ILK DRESDEN

Exzellenz ab null Kelvin

Data Protection Declaration

Thank you for your interest in our institute. Data protection is particularly important for the management of the Institute of Air Handling and Refrigeration (also ILK Dresden gGmbH). The ILK Dresden gGmbH website can be used without providing any personal data. However, if a natural person 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 natural person.

The processing of personal data, such as the name, address, e-mail address or telephone number of a natural person, is always carried out in accordance with the Basic Data Protection Ordinance and in accordance with the country-specific data protection regulations applicable to the ILK Dresden gGmbH. By means of this data protection declaration, our institute would like to inform the public about the type, scope and purpose of the personal data collected, used and processed by us. Furthermore, natural persons will be informed of their rights by means of this data protection declaration.

The ILK Dresden gGmbH has implemented numerous technical and organizational precautions to ensure that the personal data processed via this website is protected as completely as possible. Nevertheless, internet-based data transmissions can have security gaps, so that absolute protection cannot be guaranteed. For this reason, every natural person is free to transmit personal data to us by alternative means, for example by telephone.

Definitions

The data protection declaration of the ILK Dresden gGmbH is based on the terms used by the European guideline and regulation giver in the adoption of the basic data protection regulation (DS-GVO). Our data protection declaration should be easy to read and understand both for the public and for our customers and business partners. To ensure this, we would like to explain the terms used in advance.

In this data protection declaration we use the following terms, among others:

a) Personal Data

- any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

b) Data Subject

- any identified or identifiable natural person whose personal data are processed by the controller;

c) Processing

- 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, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

d) Restriction of Processing

- the marking of stored personal data with the aim of limiting their processing in the future;

e) Profiling

- any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements;

f) Pseudonymisation

- the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed to an identified or identifiable natural person;

g) Controller

- 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;

h) Processor

- a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

i) Recipient

- a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;

j) Third Party

- a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data;

k) Consent

‘Consent’ of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;

Name and Address of the Controller

Responsible within the meaning of the Basic Data Protection Regulation, other data protection laws in force in the Member States of the European Union and other provisions of a data protection nature is:

Institut für Luft- und Kältetechnik Gemeinnützige Gesellschaft mbH
Bertolt-Brecht-Allee 20
01309 Dresden Bundesrepublik Deutschland

Phone: +49 (0351) 4081 5000
E-Mail: dsb@ilkdresden.de
Website: www.ilkdresden.de

Name and Address of the Privacy Commissioner

Frank Prastka
Institut für Luft- und Kältetechnik Gemeinnützige Gesellschaft mbH
Bertolt-Brecht-Allee 20
01309 Dresden BRD

Phone: +49 (0351) 4081 5073
E-Mail: dsb@ilkdresden.de
Website: www.ilkdresden.de

Any natural person (‘data subject’) can contact our privacy commissioner directly at any time with any questions or suggestions regarding data protection.

Cookies

The internet pages of the ILK Dresden gGmbH 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 particular internet browser can be recognized and identified by its unique cookie ID.

By using cookies, the ILK Dresden gGmbH can provide users of this website with more user-friendly services that would not be possible without cookies.

By means of a cookie, the information and offers on our website can be optimized for 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 natural person (‘data subject’) 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 natural person deactivates the setting of cookies in the internet browser used, not all functions of our internet site may be fully usable.

Collection of General Data and Information

The website of the ILK Dresden gGmbH collects a series of general data and information every time a natural person or an automated system accesses the website. This general data and information is stored in the log files of the server. We may record (1) the browser types and versions used, (2) the operating system used by the accessing system, (3) the website from which an accessing system reaches our website (so-called referrer), (4) the sub-websites 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 providers of the accessing system, and (8) other similar data and information used for security purposes in the event of attacks on our information technology systems.

