

This privacy statement is a machine translation of the original German and is for informational purposes only.

privacy statement

A use of the Heddwen Newton internet pages is basically possible without any indication of personal data. However, if a data subject wishes to make use of special services of our company via our website, it may be necessary to process personal data. If the processing of personal data is necessary and there is no legal basis for such processing, we generally obtain the consent of the person concerned.

The processing of personal data, such as the name, address, e-mail address or telephone number of a data subject, is always carried out in accordance with the Basic Data Protection Regulation and in accordance with the country-specific data protection regulations applicable to Heddwen Newton. By means of this privacy policy, our company wishes to inform the public about the nature, scope and purpose of the personal data we collect, use and process. Furthermore, data subjects are informed of their rights by means of this data protection declaration.

Heddwen Newton, as the data controller, has implemented numerous technical and organisational measures to ensure the most complete possible protection of the personal data processed via this website. Nevertheless, Internet-based data transmissions can in principle have security gaps, so that absolute protection cannot be guaranteed. For this reason, every person concerned is free to transmit personal data to us by alternative means, such as telephone.

1. definitions

We use the following terms in this privacy statement, among others:

- **(a) personal data**

Personal data is any information relating to an identified or identifiable natural person (hereinafter "data subject"). A natural person shall be considered identifiable if he can be identified directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an on-line identifier or one or more specific characteristics expressing the physical, physiological, genetic, psychological, economic, cultural or social identity of that natural person.

- **(b) Person concerned**

Data subject means any identified or identifiable natural person whose personal data are processed by the controller.

- **(c) Processing**

means any operation or set of operations which is carried out with or without the aid of automated processes and which relates to personal data, such as collection, recording, organisation, sorting, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or association, qualification, erasure or destruction.

(d) Limitation of processing

is the marking of stored personal data with the aim of limiting their future processing.

(e) Profiling is any automated processing of personal data consisting of the use of such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects relating to the work performance, economic situation, health, personal preferences, interests, reliability, conduct, whereabouts or movement of that natural person.

(f) Pseudonymisation means the processing of personal data in such a way that the personal data can no longer be attributed to a specific data subject without the provision of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures ensuring that the personal data are not attributed to an identified or identifiable natural person.

(g) The controller or data controller is the natural or legal person, public authority, agency or other body which alone or jointly with others determines the purposes and means of the processing of personal data. Where the purposes and means of such processing are laid down by Union law or by the law of the Member States, the controller or controllers may be designated in accordance with Union law or with the law of the Member States on the basis of certain criteria.

(h) Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

(i) The recipient is a natural or legal person, public authority, agency or other body to whom personal data are disclosed, whether or not that person is a third party. However, authorities which may receive personal data in the context of a specific investigation mandate under Union law or the law of the Member States shall not be considered as recipients.

(j) Third party means any natural or legal person, public authority, agency or body other than the data subject, the controller, the processor and the persons authorised to process the personal data under the direct responsibility of the controller or processor.

(k) Consent shall mean any voluntary, informed and unambiguous expression by the data subject of his or her will in the particular case, in the form of a statement or other unequivocal confirmatory act, indicating that he or she consents to the processing of his or her personal data.

2. the name and address of the controller

The person responsible within the meaning of the Basic Data Protection Regulation, other data protection laws applicable in the Member States of the European Union and other provisions of a data protection nature is the Data Protection Commissioner:

Heddwen Newton
Leopoldstr. 2-8
32051 Herford
Germany

E-mail: info@heddwennewton.com

3. cookies

The internet pages of Heddwen Newton use cookies. Cookies are text files which are stored on a computer system via an Internet browser.

Many websites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a string of characters through which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This enables the visited Internet pages and servers to distinguish the individual browser of the person concerned from other Internet browsers that contain other cookies. A specific Internet browser can be recognized and identified via the unique cookie ID.

Through the use of cookies, Heddwen Newton can provide users of this website with more user-friendly services that would not be possible without the setting of cookies.

