



BAERG MARTI

Data protection declaration

(Data protection regulations of BAERG MARTI (Liechtenstein) AG)

- hereinafter referred to as “BAERG MARTI” or “party responsible for the processing” -

BAERG MARTI attaches great importance to protecting the private sphere of its customers and interested parties. The BAERG MARTI website can basically be used without entering personal data. Processing of personal data might however be necessary if a data subject wants to use specific of our company through our website – for example, wants to be contacted by BAERG MARTI. If the processing of personal data is necessary and there is no legal basis for such a processing, we generally obtain consent of the data subject.

The processing of personal data, for example the name, address, e-mail address or telephone number of a data subject, always takes place in compliance with the data protection law of the Principality of Liechtenstein (DSG) and based on the European General Data Protection Regulation (GDPR). With this data protection declaration, our company would like to inform the public about the type, scope and purpose of the personal data collected, used and processed by us. Moreover, the data subjects are also informed about their rights by means of this data protection declaration.

BAERG MARTI cannot guarantee that websites operated by it are always available and is not liable for error-free data communication. By accessing the BAERG MARTI websites, you declare your consent to these data protection regulations and agree to the recording, use and transmission of your data according to this data protection declaration. If you do not agree to these regulations, we request you **to refrain for the further access to BAERG MARTI websites.**

As the party responsible for the processing, BAERG MARTI has implemented numerous technical and organisational measures to ensure seamless protection of the personal data processed through this website as far as possible. Internet-based data transmissions can still have security loopholes, so that an absolute protection cannot be guaranteed. Seamless protection of the data from a third-party access cannot be guaranteed. BAERG MARTI does not assume liability for damage caused due to such security loopholes. **Every data subject shall therefore be free to send personal data to us even in alternative ways, for example by post.**

These data protection regulations can be updated any time. We therefore recommend checking these regularly. They are published on the BAERG MARTI website under <https://baerg-marti.li/datenschutz.pdf>. These data protection regulations were last updated on 25th May 2018.



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1. Term definitions

The data protection declaration of BAERG MARTI is based on the terms, which were used in the data protection law of the Principality of Liechtenstein and/or by the European directives committee and regulator when issuing the General Data Protection Regulation (GDPR). Our data protection declaration should be easily readable and understandable for the public as well as for our customers and business partners. To ensure this, we would first like to explain the terms used. In this data protection declaration, we use the following terms among others:

a) Personal data

Personal data refers to all the information, which is related to an identified or identifiable natural entity (hereinafter referred to as the "data subject"). A natural entity is regarded as being identifiable if he/she can be identified directly or indirectly, in particular by means of allocation to an identification such as a name, a code number, location data, an online ID or to one or more specific features, which are an expression of the physical, physiological, genetic, psychic, economic, cultural or social identity of this natural entity.

b) Data subject

Data subject is every identified or identifiable natural entity, whose personal data is processed by the party responsible for the processing.

c) Processing

Processing refers to every operation executed with or without the help of automated procedures or every such set of operations in connection with personal data such as the collection, recording, organisation, arrangement, saving, adjustment or modification, reading out, inquiry, use, disclosure through transmission, distribution or another form of provision, comparison or linking, restriction, deletion or destruction.

d) Restriction of the processing

Restriction of the processing is the marking of the saved personal data with the objective of restricting its future processing.

e) Profiling

Profiling refers to every form of automated processing of personal data consisting of the use of the personal data to evaluate certain personal aspects relating to a natural entity, in particular to analyse or predict aspects concerning this natural entity's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, whereabouts or change of location.

f) Pseudonymisation

Pseudonymisation is 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 stored separately and is subject to technical and organisational measures to ensure that the personal data is not attributed to an identified or identifiable natural entity.

g) Party responsible or party responsible for the processing

Party responsible or party responsible for the processing is the natural or legal entity, authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. If the purpose and means of such processing are specified by the data protection law of the Principality of Liechtenstein, the Union Law or the law of the member states, the party responsible or the specific criteria for its nomination can be determined by the Union Law or the law of the Member States.