The ILK Dresden gGmbH does not draw any conclusions about the natural person when using this general data and information. Rather, this information is required to (1) correctly deliver the contents of our website, (2) optimize the contents of our website and the advertising for it, (3) ensure the permanent functionality of our information technology systems and the technology of our website, and (4) provide law enforcement authorities with the information necessary for criminal prosecution in the event of a cyber-attack. These anonymously collected data and information are therefore evaluated by the ILK Dresden gGmbH on the one hand statistically and also with the aim of increasing data protection and data security in our company in order ultimately to ensure an optimal level of protection for the personal data processed by us. The anonymous data of the server log files are stored separately from all personal data provided by a natural person.

Contact via Our Website

Due to legal regulations, the website of the ILK Dresden gGmbH contains information that enables quick electronic contact with our company and direct communication with us, which also includes a general address of the so-called electronic mail (e-mail address). If a data subject contacts the data controller via e-mail or a contact form, the personal data transmitted by the data subject will be stored automatically. Such personal data voluntarily provided by a data subject to the controller will be stored for the purpose of processing or contacting the data subject. This personal data is not passed on to third parties.

Routine Deletion and Blocking Of Personal Data

The controller shall process and store the personal data of the data subject only for the time necessary to achieve the data retention purpose or to the extent provided for by the European regulator or other legislator in laws or regulations to which the controller is subject.

If the storage purpose ceases to apply or if a storage period prescribed by the European Directive and Regulation Giver or another competent legislator expires, the personal data is routinely blocked or deleted in accordance with the statutory provisions.

Rights of the Data Subject

a) Right of Confirmation

Every data subject shall have the right granted by the European legislator of directives and regulations to require the controller to confirm whether personal data concerning him/her are being processed. If a data subject wishes to exercise this right of confirmation, he or she may contact our privacy commissioner or another employee of the data controller at any time.

b) Right to Information

Any natural person concerned by the processing of personal data shall have the right granted by the European legislator of directives and regulations to obtain, at any time and free of charge, information from the controller concerning the personal data relating to him/her stored and a copy of that information. Furthermore, the European regulator has granted the data subject the following information:

- processing purposes
- categories of personal data to be processed
- the recipients or categories of recipients to whom the personal data have been or are still being disclosed, in particular recipients in third countries or international organizations
- if possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration
- the existence of a right of rectification or deletion of personal data concerning him or of a restriction on processing by the controller or of a right of opposition to such processing
- the existence of a right of appeal to a supervisory authority
- if the personal data is not collected from the data subject: all available information about the origin of the data
- the existence of automated decision-making, including profiling in accordance with Article 22(1) and (4) DS-GVO and - at least in these cases - meaningful information on the logic involved and the scope and intended effects of such processing for the data subject

Furthermore, the data subject has a right of access to information as to whether personal data have been transferred to a third country or to an international organization. If this is the case, the data subject also has the right to obtain information on the appropriate guarantees in connection with the transfer.

If a data subject wishes to exercise this right to information, he or she may contact our privacy commissioner or another employee of the data controller at any time.

c) Right to Correction

Any data subject shall have the right granted by the European legislator of directives and regulations to request the immediate correction of inaccurate personal data concerning him/her. Furthermore, taking into account the purposes of the processing, the data subject has the right to request the completion of incomplete personal data, including by means of a supplementary declaration.

If a data subject wishes to exercise this right of rectification, he may contact our privacy commissioner or another employee of the controller at any time.

d) Right to Cancellation (Right to Be Forgotten)

Any data subject shall have the right granted by the European legislator of directives and regulations to require the data controller to request that the personal data concerning him/her be deleted immediately, provided that one of the following reasons applies and insofar as the processing is not necessary:

- The personal data have been collected or otherwise processed for such purposes for which they are no longer necessary.
- The data subject withdraws his/her consent on which the processing was based pursuant to Article 6(1) (a) DS-GVO or Article 9(2) (a) DS-GVO, and there is no other legal basis for the processing.
- The data subject opposes processing under Article 21(1) DS-GVO and there are no overriding legitimate grounds for processing or the data subject opposes processing under Article 21(2) DS-GVO.
- The 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 was collected in relation to information society services offered in accordance with Article 8 (1) DS-GVO.