By means of a cookie, the information and offers on our website can be optimised in the interests of the user. Cookies enable us, as already mentioned, to recognize the users of our website. The purpose of this recognition is to make it easier for users to use our website. For example, the user of a website that uses cookies does not have to re-enter his access data each time he visits the website because this is taken over by the website and the cookie stored on the user's computer system. Another example is the cookie of a shopping basket in the online shop. The online shop remembers the items that a customer has placed in the virtual shopping basket via a cookie.

The person concerned can prevent the setting of cookies by our website at any time by means of an appropriate setting of the Internet browser used and thus permanently object to the setting of cookies. Furthermore, cookies that have already been set can be deleted at any time via an Internet browser or other software programs. This is possible in all common Internet browsers. If the person concerned deactivates the setting of cookies in the Internet browser used, not all functions of our website may be fully usable under certain circumstances.

4. collection of general data and information

The Heddwen Newton website collects a series of general data and information each time a data subject or an automated system accesses it. This general data and information is stored in the log files of the server. The (1) browser types and versions used can be recorded, (2) the operating system used by the accessing system, (3) the website from which an accessing system accesses our website (so-called referrer), (4) the sub-sites which are accessed via an accessing system on our website, (5) the date and time of access to the website, (6) an Internet protocol address (IP address), (7) the Internet service provider of the accessing system and (8) other similar data and information used to avert dangers in the event of attacks on our information technology systems.

In using this general data and information, Heddwen Newton does not draw any conclusions about the person concerned. This information is needed (1) to correctly deliver the content of our website, (2) to optimize the content and advertising of our website, (3) to ensure the long-term functionality of our information technology systems and the technology of our website, and (4) to provide law enforcement authorities with the information necessary for law enforcement in the event of a cyber attack. This anonymously collected data and information is therefore evaluated by Heddwen Newton both statistically and with the aim of increasing data protection and data security in our company in order to ultimately ensure an optimum level of protection for the personal data we process. The anonymous data of the server log files are stored separately from all personal data provided by the person concerned.

5. registration on our website

The data subject shall have the possibility to register on the website of the controller by providing personal data. The personal data transmitted to the data controller is determined by the respective input mask used for registration. The personal data entered by the data subject shall be collected and stored exclusively for internal use by the data controller and for its own purposes. The controller may arrange for the data to be disclosed to one or more processors, such as a parcel service provider, who will also use the personal data solely for internal purposes attributable to the controller.

By registering on the website of the data controller, the IP address assigned to the data subject by the Internet service provider (ISP), the date and time of registration are also stored. The storage of these data takes place against the background that only so the abuse of our services can be prevented, and these data make if necessary possible to clear up committed crimes. In this respect, the storage of this data is necessary to safeguard the data controller. This data will not be passed on to third parties unless there is a legal obligation to do so or unless the data is used for criminal prosecution.

The registration of the data subject by voluntarily providing personal data serves the purpose of the data controller to offer the data subject contents or services which, due to the nature of the matter, can only be offered to registered users. Registered persons are free to modify the personal data provided during registration at any time or to have them completely deleted from the database of the data controller.

The data controller shall provide any data subject at any time upon request with information as to which personal data relating to the data subject are stored. Furthermore, the data controller shall correct or delete personal data at the request or notice of the data subject, provided that this does not conflict with any statutory storage obligations. The entire staff of the controller shall be available to the data subject as contact persons in this context.

6. possibility to contact us via the website

Heddwen Newton's website contains information required by law to enable us to contact our company quickly and electronically and to communicate directly with us, which also includes a general electronic mail address (e-mail address). If a data subject contacts the controller by e-mail or via a contact form, the personal data transmitted by the data subject shall be automatically stored. Such personal data transmitted voluntarily by a data subject to the controller are stored for the purposes of processing or contacting the data subject. This personal data will not be passed on to third parties.

7. comment function in the blog on the website

Heddwen Newton offers users the opportunity to leave individual comments on individual blog entries on a blog located on the website of the data controller. A blog is a portal that is maintained on a website, usually open to the public, in which one or more people called bloggers or web bloggers can post articles or write thoughts in so-called blog posts. The blog posts can usually be commented on by third parties.

