

GDPR

Data Privacy Statement of anemos Gesellschaft für Umweltmeteorologie mbH

Rev. 02

08 November 2023

The data privacy statement of anemos Gesellschaft für Umweltmeteorologie mbH describes how personal data are treated according to the General Data Protection Regulation (GDPR).

The GmbH's management will put the current version of the data privacy statement into effect on the date listed below.

1 Name and address of the controller

For the purposes of the General Data Protection Regulation, other national data protection laws of the member states, and other data protection provisions, the controller is:

anemos Gesellschaft für Umweltmeteorologie mbH
Böhmschholzer Weg 3
21391 Reppenstedt
Germany
Tel.: 04131 – 8308 – 0
Email: kontakt@anemos.de
Website: www.anemos.de

2 Internal data protection officer

The data protection officers for anemos Gesellschaft für Umweltmeteorologie are:

Lena Fieckel
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3 General information about the use of personal data

3.1 Extent of processing personal data

As a general principle, anemos processes and stores its customers' personal data only if this is necessary to render anemos' services or the processing occurs through accesses of our website, or both. We normally collect and use our customers' personal data only with their consent. This does not apply if practical circumstances prevent us from obtaining prior consent or we may process the data under statutory provisions.

3.2 Scope of storage

Personal data are collected by

- Written contact through email, fax or post.
- Spoken contact by phone or personal meetings
- Contact via the anemos homepage and the anemos Wind information system AWIS
- Handing over business cards
- Lists of participants in seminars and conferences
- Information on the person from anemos employees

Depending on the contact, the following data might be collected:

- Name
- Address
- Company name
- Function
- Email address
- Tel. / Fax Nr.
- WEB page
- Bank details
- Information on the browser type and the version used
- The user's operating system
- The user's internet service provider
- The user's IP address
- Date and time of access
- Websites from which the user's system is directed to our internet site
- (Websites which are accessed from the user's system via our website)

If information about the project which has been enquired about or which must be processed (such as coordinates or technical information...) are declared to be personal, that information also falls under the data protection concept.

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If contact is made through our homepage, the data will also be stored in our system's log files. This data will not be stored together with the user's other personal data.

3.3 Legal basis for processing personal data

If the data subject permits us to process personal data, the legal basis is Art. 6 (1) a EU General Data Protection Regulation (GDPR).

If personal data must be processed to fulfil a contract to which the data subject is party, the legal basis is Art. 6 (1) b GDPR. This also applies to processing operations that are necessary to implement pre-contractual measures. If personal data must be processed to fulfil a legal obligation to which our company is subject, the legal basis is Art. 6 (1) c GDPR. If vital interests of the data subject or another natural person necessitate the processing of personal data, the legal basis is Art. 6 (1) d GDPR. If the processing is necessary to protect a legitimate interest of our company or a third party, and that legitimate interest is not outweighed by the interests, basic rights and freedoms of the data subject, the legal basis is Art. 6 (1) f GDPR.

The legal basis for storing the digitally collected data and the log files temporarily is Art. 6 (1) f GDPR.

4 Purpose of data processing

4.1 Data from contact through the internet

The IP address must be temporarily stored by the system so the webpage can be delivered to the user's computer. To do so, the user's IP address must remain stored during the entire session.

It is stored in log files to ensure the webpage's functionality. The data also help us optimise the webpage and ensure the security of our IT systems. In this context, the data will not be evaluated for marketing purposes.

These purposes also include our legitimate interest in data processing under Art. 6 paragraph. 1 f GDPR.

4.2 Data from direct personal contact (post, email, fax, telephone)

To fulfil a contract with a user or to implement pre-contractual measures, the customer or user must register.

5 Data deletion and storage period

The data subject's personal data will be deleted or blocked as soon as the purpose of storage no longer applies. The data will also be deleted or blocked if a storage period prescribed by the standards mentioned expires, unless the data must be stored for longer to conclude or fulfil a contract.

We may also store that data if such storage is provided for through the European or national legislature, in the form of directives under European Union law, statutes or other provisions to which the controller is subject.

6 Rights of the data subject

6.1 Right to confirmation

The European body that issues directives and ordinances entitles every data subject to demand that the controller confirm whether that data subject's personal data are being processed. To assert that right, the data subject may consult an employee of the controller at any time.