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h) Processor

Processor is a natural or legal entity, authority, agency or other body, which processes personal data on behalf of the party responsible.

i) Recipient

Recipient is a natural or legal entity, authority, agency or another body, to which personal data is disclosed, independent from whether it is a third party or not. However, authorities that possibly receive personal data within the scope of a particular inquiry in accordance with the data protection law of the Principality of Liechtenstein, the Union Law or the law of the member states are not regarded as recipients.

j) Third party

Third party is a natural or legal entity, authority, agency or body other than the data subject, the party responsible, the processor and the persons who, under the direct authority of the party responsible or processor, are authorised to process personal data.

k) Consent

Consent of the data subject is any freely given, specific, informed and unambiguous indication of the data subject's wish in the form of a declaration or another clear affirmative action, through which the data subject suggests agreement to the processing of personal data relating to him/her.

2. Name and address of the party responsible for the processing

The party responsible within the meaning of the data protection regulation is:

BAERG MARTI (Liechtenstein) AG
Schliessa 19, 9495 Triesen
Principality of Liechtenstein
Register no. FL-0002.484.735-0

Tel.: +423 392 35 35

E-mail: info@baerg-marti.li

In case of questions regarding data protection, you can contact us using the above contact details.

3. Which information and personal data is collected?

3.1 Access data

When BAERG MARTI's web pages are called up, it processes some of the information that is usually transmitted by the browser if your browser provides such information. The following data can thereby be collected: Information about the browser type and the version used, the operating system used, the websites, from which the visitor's system reaches our website (so-called referrers), the sub-websites, which are called up on our website through the visitor's website, the date and time of access to the website, an Internet Protocol address (IP address) of the visitor, the visitor's Internet service provider and any other similar data and information that may be used for hazard prevention in the event of attacks on our information technology systems. This information is needed to deliver the content of our website correctly, to optimise the content of our website as well as its advertisement, to ensure the long-term viability of our information technology systems and website technology, and to provide law enforcement authorities with the information necessary for criminal prosecution in the event of a cyber attack. The data of the log files is always stored separately from other personal data of the users.



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3.2 Cookies and connection data

On our website, we use so-called cookies to recognise multiple usages of our website by the same user/owner of the Internet connection. Cookies are small text files that are automatically saved on your end device during the visit to our website. Most cookies are deleted when the browser session ends, while others remain on your end device and recognise you when you visit the website again. Technical cookies are required for the functionalities of our website. You can delete the cookies at any time, fully or partially, using your browser "Settings". You can also prevent the use of cookies in the browser. This may mean that you will no longer be able to use all the functions of our websites.

Connection information or cookies allow us to link the origin of the information entered by you with your identity. This allows us to adjust our website to your needs and to improve it. Besides the optimised graphical presentation of contents, we can better recognise your preferences when visiting our websites and adapt to your needs through this. When you visit our website, your IP address is registered automatically. Moreover, your user behaviour and technical data (e.g. the browser used, language settings, etc.) are registered and analysed within the scope of this visit.

3.3 Purpose and scope of the data collection and processing

The information gathered from you or collected within the scope of the connection is processed primarily in the course of order processing of products and service business (e.g. storage orders). The information gained serves for further development of the websites and improvement of the service of BAERG MARTI. Moreover, BAERG MARTI processes personal information for the further development and improvement of its products and services.

Legal specifications of the due diligence legislation, money laundering and anti-terrorism financing may require BAERG MARTI to process personal data.

Via its website, BAERG MARTI collects personal data that is expressly made available by the visitor (e.g. to be contacted by BAERG MARTI). In such cases, BAERG MARTI may use the personal information to provide customised offers as well as information about products and services.

