

PRIVACY POLICY IN ACCORDANCE WITH ART. 12 FF. GENERAL DATA PROTECTION REGULATION (GDPR)

Status: February 2025

The following information provides you with an overview of how we process your personal data and your rights under data protection law. Details on which data is processed and how it is used can be found in the sections below.

CONTACT DETAILS OF THE DATA CONTROLLER

Company: philoro EDELMETALLE GmbH
Address: Währinger Straße 26
Phone: +43 (0) 1 997 14 72
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E-Mail: info@philoro.com

Hereinafter ‚philoro‘, ‚we‘, ‚us‘

DATA PROTECTION CONTACT

Company: EPRO Consult Dr. Prössel und Partner GmbH
Address: Nikolaistraße 12-14, 04109 Leipzig, Deutschland
E-Mail: philoro@epro-consult.de

WHAT IS PERSONAL DATA?

According to Article 4 no. 1 GDPR, personal data is all information relating to an identified or identifiable natural person (hereinafter referred to as the ‚data subject‘).

WHERE DO WE OBTAIN YOUR PERSONAL DATA?

Your data is generally collected directly from you. The processing of the personal data you provide is necessary to fulfill contractual or pre-contractual obligations arising from our contract or to facilitate the conclusion of a contract with us. Due to your obligation to cooperate, it is essential that you provide the personal data requested by us, as otherwise we will not be able to fulfill our contractual obligations.

In the case of pre-contractual measures (e.g., master data collection during the inquiry process), providing your personal data is required. If you do not provide the requested data, a contract cannot be concluded.

RELEVANT PERSONAL DATA OF OUR CUSTOMERS MAY INCLUDE:

Last name/first name, company, address/other contact details (phone, email address), date/place of birth, gender, nationality, marital status, legal capacity, identification data (e.g., ID card data), authentication data (e.g., signature sample), register number, bank details, details of insurance volumes, monthly fees.

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For the initial setup of customer access, the biometric fingerprint is encrypted and stored as a code on the access card (Crypto Memory Card) via a reading device – this card remains in the customer's possession.

When concluding and using products/services, additional personal data may be collected, processed and stored in addition to the aforementioned data.

When accessing the safe deposit facility:

- the customer's fingerprint is scanned at a terminal and compared with the data stored on the card. The fingerprint is not stored outside the access card.
- usage data is collected: card number, date and time of registration

PURPOSES AND LEGAL BASES OF THE PROCESSING

Your personal data is processed in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the Data Protection Act (DSG):

a) Processing of Special Categories of Personal Data (Art. 9 (2) GDPR)

The purposes of processing special categories of personal data result from the granting of consent. For the initial setup of customer access, the biometric fingerprint is encrypted and stored as a code on the access card (Crypto Memory Card) via a reading device – this card remains in the customer's possession. When accessing the safe deposit facility, the customer's fingerprint is scanned at a terminal and compared with the stored data on the card. The fingerprint is not stored outside the access card.

Your consent may be revoked at any time with future effect. If the requested data is no longer provided by you, the contract can no longer be fulfilled.

b) Based on Consent (Art. 6(1) (a) GDPR)

The purpose of processing personal data arises from the consent you provide. Your consent may be revoked at any time with future effect. Consents given before the GDPR came into force (May 25, 2018) may also be revoked. Processing activities carried out before revocation remain unaffected.

c) For the Fulfillment of Contractual Obligations (Art. 6 (1) (b) GDPR)

The purposes of data processing arise, on the one hand, from the initiation of pre-contractual measures that precede a contractually regulated business relationship and, on the other hand, to fulfill the obligations arising from the contract concluded with you. This also includes, for example, data processing that is carried out in connection with our customer service. Further information can be found in your contract documents for the respective product or service (order form, terms and conditions, service descriptions, etc.).

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d) Based on Legal Obligations (Art. 6 (1)(c) GDPR) or Public Interest (Art. 6 (1)(e) GDPR)

The purposes of data processing arise from legal requirements or serve the public interest (e.g., compliance with retention obligations). We are subject to various legal requirements that may result in an obligation to process personal data: under commercial, company, competition and tax laws, data protection laws and other general legal obligations or official orders.

e) Based on legitimate interests (Art. 6 (1)(f) GDPR)

We process your personal data if this is necessary to protect our interests or the interests of third parties and your interests do not outweigh our own. This includes, in particular, usage data in the context of access to the safety deposit facility.

We process personal data to protect the following legitimate interests:

- for internal purposes for the control and improvement of our business processes, business analyses, company analysis, for the further development of services and products
- for direct advertising in order to offer you our own similar products suitable for your individual needs when you contact us, to promote sales
- for market and opinion research to gain knowledge about market structures and dynamics
- comprehensive documentation of business processes
- for the detection and elimination of abuse for the prevention and investigation of criminal offenses
- to ensure the security and availability of our IT systems, to prevent damage
- for address checks and detection of typing errors to avoid incorrect product shipments
- for the fulfillment of contracts with parties involved in the provision and distribution of our services for billing purposes
- for securing legal claims and for defense in legal disputes
- internal administrative purposes within the group of companies

WHO RECEIVES YOUR PERSONAL DATA?