If a data subject leaves a comment in the blog published on this website, in addition to the comments left by the data subject, information about the time of the comment entry and the user name (pseudonym) chosen by the data subject will also be stored and published. Furthermore, the IP address assigned by the Internet Service Provider (ISP) to the person concerned is logged. The IP address is stored for security reasons and in the event that the person concerned violates the rights of third parties by submitting a comment or posts illegal content. The storage of these personal data therefore takes place in the own interest of the data controller, so that in the event of a violation of the law, the data controller could exculpate himself. This collected personal data will not be passed on to

third parties unless such a passing on is prescribed by law or serves the legal defence of the controller.

8. subscription of comments in the blog on the website

The comments posted on the Heddwen Newton blog can be subscribed to by third parties. In particular, it is possible for a commentator to subscribe to the comments following his comment on a particular blog post.

If a data subject chooses the option to subscribe to comments, the data controller shall send an automatic confirmation email to the double opt-in process to verify that the owner of the specified email address has actually opted for this option. The option to subscribe to comments can be cancelled at any time.

9. routine deletion and blocking of personal data

The controller shall process and store the personal data of the data subject only for the period of time necessary to achieve the storage purpose or where provided for by the European directive and regulation maker or another legislator in laws or regulations to which the controller is subject.

If the storage purpose no longer applies or if a storage period prescribed by the European directive and regulation giver or another competent legislator expires, the personal data shall be blocked or deleted routinely and in accordance with the statutory provisions.

10. rights of the data subject

- Every data subject shall have the right, granted by the European directive and regulation maker, to obtain from the controller confirmation as to whether personal data relating to him or her are being processed. If a data subject wishes to exercise this right of confirmation, he or she may at any time contact an employee of the controller.

- Any person concerned by the processing of personal data has the right, granted by the European directive and regulation maker, to obtain at any time, free of charge, from the controller, information on the personal data relating to him which have been stored and a copy of that information. In addition, the European legislator has provided the data subject with the following information:
 - the processing purposes
 - the categories of personal data processed
 - the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations
 - if possible, the planned duration for which the personal data will be stored or, if that is not possible, the criteria for determining that duration
 - the existence of a right to the rectification or erasure of personal data concerning him or her or to the limitation of the processing carried out by the controller or of a right to object to such processing
 - the existence of a right of appeal to a supervisory authority
 - if the personal data are not collected from the data subject: All available information on the origin of the data
 - the existence of automated decision-making, including profiling, in accordance with Article 22(1) and (4) of the DS Block Exemption Regulation and, at least in these cases, meaningful information on the logic involved, the scope and the intended effects of such processing on the data subject

The data subject also has the right to know whether personal data have been transferred to a third country or to an international organisation. If this is the case, the data subject shall also have the right to obtain information on the appropriate safeguards in connection with the transfer.

If a data subject wishes to exercise this right of access, he or she may at any time contact an employee of the controller.

- Any person concerned by the processing of personal data has the right, granted by the European directive and regulation maker, to request the rectification without delay of inaccurate personal data concerning him or her. Furthermore, the data subject shall have the right, having regard to the purposes of the processing, to request the completion of incomplete personal data, including by means of a supplementary statement.

If a data subject wishes to exercise this right of rectification, he or she may at any time contact an employee of the controller.

- Any person data subject to the processing of personal data shall have the right, granted by the European directive and regulation, to require the controller to erase without delay personal data concerning him which are subject to one of the following conditions and to the extent that the processing is not necessary:
 - The personal data have been collected for such purposes or processed in any other way for which they are no longer necessary.
 - The data subject withdraws his consent on which the processing was based pursuant to Article 6(1)(a) DS Block Exemption Regulation or Article 9(2)(a) DS Block Exemption Regulation and there is no other legal basis for the processing.
 - The data subject objects to the processing under Article 21(1) DS Block Exemption Regulation and there are no overriding legitimate reasons for the processing or the data subject objects to the processing under Article 21(2) DS Block Exemption Regulation.
 - Personal data have been processed unlawfully.
 - The deletion of personal data is necessary to fulfil a legal obligation under Union law or the law of the Member States to which the data controller is subject.
 - The personal data were collected in relation to information society services offered pursuant to Art. 8 para. 1 DS-GVO.