4. Login and use of the internal area (financial information)

When authorised persons log in on the Internet pages of BAERG MARTI for the internal area on by entering their passwords, the data in the respective input mast is transmitted to BAERG MARTI. The login with the data input is necessary for the provision of contents. The data is saved exclusively for internal use by BAERG MARTI.

During the login, your IP address as well as date and time of the login is saved. This serves to prevent misuse of the services. The data is not forwarded to third parties. An exception to this rule is when there is a legal obligation for forwarding.

5. E-mail communication

The e-mail communication with BAERG MARTI is, in principle, open and unencrypted. It can therefore not be ruled out that the sent data may be accessed by third parties and contact with BAERG MARTI can be retraced. Even if you use Secure Mail, the e-mail address of the sender and recipient is visible to third parties. The data may also be circulated across borders under certain circumstances even if the sender and the recipient are located in the same country.

The confidentiality of e-mail communication is thus not always adequately ensured.



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6. Further information

If our online offers also contain links to other providers, we select these carefully. In such cases however, we can unfortunately not guarantee that their data protection standards correspond to ours. The respective operators shall be responsible.

7. Access protection and security

BAERG MARTI takes appropriate technical and organisational measures to ensure that your personal data is protected from loss or unauthorised access by third parties.

This data is used and forwarded exclusively within the framework of the applicable laws and provisions. The collected data may, under certain circumstances, also be forwarded to authorities if this is prescribed or permitted by the applicable law.

The internet is an open medium, through which data is often transmitted without encryption and can thus, in principle, also be accessed by third parties. Connections to BAERG MARTI websites are always encrypted. If you use our websites to communicate personal information (name, e-mail, etc.), this data is, in principle, protected against unauthorised access. At most, your IP address may be used to draw the conclusion that you are in contact with BAERG MARTI.

8. Deletion and blocking of personal data

BAERG MARTI processes your personal data only for the period that is necessary to achieve the purpose of storage or as far as this was stipulated by legal regulations. Under certain circumstances, legal provisions on data processing can prevent a deletion. In this case, BAERG MARTI shall continue processing the data only to the extent that is necessary for fulfilling the legal data retention obligations.

If the storage purpose ceases to apply or if legally prescribed retention periods expire, the processing of the personal data is restricted according to the legal provisions or this data is deleted.

9. Rights of the data subject

If your personal data is processed, you are a data subject within the meaning of the data protection law and you have the following rights vis-à-vis BAERG MARTI (Liechtenstein) AG, Austr. 14, 9495 Triesen, Principality of Liechtenstein as the party responsible for the processing:

Right to information

You can demand a confirmation from BAERG MARTI as to whether your personal data is processed by us. In case of such processing, you can demand the following information from BAERG MARTI:

- a) the purposes, for which the personal data is processed;
- b) the categories of personal data being processed;
- c) the recipients or categories of recipients, to whom your personal data has been disclosed or is still being disclosed;
- d) the planned duration of storage of your personal data or, if concrete information about this is not possible, the criteria for determining the storage duration;
- e) the existence of a right of rectification or deletion of your personal data, a right of restriction of the processing by the party responsible or a right to object to such processing;
- f) the existence of a right of appeal to a supervisory authority;
- g) if the personal data is not collected from the data subject, all available information about the source of the data;



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- h) the existence of automated decision-making including profiling and - at least in these cases - meaningful information about the logic involved as well as the implications and intended effects of such processing for the data subject.

You have the right to demand information as to whether your personal data is transmitted to a third country or to an international organisation. In this context, you may demand to be informed about the appropriate guarantees in connection with the transmission.

Right to correction

You have a right of correction and/or completion vis-à-vis BAERG MARTI if the processed personal data concerning you is incorrect or incomplete. BAERG MARTI must make the correction immediately.