If one of the above-mentioned reasons applies and a data subject wishes to have personal data stored by the ILK Dresden gGmbH deleted, he or she may contact our privacy commissioner or another employee of the data controller at any time. The privacy commissioner of the ILK Dresden gGmbH or another employee will arrange for the request for deletion to be complied with immediately.

If the personal data were made public by the ILK Dresden gGmbH and our institute is responsible according to Article 17 (1) DS-GVO, the ILK Dresden gGmbH takes appropriate measures, including technical measures, taking into account the available technology and the implementation costs, to inform other persons responsible for data processing who process the published personal data, that the data subject has requested the deletion of all links to this personal data or of copies or replications of this personal data from these other persons responsible for data processing, insofar as processing is not necessary. The privacy commissioner of the ILK Dresden gGmbH or another employee will take the necessary steps in individual cases.

e) Right to Limitation of Processing

Any data subject shall have the right granted by the European legislator of directives and regulations to require the controller to restrict the processing if one of the following conditions is met:

- The correctness of the personal data is disclaimed by the data subject for a period that enables the data controller to verify the correctness of the personal data.
- The processing is not legal, the data subject refuses to delete the personal data and instead requests that the use of the personal data be restricted.
- The data controller no longer needs the personal data for the purposes of the processing, but the data subject needs them to assert, exercise or defend legal claims.
- The data subject has lodged an objection to the processing pursuant to Art. 21 (1) DS-GVO and it has not yet been determined whether the legitimate reasons of the controller outweigh those of the data subject.

If one of the above conditions is fulfilled and a data subject wishes to request the restriction of personal data stored by the ILK Dresden gGmbH, he can contact our privacy commissioner or another employee of the data controller at any time. The privacy commissioner of the ILK Dresden gGmbH or another employee will have the processing restricted.

f) Right to Data Portability

Any data subject shall have the right granted by the European legislator to receive personal data relating to him/her provided by the data subject to a data controller in a structured, current and machine-readable format. It shall also have the right to transmit such data to another data controller without obstruction by the controller to whom the personal data have been made available, provided that the processing is based on the consent provided for in Article 6(1)(a) DS-GVO or Article 9(2)(a) DS-GVO or on a contract in accordance with Article 6(1)(b) DS-GVO and that the processing is carried out using automated procedures, unless the processing is necessary for the performance of a task in the public interest or in the exercise of public authority conferred on the data controller.

Furthermore, in exercising his right to data transferability pursuant to Article 20(1) DS-GVO, the data subject has the right to obtain that the personal data be transferred directly by a data controller to another data controller, provided this is technically feasible and provided that the rights and freedoms of other persons are not affected thereby.

To assert the right to data portability, the natural person may contact the privacy commissioner of the ILK Dresden gGmbH or another employee at any time.

g) Right of Objection

Any data subject shall have the right granted by the European legislator for reasons arising from their particular situation to object at any time to the processing of personal data concerning them under Article 6(1)(e) or (f) of the DS-GVO. This also applies to profiling based on these provisions.

In the event of an objection, the ILK Dresden gGmbH will no longer process the personal data unless we can prove compelling reasons worthy of protection for the processing, which outweigh the interests, rights and freedoms of the natural person, or the processing serves to assert, exercise or defend legal claims.

If the ILK Dresden gGmbH processes personal data in order to carry out direct advertising, the data subject has the right to object at any time to the processing of the personal data for the purpose of such advertising. This also applies to profiling insofar as it is connected with such direct advertising. If the data subject objects to the ILK Dresden gGmbH processing for direct advertising purposes, the ILK Dresden gGmbH 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 concerning him/her which is carried out at the ILK Dresden gGmbH for scientific or historical research purposes or for statistical purposes in accordance with Art. 89 (1) DS-GVO for reasons arising from his or her particular situation, unless such processing is necessary to fulfil a task in the public interest.

