



Data Protection Declaration

pursuant to the EU General Data Protection Regulation (EU-GDPR)

1. Introduction

Technische Informationssysteme GmbH (TIG) declares its unreserved commitment to the principles of data protection in the European Union. We regard the protection of personal data not just as an obligation—the protection of interests, rights and freedoms of our employees, customers and partners is an important concern to us. TIG therefore maintains compliance with all regulatory provisions of the GDPR. All processing of personal data is carried out with the utmost care and in accordance with the principles of European data protection law.

TIG therefore processes personal data exclusively in compliance with all data protection regulations and strictly adheres to the principles of the processing of such data (Article 5 GDPR). In particular, personal data will only be collected, processed or transmitted in the case of a sufficient legal basis (Article 6 GDPR).

The following information forms the basis for the effective exercise of the rights of data subjects granted by the GDPR.

2. Controller

Purpose, means and scope of the processing of personal data are at the sole discretion of TIG Austria for all TIG branches and locations worldwide.

As the controller by the terms of the GDPR, TIG is available under the following contact details:

Technische Informationssysteme GmbH
Data Protection Department
Lehenweg 2
6830 Rankweil
Austria
Phone: +43 (0)5552 41693-0
E-Mail: dataprotection@tig.at

3. Data protection impact assessment

A formal data protection impact assessment pursuant to Article 35 GDPR is not required for TIG, as TIG does not fulfil any of the necessary criteria.

In particular, TIG does not systematically monitor individuals, conduct profiling or make automated decisions of a legal nature or with a similar impact, such as refusing to exercise a right, use a service, or conclude a contract.

4. Data protection officer

TIG has not appointed a data protection officer pursuant to Article 39 GDPR, as the legal requirements for this are not met.

All data protection agendas are handled by the data protection coordinator, who can be reached at the above address of the controller.

5. Purposes of personal data processing

TIG, as the controller, processes personal data exclusively within the scope and to the extent necessary for the processing purpose in question.

Such purposes may be:

- the fulfilment of contractually agreed obligations, in particular for order processing in the area of software licensing, IT consulting and support;
- the marketing of TIG's products and services; and
- the fulfilment of legal record keeping and retention requirements.

In addition, data processing operations are carried out for the execution of necessary identification, registration and authentication processes.

6. Legal basis for data processing by TIG

The legal basis for the collection, processing and, if applicable, transfer of personal data by TIG shall be the consent of the data subject, the fulfilment of legal or contractual obligations and the safeguarding of legitimate interests.

Specially protected (“sensitive”) personal data (Article 9 GDPR) will only be processed by TIG with the express consent of the person concerned, or if the processing is required by law or to safeguard legal claims.

7. Processed data categories

The collected and processed personal data may include the following data categories:

- name data
- address data
- business and private contact data, e. g. telephone numbers, e-mail addresses und messenger identifiers
- professional occupation (as detailed as necessary)
- payment information (if applicable)
- internet service identifiers and attributes like cookies and IP addresses used
- access codes and passwords

8. Sources of processed data

In addition to the data that the data subjects have disclosed themselves directly to TIG, TIG processes personal data that were disclosed by legal entities that have the right to pass these data on to TIG, in particular job-related data provided by the employer of the person concerned, with the consent of the person, for the fulfilment of legal or contractual obligations or out of legitimate interests.

9. Data transfer

If the transfer of personal data is necessary to fulfil contractual agreements, is required by law or authority, or is requested by the person concerned, TIG will transfer the respective personal data on an individual basis to the intended recipients.

These may be the following recipients:

- authorities
- other locations of TIG within the EU
- authorized market participants (such as companies with which TIG cooperates in the fulfilment of contractual obligations)
- external authorized service providers
- third parties that were authorized by the person concerned

Personal data is transferred into countries outside the European Union resp. the European Economic Area (“third countries”) exclusively to companies, branches and representatives of TIG located there, and only for the purpose of order processing and contract fulfilment. Necessary data transfers to such recipients are subject to an adequacy decision of the European Commission or to appropriate data protection safeguards in accordance with Article 46 GDPR.

Notwithstanding the high level of data protection at TIG and its clear commitment to the data protection principles of the GDPR, personal data will only be transferred to third countries if the persons concerned have given TIG their consent, or have commissioned TIG, to do so.

10. Storage period

In accordance with the principle of storage limitation, TIG stores personal data in any case until the expiry of the statutory minimum storage periods.

In doing so, TIG takes particular account of the legal proof requirements as well as the social security, fiscal and levies storage periods. Based on the relevant provisions in this respect, this results in a typical storage period of seven years from the time of fulfilment of contract or the end of the business relationship. This timeframe may be extended by the period required for the final settlement of any legal measures initiated by whatever party.

Apart from statutory storage periods, personal data will be stored for no longer than the period of time necessary to fulfil the respective permissible processing purpose, or for the establishment, exercise or defence of legal claims, in particular within the meaning of Article 17 (3) (e) GDPR.

11. Withdrawal of consent

Data subjects have the right to withdraw their consent to the processing of personal data at any time, in whole or in relation to specific processing activities or purposes.