Right to restriction of the processing

Under the following conditions, you may demand that the processing of your personal data be restricted:

- a) if you contest the accuracy of the personal data concerning you for a period that enables BAERG MARTI to verify the accuracy of the personal data;
- b) the processing is unlawful and you refuse to delete the personal data and instead demand that the use of the personal data be restricted;
- c) BAERG MARTI no longer needs the personal data for the purposes of processing, but you need it to assert, exercise or defend legal claims, or
- d) if you have filed an objection to the processing and it is not yet clear as to whether the justified reasons of the party responsible outweigh your reasons.

If the processing of your personal data has been restricted, such data may be processed – apart from its storage – only with your consent or for the purpose of asserting, exercising or defending legal claims or protecting the rights of another natural or legal entity or on grounds of an important public interest of the Principality of Liechtenstein, the EU or a member state.

If the processing has been restricted in accordance with the above conditions, you shall be informed by BAERG MARTI before the restriction is lifted.

Right to deletion

You have the right to ask BAERG MARTI to immediately delete the personal data concerning you and BAERG MARTI shall be obligated to immediately delete this data if one of the following reasons applies:

- a) Your personal data is no longer necessary for the purposes, for which it was collected or otherwise processed.
- b) You withdraw your consent, which was the basis for the processing according to the legal regulations, and there is no other legal basis for the processing.
- c) You oppose the processing according to the legal regulations and there are no overriding legitimate grounds for the processing or you oppose the processing.
- d) Your personal data has been processed unlawfully.
- e) The deletion of your personal data is necessary to fulfil a legal obligation under the law of the Principality of Liechtenstein, the EU or the law of the member states.

The right to deletion does not apply if the processing is necessary

- a) for fulfilling a contract between you and BAERG MARTI
- b) for exercising the right to freedom of expression and information;



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- c) for fulfilling a legal obligation, which requires the processing according to the law of the Principality of Liechtenstein, the law of the EU or the law of the member states, or for performing a task that is in the public interest or takes place in the exercise of public authority, which was assigned to BAERG MARTI;
- d) for reasons pertaining to the public interest in the sector of public health according to legal regulations;
- e) for archiving purposes in the public interest, scientific or historical research purposes or for statistical purposes according to legal regulations if the aforementioned right probably makes it impossible to realise the objectives of this processing or affects this realisation seriously, or
- f) for asserting, exercising or defending legal claims.

Right to information

If you have asserted the right to correction, deletion or restriction of the processing vis-à-vis BAERG MARTI, we must inform all recipients, to whom your personal data was disclosed, about this correction or deletion of the data or restriction of the processing, unless this proves to be impossible or is associated with disproportionate efforts.

You have the right vis-à-vis BAERG MARTI to be informed about these recipients.

Right to data transferability

You have the right to receive your personal data that you provided to BAERG MARTI in a structured, common and machine-readable format. In exercising this right, you have the right to effect that your personal data is transferred directly by BAERG MARTI to another party responsible, insofar as this is technically feasible. Freedoms and rights of other persons may not be affected by this. The right to data portability does not apply to the processing of personal data required for performing a task in the public interest or for exercising public authority that was assigned to BAERG MARTI.

Right of objection

You have the right to object to the processing of your personal data any time for reasons, which result from your special situation.

Right to revoke the declaration of consent under the Data Protection Law

You have the right to revoke your declaration of consent under the Data Protection Law at any time. The revocation of consent shall not affect the legality of the processing carried out on the basis of the consent until the revocation.

Right of appeal to a supervisory authority

Irrespective of another judicial remedy or remedy under the administrative law, you have the right of appeal to a supervisory authority, in particular in the member state of your place of residence, place of work or the place of the suspected infringement if you believe that the processing of your personal data infringes the legal regulations.

The supervisory authority, to which the appeal was made, shall inform the appellant about the status and the results of the appeal including the possibility of a judicial remedy according to the legal regulations.