To exercise the right of objection, the data subject may contact the privacy commissioner of the ILK Dresden gGmbH or another employee directly. The data subject shall also be free to exercise his right of opposition in relation to the use of information society services by means of automated procedures using technical specifications, notwithstanding directive 2002/58/EC.

h) Automated Decisions in Individual Cases Including Profiling

Any data subject shall have the right granted by the European legislator of directives and regulations not to be subject to a decision based exclusively on automated processing, including profiling, which has legal effect against him or significantly affects him 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 admissible under Union or Member State law to which the data controller is subject and that such

law contains appropriate measures to safeguard the rights, freedoms and legitimate interests of the data subject, or (3) with the express consent of the data subject.

If the decision (1) is necessary for the conclusion or fulfilment of a contract between the data subject and the data controller or (2) is made with the express consent of the data subject, the ILK Dresden gGmbH takes appropriate precautions to protect the rights and freedoms as well as the legitimate interests of the data subject, including at least the right to obtain the intervention of a data controller, to state his own position and to contest the decision.

If the data subject wishes to assert rights relating to automated decisions, he/she may contact our privacy commissioner or another employee of the controller at any time.

i) Right To Revoke Consent Under Data Protection Law

Any data subject has the right granted by the European legislator of directives and regulations to revoke consent to the processing of personal data at any time.

If the data subject wishes to exercise his/her right to withdraw his/her consent, he/she may contact our privacy commissioner or another employee of the controller at any time.

Data Protection for Applications and In the Application Process

The controller collects and processes the personal data of applicants for the purpose of processing the application procedure. Processing may also be carried out electronically. This is particularly the case if an applicant sends corresponding application documents to the controller by electronic means, for example by e-mail or via a web form on the website. If the controller concludes an employment contract with an applicant, the data transmitted will be stored for the purpose of processing the employment relationship in compliance with the statutory provisions. If the controller does not conclude an employment contract with the applicant, the application documents shall be automatically deleted two months after notification of the decision of refusal, provided that no other legitimate interests of the controller stand in the way of deletion. Other legitimate interest in this sense is, for example, a burden of proof in proceedings under the General Equal Treatment Act (German AGG).

Legal Basis of Processing

Art. 6 I lit. a DS-GVO serves our company as a legal basis for processing operations for 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 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 processes that are necessary to carry out pre-contractual measures, for example in cases of enquiries about our products or services.

If our company is subject to a legal obligation which requires the processing of personal data, for example to fulfil 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 were injured in our company and his name, age, health insurance data or other vital information had to be passed on to a doctor, a hospital or other third parties. The processing would then be based on Art. 6 I lit. d DS-GMO. 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 processing is necessary to safeguard a legitimate interest of our company or a third party, provided that the interests, fundamental rights and freedoms of the data subject do not prevail. Such processing procedures 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 data subject is a customer of the person responsible (recital 47, second sentence, DS-GVO).

Legitimate Interests in the Processing Pursued

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

Period of Storage and Accessibility of Personal Data Collected

The criterion for the period of storage of personal data is the respective legal retention period. After the expiry of this period, the corresponding data will be routinely deleted, provided that it is no longer necessary for the fulfilment or initiation of the contract.

Legal or Contractual Prescriptions for the Provision of Personal Data

We inform you that the provision of personal data is partly required by law (e.g. tax regulations) or may also result from contractual regulations (e.g. information on the contractual partner). In some cases, it may be necessary for a contract to be concluded if a data subject provides us with personal data which must subsequently be processed by us. For example, the data subject is obliged to provide us with personal data if our company enters into a contract with him/her.

Non-provision of personal data would mean that the contract with the data subject could not be concluded. Prior to the provision of personal data by the data subject, the data subject must contact our privacy commissioner. Our privacy commissioner will inform the data subject on a case-by-case basis whether the provision of personal data is required by law or contract or required for the conclusion of the contract, whether there is an obligation to provide the personal data and what consequences the failure to provide the personal data would have.

Existence of Automated Decision-Making

As a responsible company, we do without automatic decision-making or profiling.

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