If the consent was the sole (remaining) legal basis for a specific processing activity, TIG will not continue this processing activity.

Legitimate processing operations carried out until the withdrawal was received by TIG will not be affected by such a withdrawal.

12. Data subject rights

Data subjects have extensive rights in regard to the collection and processing of their personal data.

12.1. Right to information

Data subjects have the right to be informed about the processing of their personal data. In particular, TIG shall inform persons whose data it processes which personal data—or categories of personal data—of the respective person are processed, irrespective of whether those data have been made available to TIG by the data subject himself (Article 13 GDPR) or by third parties (Article 14 GDPR). TIG shall inform the concerned persons about the sources, if applicable, of the processed data, the purpose and the legal bases of the respective processing activity, and shall inform the data subjects of the rights to which they are entitled in this context.

12.2. Right of access

This right encompasses information on the purpose of the respective processing, the categories of personal data processed, the recipients or categories of recipients to whom the personal data were or are disclosed (especially in the case of recipients in third countries), and the planned duration of the data storage, or, if this is not possible, the criteria for its establishment.

If the personal data was not collected directly from the data subject, TIG will make available all information at hand about the origin of the processed data.

The right of access shall not exist if the access would disclose information which TIG is required by law or by its nature to keep secret, in particular in case of preponderant legitimate interests of a third party. In addition, a right of access shall not exist if the data are (still) stored only because they may not be deleted due to legal retention obligations, or because they are only contained in a data backup, or to serve exclusively to monitor data security and data protection, or if granting the access would require a disproportionate effort, and if, in these cases, any unauthorized or illegal processing is excluded by suitable technical and organisational measures.

12.3. Right to rectification

Data subjects have the right to obtain the rectification of inaccurate, or the completion of substantially incomplete, personal data concerning them. TIG will comply with a reasonable request without undue delay.

12.4. Right to erasure („right to be forgotten“)

Data subjects have the right to request the erasure without delay of their own personal data, if

- the data are no longer required in relation to the purposes for which they were collected or otherwise processed;
- the data subject withdraws consent on which the processing is based according to Article 6 (1) (a) GDPR or Article 9 (2) (a) GDPR, and TIG does not have any other legal basis (anymore) for further processing;
- the data subject objects to the processing pursuant to Article 21(1) GDPR and there are no predominant legitimate grounds for the processing that override the interests, rights and freedoms of the person concerned;
- the data subject objects to the processing pursuant to Article 21 (2) GDPR;
- the personal data have been unlawfully obtained or processed; or
- the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which TIG as the controller is subject.

The right to erasure shall not apply to the extent that the processing is necessary for the establishment, exercise or defence of legal claims.

If, in the case of non-automated data processing or because of the nature of the automated data processing, deletion is not possible, or is only possible with disproportionately high effort, the right to restriction of processing in accordance with Article 18 GDPR takes the place of the right to erasure (reservation of practicability and economic viability). This does not apply if the personal data have been processed unlawfully.

TIG will inform the persons concerned in a timely manner about the deletion, or, as the case may be, the non-deletion at the present time.

12.5. Right to restriction of processing

This right applies to persons concerned, if

- they contest the accuracy of the processed data,
- TIG processes the data unlawfully and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- TIG no longer needs the personal data for the original purposes of the processing, but the data are required by the data subject for the establishment, exercise or defence of legal claims; or
- they have objected pursuant to Article 21(1) GDPR to processing, pending the verification whether the legitimate interests of TIG override those of the persons concerned.

12.6. Right to data portability

If the processing of personal data is based on consent pursuant to Article 6(1)(a) or Article 9(2)(a) GDPR, or on a contract pursuant to Article 6(1)(b) GDPR, and the processing is carried out by automated means, data subjects have the right to receive the personal data concerning them, and which they have provided to TIG, in a structured, commonly used and machine-readable format, or, where it is technically feasible and economically justifiable, to have those data transmitted to another controller.

12.7. Right to object

In cases where a data processing is not (solely) based on the consent of the data subject and a withdrawal of the consent is therefore in itself not sufficient to prevent the processing activity, because TIG invokes other legal bases for the processing, in particular a legitimate interest pursuant to Article 6 (1) (f) GDPR, data subjects have the right to object to such processing. TIG will then no longer process these personal data for this purpose, unless

- TIG can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject;
- the processing is required for the establishment, exercise or defence of legal claims; or
- the processing is essential for the execution of existing contracts with the data subject.

Upon receipt of an objection, TIG will at first cease the processing activity complained about (this corresponds to the right to restriction of processing pursuant to Clause 12.5 of this document), weigh the respective interests against each other, and, without undue delay, will inform the persons concerned of the results.

Pursuant to Article 21 (2) GDPR, TIG will always comply with objections of data subjects to the processing of their personal data for direct marketing purposes.

13. Complaint procedure

Data subjects who consider the processing of personal data relating to them as infringement of the provisions of the GDPR have the opportunity to lodge a complaint with the following supervisory data protection authority in Austria:

Österreichische Datenschutzbehörde
Hohenstaufengasse 3
1010 Wien

A complaint may also be lodged with any other national supervisory data protection authority of a Member State of the European Union.