10. Data protection regulations about the application and use of Google Analytics with anonymisation function

The party responsible for the processing has integrated the Google Analytics component (with anonymisation function) on this website. Google Analytics is a web analysis service. Web analysis is the collection and evaluation of data about the behaviour of visitors to websites. A web analysis service mainly collects data about the website, from which a data subject came to a website (so-called referrer), which sub-pages of the website were accessed, and how often and for how long a sub-page was viewed. Web analysis is primarily used to optimise a website and to conduct cost-benefit analysis of internet advertising.

The operating company of the Google Analytics component is Google Inc., 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, USA.

The party responsible for the processing uses the “_gat._anonymizeIp” suffix for web analysis through Google Analytics. By means of this suffix, Google shortens and anonymises the IP address of the internet connection of the data subject when he/she accesses our websites from a European Union member state or from another contracting state of the Agreement on the European Economic Area.

The purpose of the Google Analytics component is to analyse the flow of visitors to our website. Among other things, Google uses the collected data and information to evaluate the use of our website to compile online reports for us that show the activities on our website and to provide other services in connection with the use of our website.

Google Analytics sets a cookie on the IT system of the data subject. Cookies have already been explained above. Setting the cookie allows Google to analyse the use of our website. Each time the data subject visits one of the individual pages of this website, which is operated by the party responsible for the processing and into which a Google Analytics component has been integrated, the relevant Google Analytics component automatically causes the internet browser on the IT system of the data subject to transmit data to Google for the purpose of online analysis. Within the scope of this technical process, Google obtains knowledge of personal data, such as the IP address of the data subject, which allows Google mainly to trace the origin of the visitors and clicks and subsequently issue commission statements.

Cookies are used to store personal information, such as access time, the location from which the access took place, and the frequency of visits to our website by the data subject. Whenever one visits our website, this personal data, including the IP address of the internet connection used by the data subject, is transmitted to Google in the United States of America. This personal data is stored by Google in the United States of America. Google may disclose personal data collected through the technical process to third parties.

The data subject can prevent the setting of cookies by our website at any time, as described above, by adjusting the settings of the internet browser used and thus permanently objecting to the setting of cookies. Such a setting of the internet browser used would also prevent Google from placing a cookie on the IT system of the data subject. In addition, a cookie already set by Google Analytics can be deleted at any time via the internet browser or other software programs.

Furthermore, it is possible for the data subject to object to and prevent the collection of data generated by Google Analytics relating to a use of this website and the processing of this data by Google. For this, the data subject must download and install a browser add-on from the link <https://tools.google.com/dlpage/gaoptout>. This browser add-on informs Google Analytics via JavaScript that no data and information about visits to websites may be transmitted to Google Analytics. Google considers the installation of the browser add-on as an objection. If the IT system of the data subject is deleted, formatted or reinstalled at a later time, he/she must reinstall the browser add-on to disable



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Google Analytics. If the browser add-on is uninstalled or deactivated by the data subject or another person within his/her sphere of influence, it is possible to reinstall or reactivate the browser add-on.

Further information and the applicable data protection regulations of Google can be found under <https://www.google.de/intl/de/policies/privacy/> and under <http://www.google.com/analytics/terms/de.html>. Google Analytics is explained in detail under the link https://www.google.com/intl/de_de/analytics/.

11. Data protection regulations about the application and use of Google AdWords

The party responsible for the processing has integrated Google AdWords on this website. Google AdWords is a service for Internet advertising that allows the advertisers to place ads in Google search engine results and the Google advertising network. Google AdWords allows an advertiser to pre-define specific keywords, with the help of which an ad is displayed in Google's search engine results only when the user uses the search engine to call up a keyword-relevant search result. In the Google advertising network, the ads are distributed on topic-relevant web pages using an automatic algorithm, taking into account the previously defined keywords.

The operating company of the services of Google AdWords is Google Inc., 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, USA.

