to data processing for the purposes of **direct marketing and data analysis** at any time. In this case, we will stop data processing.

Right to withdraw: If you have given your consent for us to process personal data, you can also **withdraw** your **consent at any time**. Your withdrawal does not affect the legality of the data processing carried out up to the withdrawal.

To exercise the rights listed above, you must inform us in person, by phone or in writing:

Thomas Peterseil
Laaher Strasse 8
4052 Ansfelden, Austria
Phone: +43 (0) 660 488 7930
E-mail: business@realsim.at

Please note that we can then only issue information if you verify your identify.

2.2. If you are of the opinion that the data processing violates the applicable data protection law or we have violated your data protection claims, you also have the right to file a **complaint with the supervisory authority** in the Member State in which you are resident, in which you work or in which the alleged breach took place.

If you wish to file a complaint with the Austrian Data Protection Authority, please direct this to:

Austrian Data Protection Authority
Barichgasse 40-42
1030 Vienna, Austria

3. Information about processing your personal data

3.1. Visiting our website

- Purpose: If our website is used only for information purposes (no registration and no transfer of other information), personal data is collected that is transferred from your browser to our server. This is required for technical reasons to correctly display our website to you and guarantee the stability and security of the website.
- Legal basis: Legitimate interest (Article 6 (1) f) GDPR), Article 96 (3) Telecommunications Act 2003 (TKG)

- The following data will be processed: IP address, data and time of enquiry, time difference from GMT, content of the request (specific page), access status/HTTP status code, respective transferred data volume, requested website, browser, operating system and interface, language and version of browser software
- Storage duration: For as long as you use our website.
- Recipient/recipient categories: Processor

3.1.1 Social Media

In addition to our website, we also maintain a social media presence, particularly on Facebook and Xing, to increase the level of awareness for our company and for marketing purposes. If you visit one of our pages, it is possible that personal data may be sent to the operator of the social network. Furthermore, the operator can connect your profile with ours, provided that you are logged into the respective network.

Legal basis: Legitimate interest (Article 6 (1) f) GDPR)

Recipient/recipient categories: Processor

Specific details about the data collection and processing by the respective operator can be found via the following links:

Facebook: <https://en-gb.facebook.com/about/privacy/>

Xing: <https://privacy.xing.com/en/privacy-policy>

3.1.2 Use of Google services

This website uses various services by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, United States ("Google") and, if you are a resident of the European Union, European Economic Area and Switzerland, by Google Ireland Limited (register number: 368047), Gordon House, Barrow Street, Dublin 4, Ireland. The following shall explain exactly which services this website uses.

With the integration of Google services in this website, Google also collects and processes personal data. The gathered information being sent to third parties cannot be ruled out. With the Privacy Shield certification, Google undertakes to comply with the provisions in the EU-US and Swiss-US Privacy Shield Framework.

Information about participation can be found by searching for Google here:

<https://www.privacyshield.gov/list> The information can also be forwarded to

Google's contractual partners. More information about the handling of user data can be found in Google's privacy policy:

<https://policies.google.com/privacy?hl=en-GB>.

Data processing contract:

We have concluded a data processing contract with Google.

3.1.2.1 Google Maps

This website uses the Google Maps map service. Storing your IP address is necessary for using the Google Maps function. This information will generally be sent to a Google server in the USA and stored there. The provider of this website has no involvement in this data transfer.

Google Maps is used for the purpose of displaying our services online in a pleasant format and to make it easier to find us at the locations given on the website.

Legal basis: Article 6 (1) f) GDPR

Storage duration: Until the end of use

3.1.2.2 YouTube

Our website uses **social plugins** ("plugins"). If you visit one of our pages that is equipped with a plugin, this will create a connection to the server of the plugin operator. In doing so, the plugin will share with the server which of our pages you visited.

If you have an account with the operator of the plugin and are logged into this, this enables the operator to match your surfing behaviour directly with your personal profile. You can prevent this by logging out of your account. Logging out of your account will limit or prevent some functions (e.g. YouTube).

Plugins are used for the purpose of attractively displaying and increasing awareness of our services online and company.

- Legal basis: Article 6 (1) f) GDPR

We use plugins for YouTube.

3.2. Electronic contact enquiries via the website

- Purpose: Processing contact enquiries via e-mail or the contact form on the website.
- Legal basis: Fulfilling a contract, required to carry out precontractual measures (Article 6 (1) b) GDPR), legitimate interest (Article 6 (1) f) GDPR), Article 96 (3) TKG 2003
- The following data will be processed: Master data, data on the content of the enquiry
- Storage duration: Until the enquiry is answered. If there are statutory storage obligations, processing will be limited accordingly.
- Recipient/recipient categories: Processor

3.3. Client management, accounting, logistics and record keeping

- Purpose: Processing personal data as part of any business relationships with clients and suppliers in the context of operating a business, including systematically recording all income and costs of relevant business transactions.
- Legal basis: Consent (Article 6 (1) a) GDPR), fulfilling a contract, required to carry out precontractual measures (Article 6 (1) b) GDPR), fulfilling a legal obligation (Article 6 (1) c) GDPR), legitimate interest, especially preventing, exercising and asserting legal claims (Article 6 (1) f) GDPR), explicit consent (Article 9 (2) a) GDPR).
- Storage duration: Until the end of the business relationship or until the expiration of the applicable guarantee, warranty, limitation and statutory storage periods (particularly the Austrian Fiscal Code (BAO)); furthermore, until the expiration of all legal disputes in which the data is required as evidence.
- Recipient/recipient categories: Fiscal authorities, courts and authorities, suppliers, debt collection companies, banks concerned with payment to the data subject or third parties, legal representatives, economic trusts and payroll accountants.

