

Information Sheet pursuant to Article 13 / 14 General Data Protection Regulation (GDPR)

JCL AG and Subsidiaries¹

(henceforth also referred to as 'we', 'us', 'our').

[1] The subsidiaries are listed under Point 10.

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1 Data protection aims and legal basis

We place great importance on the protection of personal data. We therefore process the personal data of our business partners in accordance with current legislation on the protection of personal data and data security. It goes without saying that we also take all necessary and appropriate technical and organisational measures to protect your rights and freedoms and that we regularly review these measures.

As we observe the principles of fair and transparent data processing and provide information under the General Data Protection Regulation (GDPR) as part of standard procedure, this information sheet informs you about the ways we process and transfer your personal data as well as your rights in relation to it.

Data protection officer

We would like to draw your attention to the fact that you can contact our appointed data protection officer (DPO) at any time should you have any questions about the information provided here, or require any additional information on the processing of your personal data or the observation of your rights. The contact information is as follows:

Contact information:
Rita Gindlhuber
JCL-Logistics Austria GmbH
Rotmoosweg 15, 8045 Graz
Tel.: +43 5 9001 33328
Email: datenschutz@jcl-logistics.com

3 Legal basis and purpose of data processing

3.1 Legal basis

We will process your personal data only to the extent necessary and to take steps prior to entering into a contract in accordance with Article 6 para 1 point (b) GDPR.

We would like to point out that, in the event of a contract being concluded, we will carry out our services exclusively on your behalf and will act for you from this point in time as a data processor (Article 28 GDPR). In this case, we will conclude an agreement with you pursuant to Article 28 para 3 GDPR.

The transmission of personal data or the collection of personal data by KSV1870 Information GmbH or Creditreform Wirtschaftsauskunftsdatei Kubicki KG, as described in more detail under point 5, is based on our overriding legitimate interest pursuant to Article 6 para 1 (f) GDPR. Our legitimate interest lies in concluding our contracts exclusively with economically capable persons or persons whose economic capability we can assess. In addition, we regularly make advance performances in the course of contract execution, so that in the event of insufficient economic performance on the part of our contractual partner, we would be limited in the enforcement of our claims or enforcement would entail considerable additional expenditure, in particular of a financial nature.

3.2 Purposes of processing

Data processing will take place exclusively for the purposes stated. The data will not be processed in a way that is incompatible with these purposes.

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Which forms of personal data are processed?

We process the following categories of personal data:

Name, address, e-mail address, telephone number, bank details, sales tax identification number, financial and tax data, creditworthiness data

5 Transfer of personal data

We transfer your personal data, specifically name, firm, company name, address, before contract conclusion in the context of obtaining credit information to KSV1870 Information GmbH or to Creditreform Wirtschaftsauskunftsdatei Kubicki KG (for the legal basis see point 3.1.).

5.1 Transfer to third countries

JCL AG and JCL Logistics Switzerland AG are domiciled in Switzerland.

For Switzerland, the European Commission has issued an adequacy decision. This means that there is an adequate level of data protection in Switzerland.

6 Storage period for personal data

We of course also observe the principle of storage limitation for personal data. This means that we will only store your personal data for as long as is necessary for the purposes of processing or due to legal requirements. We will only store your personal data in connection with our statutory data storage obligations.

8 Your rights

Should you be affected by our processing of personal data, you have the right at any time and regardless of your age, place of residence or nationality to request access to, rectification, erasure, or restriction of the processing of your data as stored by us. You also have the right to object to its processing as well as the right to data portability in accordance with the GDPR.

7.1 Right to lodge a complaint

Even if our aim is to ensure the protection and integrity of your data in the best possible way, differences of opinion concerning the way in which we process your data may occur.

Should you believe that the processing of your personal data contravenes the provisions of data protection law, you can – other legal remedies in law courts or under administrative law notwithstanding – make a complaint to the competent data protection authority.

8 Obligation to provide personal data

We would like to point out that the provision of your personal data is a requirement necessary to enter into a contract

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9 Origin of your personal data

Within the scope of the processing of personal data described under point 3.1., we sometimes collect personal data, specifically name, address, e-mail address, telephone number, bank data, sales tax identification number, financial and tax data, creditworthiness data, at KSV1870 Information GmbH or Creditreform Wirtschaftsauskunftsdatei Kubicki KG.

10 Subsidiaries

In the following, the subsidiaries of JCL AG, Zugerstrasse 77, 6340 Baar, Switzerland, are referred to as being close by

- JCL GmbH, Rotmoosweg 15, 8045 Graz (Austria)
- JCL Logistics Austria GmbH, Senderstraße 28, 6961 Wolfurt (Austria)
- JCL Logistics Germany GmbH, Am Güterbahnhof 1, 77684 Kehl (Germany)
- JCL Logistics Fulfillment Germany GmbH, Rohrbacherstraße 1, 96215 Lichtenfels (Germany)
- JCL Transport Services GmbH, Rohrbacherstraße 1, 96215 Lichtenfels (Germany)
- JCL Logistics Switzerland AG, Zugerstrasse 77, 6340 Baar (Switzerland)
- JCL Logistics Benelux B.V., Distributienstraat 5, 7040 AB's-Heerenberg (Netherlands)
- JCL Logistics Romania S.R.L., No. 200, Ithaca Street, Mercury-Park Logistics, 87015 Bolintin Deak (Romania)
- JCL Air&Ocean (Germany) GmbH, Heidenkampweg 82, 20097 Hamburg (Germany)

11 Definitions of terms

The definitions within this information sheet correspond to those of the GDPR. For the sake of simplicity, we summarize the following terms as follows:

personal data:

Personal data refers to any information relating to an identified or identifiable natural person.

processing:

Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

controller:

Controller means 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 determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

12 Contact

JCL AG
Zugerstrasse 77
6340 Zug
Switzerland

datenschutz@jcl-logistics.com

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Information Sheet GDPR

ANNEX ./1:

ASSIGNMENT OF TASKS UNDER DATA PROTECTION LAW (according to Article 26 GDPR):

TASK	Controller	
	- Subsidiaries (see point 10.)	
1. Obligation to provide information when personal data is collected from the data subject (Art 13 GDPR)	YES	YES
2. Obligation to provide information when personal data has not been obtained from the data subject (Art 14 GDPR).	Yes	Yes
3. Handling access requests	YES ₁	YES ₁
4. Handling rectification requests	YES ₁	YES ₁
5. Handling erasure and restriction requests	YES ₁	YES ₁
6. Notification to recipient of personal data according to Art 19 GDPR	YES ₁	YES ₁
7. Handling requests regarding data portability	YES ₁	YES ₁
8. Handling objects according to Art 21 GDPR	YES ₁	YES ₁
9. Determination of appropriate technical and organisational measures (Art 32 GDPR)	YES ₂	YES ₂
10. Review and update of technical and organizational measures	YES ₂	YES ₂
11. Selection and assignment of processors	YES ₂	YES ₂
12. Maintain a record of processing activities	YES ₂	YES ₂
13. Handling and communication of data breaches	YES ₃	YES ₃
14. Designation of a data protection officer	YES, if the designation is mandatory or voluntary.	YES, if the designation is mandatory or voluntary.
15. Provision of the essence of the Joint-Controller arrangement to the data subject (Art 26 para 2 GDPR).	YES, on the website.	YES, on the website.

FN 1: Forwarding to the DPO

FN 2: DPO in cooperation with the IT department

FN 3: by the Controller, in whose area the data breach occurred

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