The purpose of Google AdWords is the promotion of our website through the insertion of relevant advertising on the websites of third parties and in the search engine results of the Google search engine and the insertion of third-party advertising on our website.

If a data subject reaches our website via a Google ad, a so-called conversion cookie is stored by Google on the IT system of the data subject. Cookies have already been explained above. A conversion cookie loses its validity after thirty days and is not used to identify the data subject. If the cookie has not expired, the conversion cookie is used to check as to whether certain sub-pages, e.g., the shopping cart from an online shop system, were called up on our website. Through the conversion cookie, both we as well as Google can understand as to whether a data subject, who reached our website through an AdWords ad, generated sales, i.e. executed or cancelled a sale of goods.

The data and information collected through the use of the conversion cookie is used by Google to create visit statistics for our website. We use these visit statistics to determine the total number of users, who were mediated to us through AdWords ads, i.e. to ascertain the success or failure of the respective AdWords ad and to optimise our AdWords ads in the future. Neither our company nor other Google AdWords advertisers receive information from Google that could identify the data subject.

The conversion cookie stores personal information, e.g. the websites visited by the data subject. Whenever one visits our websites, personal data, including the IP address of the internet connection used by the data subject, is transmitted to Google in the United States of America. This personal data is stored by Google in the United States of America. Google may disclose personal data collected through the technical process to third parties.

The data subject can prevent the setting of cookies by our website at any time, as described above, by adjusting the settings of the internet browser used and thus permanently objecting to the setting of cookies. Such a setting of the internet browser used would also prevent Google from placing a conversion cookie on the IT system of the data subject. In addition, a cookie already set by Google AdWords can be deleted at any time via the internet browser or other software programs.

The data subject also has a possibility of objecting to the interest-based advertisement by Google. For this, the data subject must access the link www.google.de/settings/ads from each of the browsers used by him/her and make the desired settings.



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Further information and the applicable data protection regulations of Google can be found under <https://www.google.de/intl/de/policies/privacy/>.

12. Data protection regulations about the application and use of Google Maps

The party responsible for the processing has integrated the “Google Maps” component from Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043 USA, hereinafter referred to as “Google”, on this website.

Each time the “Google Maps” component is called up, Google places a cookie in order to process the user's settings and data when displaying the website, into which the “Google Maps” component has been integrated. As a rule, this cookie is not deleted upon closing the browser, but expires after a certain period of time unless you have manually deleted it beforehand.

If you are not in agreement with such processing of your data, it is possible to deactivate the “Google Maps” service and to, in this manner, prevent the transfer of data to Google. For this, you must deactivate the Java Script function in your browser. We would however like to point out that, in this case, you may not be able to use the “Google Maps” service at all or you may only be able to use it to a restricted extent.

The use of “Google Maps” and the information obtained via “Google Maps” takes place in accordance with Google's Terms of Use

<http://www.google.de/intl/de/policies/terms/regional.html>

as well as the additional Terms and Conditions for “Google Maps”

https://www.google.com/intl/de_de/help/terms_maps.html.

13. Data protection regulations about the application and use of YouTube

The party responsible for the processing has integrated YouTube components on this website. YouTube is an Internet video portal that enables video publishers to set video clips free of charge and allows other users to view, review and comment on them free of charge. YouTube allows you to publish all kinds of videos, so you can access full film and TV broadcasts as well as music videos, trailers or videos made by users via the Internet portal.

The operating company for YouTube is YouTube, LLC, 901 Cherry Ave., San Bruno, CA 94066, USA. YouTube LLC is a subsidiary of Google Inc., 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, USA.

Each time the data subject visits one of the individual pages of this website, which is operated by the party responsible for the processing and into which a YouTube component (YouTube video) has been integrated, the relevant YouTube component automatically causes the internet browser on the IT system of the data subject to download a presentation of the corresponding YouTube component from YouTube. Further information on YouTube can be found under <https://www.youtube.com/yt/about/de/>. Within the scope of this technical process, YouTube and Google are informed as to which specific sub-page of our website is being visited by the data subject.