6.2 Right of access

If personal data are being processed, the data subject has the following rights toward the controller:

The data subject may demand that the controller confirm whether anemos is processing their personal data. If this is the case, the data subject may demand access to the following information from the controller:

- 1) the purposes for which the personal data is being processed;
- 2) the categories of personal data being processed;
- 3) the recipient or categories of recipients to whom the personal data concerning them were or will be disclosed;
- 4) the planned duration of the storage of the personal data concerning them, or if no specific information is available to this end, the criteria for determining the storage period;
- 5) the existence of a right to have the personal data concerning them rectified or erased, a right to restrict its processing through the controller, or a right to object to that processing;
- 6) the right to complain to a supervisory authority;
- 7) all available information on the origin of the data, if the personal data were not collected from the data subject;
- 8) the existence of automated decision-making, including profiling under Art. 22 (1 and 4) GDPR and—at least in these cases—meaningful information about the logic involved, as well as the implications and sought-after effects such processing would have for the data subject.

The data subject may demand information about whether the personal data concerning them are transmitted to a third country or international organisation. In this context, the data subject may demand to be informed about the appropriate guarantees under Art. 46 D which relate to the transmission.

6.3 Right to rectification

Every person affected by the processing of personal data ('data subject') has the right against the controller to have it corrected, deleted, or both, if the processed personal data is incorrect or incomplete. The controller must undertake such correction without undue delay.

The rights to access and rectification can be restricted insofar as they are expected to prevent or significantly impair the realisation of the research or statistical purposes and such restriction is necessary to fulfil those purposes.

6.4 Right to restriction of processing

The data subject may demand that the processing of the personal data concerning them be restricted under the following conditions:

- (1) if they dispute that the personal data concerning them is incorrect, for a duration which enables the controller to check its correctness;
- (2) if the processing is incorrect and the data subject waives their right to have the personal data erased, instead demanding that the data's use be restricted;
- (3) if the controller of the personal data no longer needs it for the purposes of its processing, but the data subject needs it to assert, exercise or defend against legal claims, or
- (4) if the data subject has filed an objection against the processing under Art. 21 (1) GDPR and it has not yet been established whether the legitimate reasons of the controller outweigh those of the data subject.

If the processing of the personal data has been restricted, those data—regardless of their storage—may be processed only (1) with the data subject's consent, (2) to assert, exercise or defend against legal claims, (3) to protect the rights of another natural person or legal entity, or (4) for reasons of an important public interest of the EU or a member state.

If the processing has been restricted under the aforementioned conditions, the controller shall inform the data subject before that restriction is lifted.

The right to restriction of processing can be restricted insofar as it is expected to prevent or significantly impair the realisation of the research or statistical purposes and such restriction is necessary to fulfil those purposes.

6.5 Right to erasure

The European body that issues directives and ordinances entitles every data subject to demand that the controller confirm whether their personal data are being processed. The controller is obligated to delete these data without undue delay provided one of the following grounds applies:

- (1) The personal data concerning you are no longer necessary for the purposes for which they were collected or otherwise processed.
- (2) You withdraw your consent on which the processing is based under Art. 6 (1) a or Art. 9 (2) a GDPR, and there is no other legal basis for the processing;
- (3) You object to the processing under Art. (1) GDPR and there are no overriding legitimate reasons for the processing, or you object to the processing under Art. 21 (2) GDPR.
- (4) The personal data concerning you were illegally processed.
- (5) The personal data concerning you must be erased to fulfil a legal obligation under EU or member state law to which the controller is subject.
- (6) The personal data concerning you were collected in regard to information society services offered pursuant to Art. 8 (1) GDPR.

If one of the aforementioned reasons applies and a data subject wishes to initiate the erasure of personal data stored at anemos GmbH, that data subject may consult an employee of the controller at any time. That employee of anemos GmbH will have the request for erasure complied with without undue delay.

6.6 Information to third parties

If the controller has publicised the personal data and is obligated under Art. 17 (1) GDPR to erase it, the controller, 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 as the data subject have requested the erasure by such controllers of any links to, or copies or replications of, those personal data.