If one of the above reasons applies and a data subject wishes to have personal data stored at Heddwen Newton deleted, he or she can contact an employee of the data controller at any time. The employee of Heddwen Newton shall arrange for the request for deletion to be complied with immediately.

If the personal data have been made public by Heddwen Newton and our company is responsible pursuant to Art. 17 Par. 1 DS-GVO, Heddwen Newton shall take reasonable measures, including technical measures, to inform other data controllers who process the published personal data that the data subject has requested the deletion of all links to such personal data or copies or replications of such personal data from such other data controllers, insofar as such processing is not necessary, taking into account the available technology and implementation costs. The employee of Heddwen Newton will take the necessary steps in individual cases.

- Any person data subject to the processing of personal data has the right, granted by the European directive and regulation, to request the controller to limit the processing if one of the following conditions is met:
 - The accuracy of the personal data is contested by the data subject for a period of time which allows the data controller to verify the accuracy of the personal data.
 - The processing is unlawful, the data subject refuses the deletion of the personal data and instead requests the restriction of the use of the personal data.

- The controller no longer needs the personal data for the purposes of processing, but the data subject needs them for the assertion, exercise or defence of legal claims.
- The data subject has lodged an objection against the processing pursuant to Art. 21 para. 1 DS-GVO and it is not yet clear whether the legitimate reasons of the data controller outweigh those of the data subject.

If one of the above-mentioned conditions is met and a data subject wishes to request the restriction of personal data stored at Heddwen Newton, he can contact an employee of the data controller at any time. The employee of Heddwen Newton will initiate the restriction of the processing.

- Any data subject involved in the processing of personal data has the right, granted by the European directive and regulation, to obtain personal data concerning him or her which have been provided by the data subject to a controller in a structured, common and machine-readable format. It shall also have the right to communicate such data to another controller without interference from the controller to whom the personal data have been provided, provided that the processing is based on the consent referred to in Article 6(1)(a) DS Block Exemption Regulation or Article 9(2)(a) DS Block Exemption Regulation or on a contract referred to in Article 6(1)(b) DS Block Exemption Regulation and that the processing is carried out by automated means, provided that the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Furthermore, when exercising his right to data transferability pursuant to Art. 20 (1) DS-GVO, the data subject shall have the right to obtain that the personal data be transferred directly from one responsible person to another responsible person, insofar as this is technically feasible and insofar as this does not impair the rights and freedoms of other persons.

In order to assert the right to data transferability, the person concerned can contact an employee of Heddwen Newton at any time.

- Any person data subject to the processing of personal data has the right, granted by the European directive and regulation maker, to object at any time, for reasons related to his/her particular situation, to the processing of personal data concerning him/her on the basis of Article 6(1)(e) or (f) of the DS Block Exemption Regulation. This also applies to profiling based on these provisions.

Heddwen Newton will no longer process personal data in the event of objection, unless we can prove compelling reasons for the processing worthy of protection which outweigh the interests, rights and freedoms of the person concerned, or the processing serves the assertion, exercise or defense of legal claims.

If Heddwen Newton processes personal data for the purpose of direct marketing, the data subject has the right to object at any time to the processing of personal data for the purpose of such advertising. This also applies to profiling in so far as it is related to such direct marketing. If the data subject objects to Heddwen Newton's processing for direct marketing purposes, Heddwen Newton will no longer process the personal data for these purposes.

In addition, the data subject has the right to object to the processing of personal data relating to him by Heddwen Newton for scientific or historical research purposes or for statistical purposes pursuant to Article 89(1) DS Block Exemption Regulation for reasons arising from his particular situation, unless such processing is necessary for the performance of a task in the public interest.

To exercise the right to appeal, the person concerned may directly contact any employee of Heddwen Newton or another employee. The data subject shall also be free to exercise his right of objection in relation to the use of information society services, notwithstanding Directive 2002/58/EC, by means of automated procedures using technical specifications.