If the data subject is simultaneously logged in on YouTube, YouTube recognises with the retrieval of a sub-page that contains a YouTube video as to which specific sub-page of our website was visited by the data subject. This information is collected by YouTube and Google and assigned to the respective YouTube account of the data subject.

The YouTube component always informs YouTube and Google that the data subject has visited our website whenever the data subject is logged on to YouTube at the same time when he/she is accessing our website, regardless of whether he/she clicks on the YouTube video or not. If such a transmission of this information to YouTube and Google is not desirable for the data subject, this transmission can be



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prevented if the data subject logs off from his/her YouTube account before calling up our website. YouTube's data protection regulations, available under <https://www.google.de/intl/de/policies/privacy/>, provide information about the collection, processing and use of personal data by YouTube and Google.

14. Legal basis for the processing

Art. 6 I lit. a GDPR serves as the legal basis for processing operations of our company, for which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the fulfilment of a contract, to which the data subject is party, for example when processing operations are necessary for the supply of goods or to provide any other service or return service, the processing is based on art. 6 I lit. b GDPR. The same is applicable for processing operations, which are necessary for the execution of pre-contractual measures, for example in case of inquiries about our products or services. If our company is subject to a legal obligation, due to which processing of personal data is required, for example for the fulfilment of tax obligations, the processing is based on art. 6 I lit. c GDPR. In rare cases, the processing of personal data could be necessary to protect vital interests of the data subject or of another natural entity. This would be the case, for example, if a visitor were injured in our company and his/her name, age, health insurance data or other vital information were to be provided to a doctor, a hospital or other third parties. The processing would then be based on art. 6 I lit. d GDPR. Finally, processing operations could be based on art. 6 I lit. f GDPR. This legal basis is used for processing operations, which are not covered by any of the aforementioned legal grounds, if the processing is necessary to protect a legitimate interest of our company or of a third party, unless the interests, fundamental rights and freedoms of the data subject outweigh. Such processing operations are particularly permissible, because they have been specifically mentioned by the European legislator. The legislator believed that a legitimate interest could be assumed if the data subject is a customer of the party responsible for the processing (recital 47 sentence 2 GDPR).

15. Legitimate interests in the processing pursued by the party responsible for the processing or by a third party

If the processing of personal data is based on article 6 I lit. f GDPR, our legitimate interest is to carry out our business activity in favour of the well-being of all our employees and our shareholders.

16. Duration, for which the personal data shall be stored

The criterion for the duration of storage of personal data is the respective statutory retention period. After the expiry of this period, the corresponding data is routinely deleted, if it is no longer necessary for the fulfilment or initiation of a contract.

17. Legal or contractual regulations on the provision of personal data; requirement for the conclusion of a contract; obligation of the data subject to provide the personal data; possible consequences of failure to provide such data

We would like to clarify that the provision of personal data is partly prescribed by law (e.g. tax regulations) or can also result from contractual regulations (e.g. information on the contractual partner). Sometimes, it may be necessary to conclude a contract that the data subject provides us with personal data, which must subsequently be processed by us. The data subject is, for example, obligated to provide us with personal data when our company concludes a contract with him/her (e.g. membership). If the personal data is not provided, the contract with the data subject could not be concluded. The data subject must contact us before providing personal data. BAERG MARTI shall clarify to the data subject in the individual case as to whether the provision of the personal data is prescribed by law or the contract or is necessary



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for the conclusion of the contract, whether there is an obligation to provide the personal data and the consequences of non-provision of the personal data.

18. Existence of automated decision-making

BAERG MARTI does not use automatic decision-making or profiling.

As of 1st march 2021

These data protection regulations can be updated any time. We therefore recommend checking these regularly. They are published on the BAERG MARTI website under <https://baerg-marti.li/datenschutz.pdf>.