

Data Protection Notice for MyConcrete App

Valid as of: February 2021

Data protection is of utmost priority for **Master Builders Solutions Deutschland GmbH** (hereafter referred to as “we” or “us”), a MBCC Group company. To ensure a high level of transparency, this document provides information on how we and **MyConcrete App** (hereafter referred to as “App”) process any personal data of the user.

Who is the data controller and who is the data protection officer?

The data controller responsible for data processing is:

Master Builders Solutions Deutschland GmbH

83308 Trostberg, Germany
Phone Number: +49 8621 86 16
Fax number: +49 8621 86 2995

You may also contact our **Data Protection Officer** using the above postal address or via e-mail at dataprotection@mbcc-group.com.

Processing of personal data in this App

In what follows we will lay out which personal data categories the App processes and what the data sources, purpose of processing, legal basis of processing and duration of processing are.

This App processes personal data by MBCC Group employees (e.g. sales contacts) as well as representatives of MBCC Group’s clients and other data subjects (e.g. anyone who downloads the App), hereafter respectively summarily referred to as “user”, whereas the processing concerns the respective data subject listed here.

The MBCC Group employee’s name and contact data (e.g. e-mail address, phone number, mobile phone number) are processed by the App to allow representatives of MBCC Group’s clients to contact the MBCC Group sales contact relevant for them, e.g. in their region or country of operations. This personal data is collected via internal MBCC Group operations, with the user consulted on the inclusion of their personal data in the App. The legal basis for this processing is the performance of the employment contract. The user may request deletion of their personal data at any time by contacting us. This personal data is not transferred.

The client representative’s and other data subject’s geographic location is processed by the App to enable display of weather conditions at their location. This personal data is collected from the user via their device. The legal basis for this processing is the consent given by the user in the App. This personal data is not saved in or by the App and deleted upon closure of the App. Therefore the user may undertake the deletion on their own by closing the App. This personal data is not transferred.

The client representative's and other data subject's language is processed by the App to provide a good user experience. This personal data is collected from the user via the default language of the browser on the device in order to preselect the default language for the user from the App's available language versions. The legal basis for this processing is our legitimate interest to address the user in the correct language. This personal data is not saved in or by the App. As the App depends on the default language of the browser on the device, a deletion of this personal data through the App cannot be realised. This personal data is not transferred.

The client representative's and other data subject's IP address, access status/HTTP status code, browser, operating system and interface as well as the amount of data transmitted in the interaction may be processed during download as well as operation of the App to ensure the proper functioning of the App. This personal data is collected from the user's device via standard logs. The legal basis for this processing is our legitimate interest to ensure the functionality of this App. This personal data is not saved in or by the App. As the App depends on personal data furnished on and by the user's device, a deletion of this personal data through the App cannot be realised. This personal data is not transferred.

Please note: If this App is available for download from public repositories operated by third parties (e.g. Google Play Store, Apple App Store), the download of the App usually requires prior registration. We have no influence on the personal data collected, processed and transferred in this context. The responsible body in this context is solely the operator of the respective public repository.

To whom is personal data transmitted?

Within our company, only persons and bodies who need the personal data of affected data subjects to fulfill the above-mentioned purpose/s will receive access to such data.

Within our group of companies, the MBCC Group, the personal data of affected data subjects may be provided to specific companies within the group if they centrally perform key tasks for affiliates within the company group or perform cross-company functions on the basis of the organizational structure or if it necessary to fulfill the above-mentioned purposes.

We might transfer the personal data of affected data subjects to supervisory authorities, courts or law offices as far as necessary to ensure compliance with applicable law or to exercise, assert or defend legal rights if legally permitted.

We also work with service providers located within the European Economic Area to fulfill the above-mentioned purposes. Those service providers process the personal data of affected data subjects in our name and solely according to our instructions. They are contractually obliged to adhere to the applicable data protection regulation.

In some cases, we disclose personal data to service providers or group companies located outside of the European Economic Area ("third countries"), in which an adequate data protection level is not guaranteed by applicable laws. In such cases we take suitable measures to safeguard the protection of the personal data of affected data subjects and to ensure an adequate level of data protection. Hence, we disclose personal data of affected data subjects to recipients outside our group of companies

located in a third country only if those recipients have concluded the EU Standard Contractual Clauses with us or if those recipients have implemented Binding Corporate Rules.

Further information as well as a copy of the measures taken can be obtained from the above specified contacts.

Which data protection rights may be asserted by users of this App?

Right of access: You have the right to receive information about your personal data processed by us and about certain other pieces of information (such as, for example, what is provided in this notice).

Right to correction: If your personal data is inaccurate or incomplete, you have the right to have your personal information rectified. If the App enables you to correct your personal data on your own, e.g. through a profile function, we kindly ask you to undertake the correction yourself. Where this is not available, or where your personal data is persisted outside of your reach, you can fully apply this right and request correction from us.

Right to deletion: Based on what is known as 'the right to be forgotten', you can request the deletion of your information regarding such personal data where we are under no retention obligation. If the App enables you to delete your personal data on your own, e.g. in a profile or by deleting the entire profile, we kindly ask you to undertake the deletion yourself. Where this is not available, or where your personal data is persisted outside of your reach, you can fully apply this right and request deletion from us. The right to deletion is not free from exceptions. We have the right to continue using your personal data if such use is necessary for compliance with our legal obligations or for the establishment, exercise or defense of legal claims.

Right to restrict processing: This right concerns the restriction of the use or type and manner of use of your data. Please note that this right is limited in certain situations. When we are processing your personal information that we collected from you with your consent you can only request restriction on the basis of: (a) inaccuracy of data; (b) where our processing is unlawful and you don't want your personal information erased; (c) you need it for a legal claim; or (d) if we no longer need to use the data for the purposes for which we hold it. When processing is restricted, we can still store your information, but may not use it further. We keep lists of people who have asked for restriction of the use of their personal information to make sure the restriction is respected in future.

Right to data portability: This refers to your right to request that we copy, move or transfer, where technically feasible, your personal information in a structured, commonly used and machine-readable format, for your own purposes.

Right to object: You can object to our use of your personal information, including where we use it for our legitimate interests, particularly in the case of direct marketing.

Right to withdraw consent: If you have given your consent to us processing your personal data, you have the right to withdraw your consent at any time. Any such withdrawal of consent does not affect the legality of processing carried out based on the granting of consent until the point of withdrawal.

The exercise of these rights is free of charge for you. However, you are required to prove your identity with two pieces of approved identification. We will use reasonable efforts consistent with our legal duty to supply, correct or delete personal information about you in our systems.

To make inquiries or exercise any of your rights set out above, please contact us. We will endeavor to respond within 30 days. You can find our contact details at the top of this notice.

If we receive formal written complaints, we will contact the person who made the complaint to follow up. If necessary, we will work with the appropriate regulatory authorities, including local data protection authorities, to resolve any complaints that we cannot resolve directly.

If you are not satisfied with the way any complaint is handled that you make in relation to how your personal information is processed by us, then you may refer your complaint to the relevant data protection supervisory authority (see below).

Where can complaints be submitted to?

You may lodge a complaint with our data protection officer (see contact details at the top of this Data Protection Notice) or with a supervisory authority, in particular in the country of your habitual residence, place of work or place of the alleged infringement.

Alternatively, you can contact the supervisory authority responsible for us:

Bayerisches Landesamt für Datenschutzaufsicht (BayLDA)
Promenade 18
91522 Ansbach