- Any person data subject to the processing of personal data has the right under the European Directive and Regulation not to be subject to a decision based solely on automated processing,

including profiling, which produces legal effects upon him or her or significantly affects him or her in a similar manner, provided that the decision (1) is not necessary for the conclusion or performance of a contract between the data subject and the data controller, or (2) is authorised by Union or national law or by the Member States to which the data controller is subject and which provides for adequate measures to safeguard the rights and freedoms and the legitimate interests of the data subject, or (3) is taken with the express consent of the data subject.

If the decision (1) is necessary for the conclusion or performance of a contract between the data subject and the data controller or (2) is taken with the express consent of the data subject, Heddwen Newton shall take appropriate measures to safeguard the rights and freedoms and the legitimate interests of the data subject, including at least the right to have the data controller intervene, to state his or her point of view and to challenge the decision.

If the data subject wishes to exercise rights relating to automated decisions, he or she may at any time do so by contacting an employee of the controller.

- Any person concerned by the processing of personal data has the right, granted by the European directive and regulation maker, to revoke consent to the processing of personal data at any time.

If the data subject wishes to exercise his or her right to withdraw consent, he or she may do so at any time by contacting an employee of the controller.

11. legal basis for the processing

Art. 6 I lit. a DS-GVO serves our company as a legal basis for processing operations in which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the data subject is a party, as is the case, for example, with processing operations that are necessary for the delivery of goods or the provision of other services or consideration, the processing is based on Art. 6 I lit. b DS-GVO. The same applies to such processing operations that are necessary for the implementation of pre-contractual measures, such as in cases of inquiries about our products or services. If our company is subject to a legal obligation requiring the processing of personal data, such as for the fulfilment of tax obligations, the processing is based on Art. 6 I lit. c DS-GVO. In rare cases, the processing of personal data may become necessary to protect the vital interests of the data subject or another natural person. This would be the case, for example, if a visitor to our business was injured and his name, age, health insurance data or other vital information would have to be passed on to a doctor, hospital or other third party. Then the processing would be based on Art. 6 I lit. d DS-GVO. Ultimately, processing operations could be based on Art. 6 I lit. f DS-GVO. Processing operations which are not covered by any of the aforementioned legal bases are based on this legal basis if the processing is necessary to safeguard a legitimate interest of our company or a third party, provided that the interests, fundamental rights and fundamental freedoms of the data subject do not predominate. Such processing operations are permitted to us in particular because they have been specifically mentioned by the European legislator. In this respect, it took the view that a legitimate interest could be assumed if the person concerned is a customer of the person responsible (recital 47 sentence 2 DS Block Exemption Regulation).

12. legitimate interests in the processing pursued by the controller or by a third party

If the processing of personal data is based on Article 6 I lit. f DS-GVO, our legitimate interest is the conduct of our business for the benefit of all our employees and shareholders.

13. duration for which the personal data are stored

The criterion for the duration of the storage of personal data is the respective legal retention period. After expiry of this period, the corresponding data will be routinely deleted unless they are no longer required for the fulfilment or initiation of the contract.

14. the legal or contractual provisions governing the provision of personal data; the need to conclude a contract; the obligation of the data subject to provide the personal data; the possible consequences of not providing the personal data

We will inform you that the provision of personal data is partly required by law (e.g. tax regulations) or may result from contractual provisions (e.g. information on the contractual partner). Sometimes it may be necessary for a contract to be concluded that a person concerned makes personal data available to us which must subsequently be processed by us. For example, the person concerned is obliged to provide us with personal data when our company concludes a contract with him or her. Failure to provide personal data would mean that the contract could not be concluded with the data subject. Before the data subject provides personal data, the data subject must contact one of our employees. Our employee informs the data subject on a case-by-case basis whether the provision of the personal data is required by law or contract or is necessary for the conclusion of a contract, whether there is an obligation to provide the personal data and what consequences the non-availability of the personal data would have.

15. existence of an automated decision making process

As a responsible company, we refrain from automatic decision-making or profiling.

Last amended in December 2018