Providing your personal data is required for fulfilling the contract or carrying out precontractual measures. We cannot conclude a contract with you without this data.

3.4. Customer support and marketing for internal purposes

- Purpose: Processing of data belonging to customers and prospective buyers that is internal or has been purchased in addition for the initial business contact with regard to internal delivery or supply offers and carrying out advertising measures and customer relation management.
- Legal basis: Consent (Article 6 (1) a) GDPR), fulfilling a contract, required to carry out precontractual measures (Article 6 (1) b) GDPR), fulfilling a legal obligation (Article 6 (1) c) GDPR), legitimate interest, especially preventing, exercising and asserting legal claims (Article 6 (1) f) GDPR)
- The following data will be processed in order to send out the newsletter through our website: Master data
- Storage duration: The data may be stored until the end of the third year following the last contact with the client, provided that there are no longer contractual or statutory storage periods in effect.
- Recipient/recipient categories: Processor

3.5. Staff management and applicant management

- Purpose: Processing and transferring data for paying wages, salaries and remuneration and complying with recording, information and reporting obligations, insofar as these are required by law or codes of collective legal regulation or obligations in employment contracts; using personal data belonging to applicants and retaining for record keeping, if this data has been provided by the data subject.
- Legal basis: Consent (Article 6 (1) a) GDPR), fulfilling a contract, required to carry out precontractual measures (Article 6 (1) b) GDPR), fulfilling a legal obligation (Article 6 (1) c) GDPR), legitimate interest, especially preventing, exercising and asserting legal claims (Article 6 (1) f) GDPR), explicit consent (Article 9 (2) a) GDPR), required to fulfil obligations from employment law and social law (Article 9 (2) b) GDPR), exercising, asserting and defending against legal claims (Article 9 (2) f) GDPR), statutory obligations to exercise due diligence (Article 10 GDPR in conjunction with Article 4 (3) 2 DSG), legitimate interest (Article 10 GDPR in conjunction with Article 4 (3) 2 DSG).
- Storage duration: Until the end of the relationship with the data subject and, in addition, for as long as the statutory storage period or for as long as legal claims resulting from the employment relationship against the employer can be asserted (particularly providing character references, etc.). Applicant data will be deleted immediately once the advertised position is filled, unless consent has been provided to keep it for our records. Prospective applications shall be kept in our records as appropriate until the data subject withdraws their consent.
- Recipient/recipient categories: Fiscal authorities, courts and authorities, social insurance agencies (including company health insurance funds), Labour Inspectorate, Transport Labour Inspectorate and Agriculture and Forestry Labour Inspectorate, in particular pursuant to Article 8 Labour Inspection Act (Arbeitsinspektionsgesetz), bodies in occupational special interest groups (particularly works councils pursuant to Article 89 4) Working Conditions Act (ArbVG), safety representatives pursuant to Article 10 Health and Safety at Work Act (ASchG), youth representatives pursuant to Article 125 ff. ArbVG and disability representatives pursuant to Article 22a Disability Employment Act (BEinstG)), apprentice positions pursuant to Article 19 Employment Training Act (BAG) and vocational schools, job market services, banks concerned with payment to the data subject or third parties, trade unions specified by the employee, with consent of the data subject, statutory special interest groups, retirement funds, employee pension funds (MVK) pursuant to Article 11 2) and Article 13 Occupational Employee Pension Law (BMVG), legal representatives; economic trusts; payroll accountants.

Providing your personal data is required for fulfilling the contract or carrying out precontractual measures. We cannot conclude or carry out a contract with you without this data. Without this data, we are also unable to provide any voluntary benefits and external training and advanced training opportunities.

3.6. Access management for computer systems

- Purpose: Managing usernames and passwords, as well as system access logs.
- Legal basis: Fulfilling a legal obligation, particularly complying with access controls (e.g. password guidelines) or access authorisations (Article 6 (1) c) GDPR), legitimate interest, especially preventing, exercising and asserting legal claims (Article 6 (1) f) GDPR)
- Storage duration: Data will be erased if the data subject's system permissions expire and all legal disputes for which the data is required as evidence are concluded. However, the data will be deleted in any case if there is no longer a statutory storage period.
- Recipient/recipient categories: None

Providing your personal data is required for fulfilling the contract. We are not able to operate our (software) systems securely without this data. We are therefore unable to work with you in our company otherwise.

3.7. Access control systems

- Purpose: Controlling access authorisation to buildings and restricted areas by the owner or those authorised for use by means of systems that process personal data using automated technology in which no biometric data belonging to the data subject is processed. The only exception is the real-time reproduction of facial images.
- Legal basis: Consent (Article 6 (1) a) GDPR), fulfilling a contract, required to carry out precontractual measures (Article 6 (1) b) GDPR), fulfilling a legal obligation to implement technical and organisational measures to protect personal data (Article 6 (1) c) GDPR), legitimate interest, especially preventing, exercising and asserting legal claims (Article 6 (1) f) GDPR), explicit consent (Article 9 (2) a) GDPR), required to fulfil obligations in employment law and social law (Article 9 (2) b).
- Storage duration: Until the end of the access authorisation and, in addition, for as long as the statutory storage period or for as long as particular legal claims resulting from the employment relationship against the employer can be asserted.

If there is no storage period is specified, the data must be deleted six months after the end of the access authorisation.

- Recipient/recipient categories: Courts and authorities.

Providing your personal data is required for fulfilling the contract. We are not able to operate a secure access control system without this data. We are therefore unable to work with you in our company otherwise.

4. Information about transferring data to third countries or international organisations

The data we process will not be transferred to recipients in third countries or international organisations.

Modification of these data protection provisions

We reserve the right to modify this privacy policy at any time, taking into account the relevant applicable civil and data protection-related provisions. The most up-to-date version is defined in accordance with the version reference.