

# PRIVACY NOTICE FOR BUSINESS PARTNERS

**May 2018**

Protecting the personal data of our contact partners (“**contact partners**”) at customers, vendors, suppliers and partners (“**business partners**”) is a major concern of

Metrofunkkabel-Union GmbH  
Lepsiusstraße 89 · 12165 Berlin  
Germany

For that reason, MKU processes personal data in compliance with the applicable legal regulations on the protection of personal data and on data security.

## 1. Data categories, purpose of processing and legal basis

**MKU processes personal data in the context of the co-operation with business partners for the following purposes:**

- Communicating with business partners about products, services and projects, e.g. in order to process enquiries from the business partner;
- Planning, performing and managing the (contractual) relationship between MKU and the business partner, e.g. in order to process orders for products and services, to collect payments, to perform accounting, billing and receivables collection activities and to carry out deliveries and maintenance and repair work;
- Performing customer surveys, marketing campaigns and market analyses;
- Maintaining and protecting the security of our products, services and websites, preventing and detecting security risks, fraud or other criminal or malicious activities;
- Ensuring compliance with (i) legal requirements (e.g. record keeping obligations under tax and commercial law), (ii) existing obligations to perform compliance screening obligations (to prevent white-collar or money laundering crimes) and (iii) MKU policies and industry standards; and
- Solving disputes, enforcing existing contracts and to establish, exercise or defend legal claims.

**MKU may process the following categories of personal data for the above-mentioned purposes**

- Contact information, such as full and given names, business address, business telephone number, business mobile phone number, business fax number and business e-mail address;
- Payment data, such as information necessary for processing payments and preventing fraud,
- Further information that may need to be processed in the context of a project or the processing of a contractual relationship with MKU or that is provided voluntarily by our contact partners, such as orders placed, requests made or project details;
- Information collected from publicly available sources, information databases or credit agencies; and
- If required as part of compliance screenings: information on legal proceedings and other legal disputes in which business partners are involved.

**The processing of personal data is necessary to achieve the above-mentioned purposes including the performance of the (contractual) relationship with business partner. Unless expressly indicated otherwise, the legal basis for the data processing is Article 6(1) b) and f) of the General Data Protection Regulation or the consent of our contact partner that has been explicitly provided (Article 6(1) a) of the General Data Protection Regulation).**

**If the above-mentioned personal data is not provided or MKU cannot collect this data, it may not be possible to achieve the individual purposes described.**

## **2. Transfer and disclosure of personal data**

MKU may transfer personal data to other Nexans group companies for the above-mentioned purposes, but only if this is required to achieve the purposes mentioned above.

MKU may transfer personal data to courts, regulatory authorities or law firms if this is permitted by law and required in order to comply with applicable law or for the establishment, exercise or defence of legal claims.

MKU works together with service providers (known as data processors), such as IT maintenance service providers. These service providers act only upon instructions from MKU and are obliged by contract to comply with the applicable requirements of data protection law.

The recipients described in section 2 here may possibly be located in countries outside the European Economic Area (“third countries”), in which the applicable law does not guarantee the same level of data protection as in the your home country.

In this case, MKU will take measures to ensure suitable and proper safeguards to protect the personal data by other means. Personal data is transferred to external recipients in third countries only if these (i) have entered into EU standard contractual clauses with MKU or (ii), in case of recipients with their registered office in the US, are certified under the EU/US Privacy Shield.

## **3. Retention periods**

Unless an explicit retention period is indicated at the time of collection (e.g. as part of a declaration of consent), your personal data will be erased if it is no longer required to achieve the purposes for which it was stored, unless this erasure is in conflict with statutory retention requirements (e.g. retention requirements under tax or commercial law).

## **4. Right to withdraw declarations of consent**

If our contact partner has declared its consent to the processing of their personal data, the contact partner has the right to withdraw the consent that has been granted at any time with future effect, i.e. the withdrawal does not affect the lawfulness of processing conducted on the basis of the consent before its withdrawal. After consent has been withdrawn, MKU may further process the personal data only to the extent that MKU can base the processing on other legal grounds.

## 5. Right to information, rectification, erasure or restriction of processing of your personal data, right to object to processing and right to data portability

In accordance with applicable data protection law, our contact partner has the right to:

- (I) obtain confirmation as to whether MKU processes personal data concerning them and information on the personal data processed by MKU as well as other information;
- (II) obtain the rectification of incorrect personal data;
- (III) obtain the erasure of the personal data processed by MKU;
- (IV) obtain restriction of the processing of personal data by MKU;
- (V) receive the personal data, which our contact partner has provided MKU, in a structured, commonly used and machine-readable format and to request that the personal data be transmitted to a third party; or
- (VI) to object to the processing of personal data of our contact partner by MKU.

## 6. Who is responsible for the data processing and whom can I contact?

**The responsible data controller is:**

Metrofunkkabel-Union GmbH  
Lepsiusstraße 89 · 12165 Berlin  
Phone +49 30 790186-0  
E-Mail: [info@metrofunk.de](mailto:info@metrofunk.de)

The MKU data protection officer provides support in all questions involving the subject of data privacy.

Complaints can also be lodged with the MKU data protection officer and the rights specified in section 5 can be asserted.

The MKU data protection officer can be contacted at [daten.schutz@nexans.com](mailto:daten.schutz@nexans.com) or at the above address.

Nexans Deutschland GmbH  
Datenschutzbeauftragter  
Kabelkamp 20 · 30179 Hannover  
Phone +49 511 676 0

MKU will always endeavour to address and remedy any requests and complaints that is receives through the above-mentioned communication channels. In addition to the above-mentioned option for contacting MKU, you also always have the possibility of contacting the competent data protection authority <https://www.datenschutz-berlin.de>.