Within our company, access to the personal data provided by you is granted to those departments that require it to fulfill contractual and legal obligations and that are authorized to process this data.

In fulfillment of the contract concluded with you, only those bodies will receive the data provided by you that require it for legal reasons, e.g., tax authorities, social security institutions, competent authorities and courts.

Within the scope of our services, we commission contractors who contribute to the fulfillment of contractual obligations, e.g., computer center service providers, IT partners, document shredders, etc. We contractually oblige these processors to maintain professional confidentiality and to comply with the provisions of the GDPR and the Data Protection Act (DSG).

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WILL YOUR DATA BE TRANSFERRED TO THIRD COUNTRIES OR INTERNATIONAL ORGANIZATIONS?

Your data is generally processed only in Austria and other European countries. If, in exceptional cases, your data is processed in countries outside the European Union (so-called third countries), this occurs only if you have expressly consented, if it is necessary for providing our services to you, or if it is legally required (Art. 49 GDPR). Furthermore, data processing in third countries takes place only if specific measures ensure an adequate level of data protection (e.g., an adequacy decision by the EU Commission or so-called appropriate safeguards, Art. 44 ff. GDPR).

DOES AUTOMATED DECISION-MAKING INCLUDING PROFILING TAKE PLACE?

The processing of the data you have provided does not involve fully automated decision-making (including profiling) according to Art. 22 GDPR.

DURATION OF PROCESSING (CRITERIA FOR DELETION)

The processing of the data you have provided will occur as long as necessary to achieve the contractually agreed purpose, generally as long as the contractual relationship with you exists.

Rejected applications for safe deposit box rental will be deleted after 4 weeks. Unfulfilled applications for safe deposit box rental will be deleted after 2 months, unless otherwise agreed.

After the end of the contractual relationship, the data you have provided will be processed to comply with legal retention obligations or on the basis of our legitimate interests. After the legal retention periods have expired and/or our legitimate interests have ceased to exist, the data you have provided will be deleted.

Expected periods of the storage obligations applicable to us and our legitimate interests:

- Fulfillment of commercial, tax and professional retention periods. The period for retention and documentation specified in these regulations can range from two to ten years
- Preservation of evidence within the framework of the statute of limitations. According to §§ 195 ff. of the German Civil Code (BGB), these limitation periods can be up to 30 years, whereby the regular limitation period is three years.

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INFORMATION ABOUT YOUR RIGHTS

In particular, you have the following rights vis-à-vis us with regard to your personal data:

- Right to information about your stored personal data (Art. 15 GDPR),
- Right to rectification if the stored data concerning you is incorrect, outdated or otherwise inaccurate (Art. 16 GDPR),
- Right to deletion if the storage is unlawful, the purpose of the processing has been fulfilled and the storage is therefore no longer necessary or you have revoked your consent to the processing of certain personal data (Art. 17 GDPR),
- Right to restriction of processing if one of the conditions listed in Art. 18 (1) (a) to (d) GDPR is met (Art. 18 GDPR),
- Right to transfer the personal data concerning you that you have provided (Art. 20 GDPR),
- Right to revoke consent, whereby the revocation of consent does not affect the lawfulness of processing based on consent before its revocation (Art. 7 (3) GDPR),
- Right to lodge a complaint with a supervisory authority (Art. 77 GDPR):

The data protection authority can be contacted at the following address: Österreichische Datenschutzbehörde, Barichgasse 40-42, 1030 Vienna, phone: +43 1 52 152-0, Email: dsb@dsb.gv.at, Website: www.dsb.gv.at/ueber-die-website/kontakt.html

IS THERE A DUTY TO PROVIDE DATA?

In the context of our business relationship with you, you are required to provide us with the personal data necessary to fulfill contractual obligations or that we are legally obligated to collect.

RIGHT TO OBJECT

You can object to the processing of your personal data for direct marketing purposes at any time without providing reasons. Upon receipt of your objection, we will no longer process your personal data for direct marketing purposes and will delete the data unless processing is required for other purposes (e.g., fulfilling the contract).

You can also object to other types of processing that we base on legitimate interests under Art. 6 (1) (f) GDPR, for reasons arising from your specific situation, by providing these reasons. In the case of a justified objection, we will generally stop processing the personal data for the relevant purposes and delete the data, unless we can demonstrate compelling reasons for the processing that override your interests, rights, and freedoms, or the processing serves the establishment, exercise, or defense of legal claims.

You are welcome to send your revocation to the email address schliessfach@philoro.com or by mail to philoro EDELMETALLE GmbH, Businesspark 2, 2100 Korneuburg.