6.7 Exceptions

The right to erasure does not exist if the processing is necessary:

- (1) to exercise the right to information and freedom of expression;
- (2) to fulfil a legal obligation required by EU or member state law to which the controller is subject, or to carry out a task in the public interest or in the exercise of public authority vested in the controller;
- (3) for reasons of the public interest in the area of public health under Art. 9 (2) h and i as well as Art. 9 (3) GDPR;
- (4) for purposes of archiving, academia or historical research which lie in the public interest, or for statistical purposes under Art. 89 (1) GDPR, insofar as the right mentioned in section a) is expected to prevent or seriously impair the realisation of the objectives of this agreement, or
- (5) to assert, exercise or defend against legal claims.

6.8 Right to information

If you have asserted your right to rectification, erasure or restriction of processing toward the controller, that controller is obligated to communicate such correction or erasure of the data or restriction of its processing to all recipients to whom the personal data concerning you have been disclosed, unless this proves impossible or would entail a disproportionate effort. You have the right to be informed by the controller about those recipients.

6.9 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 these data to another controller without hindrance from the controller to which the personal data were provided, as long as

- (1) the processing is based on consent pursuant to Art. 6 (1) a GDPR or Art. 9 (1) a GDPR or on a contract pursuant to Art. 6 (1) b GDPR and
- (2) the processing occurs with the help of automated procedures.

In exercising this right, you may also effect that the personal data concerning you are transmitted directly from one controller to another, insofar as this is technically feasible. Doing so must not impair the rights and freedoms of others.

The right to data portability does not apply if personal data must be processed to carry out a task in the public interest or in the exercise of public authority vested in the controller.

6.10 Right to object

You have the right to object at any time, for reasons arising from your particular situation, if personal data concerning you are processed based on Art. 6 (1) e or f GDPR. This also applies to profiling based on these provisions. The controller shall no longer process the personal data unless that party can prove compulsory reasons for doing so that are worth protecting, which outweigh the data subjects' interests, rights and freedoms, or the processing helps to assert, exercise or defend against legal claims. If the personal data concerning you are processed for direct marketing purposes, you may object to that processing at any time. This also applies to any profiling connected to such direct marketing. If you object to processing for direct marketing purposes, the personal data concerning you will no longer be processed for these purposes. In connection with the use of information society services, you may exercise your right to object using an automatic procedure in which technical specifications are used (regardless of Directive 2002/58/EC).

You have the right, for reasons arising from your particular situation, to object to the processing of the personal data concerning you, which occurs for scientific or historical research purposes or for statistical purposes under Article 89 (1) GDPR.

The right to restriction of processing can be restricted insofar as it is expected to prevent or significantly impair the realisation of the research or statistical purposes and such restriction is necessary to fulfil those purposes.

6.11 Right to withdraw the declaration of consent granted under data protection laws

The European body that issues directives and ordinances entitles every data subject to demand that the controller confirm whether that data subject's personal data are being processed. Withdrawing your consent will not affect the legality of processing that has already occurred based on your consent.

6.12 Automatic decision-making in individual cases, including profiling

The European body issuing directives and ordinances entitles you to not be subject to a decision based exclusively on automated processing—including profiling—which legally affects or otherwise significantly impairs you. This does not apply if that decision

- (1) is necessary to conclude or fulfil a contract between the data subject and the controller,
- (2) is permitted under EU or member state law to which the controller is subject and which stipulate reasonable measures for guarding your rights, freedoms and legitimate interests, or
- (3) is made with your express consent.

However, these decisions may not be based on special categories of personal data under Art. 9 (1) GDPR unless Art. 9 (2) a or g GDPR apply and reasonable measures have been taken to protect your rights, freedoms and legitimate interests. Regarding the cases mentioned in (1) and (3), the controller shall take reasonable measures to guard your rights, freedoms and legitimate interests, which must include at least the right to obtain human intervention on the part of the controller, to present your own point of view, and to contest the decision.

6.13 Right to complain to a supervisory authority

If you believe that the processing of the personal data concerning you breaches the GDPR, you have the right to complain to a supervisory authority—especially in the member state of your abode, your workplace, or the place of the suspected breach—without prejudice to other administrative rights or judicial remedies. The supervisory authority to which the complaint is

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submitted shall inform the complainant about the status and results of that complaint, including the possibility for judicial remedy under Art. 78 GDPR.