

# Information under Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR) –

to the social media users



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Dear users of our social media channels,  
we should now like to inform you in accordance with Articles 13, 14 and 21 GDPR about the processing of your personal data by our company and about the claims and rights accruing to yourself under the provisions of the data protection legislation.

## 1. Who is responsible for data processing and who can you contact in this regard?

### The responsible data controller is:

Herth+Buss Fahrzeugteile GmbH & Co. KG  
Dieselstraße 2-4  
63150 Heusenstamm, Germany  
Telephone: 06104 608-0  
Fax: 06104 608-333  
E-mail: [verwaltung@herthundbuss.com](mailto:verwaltung@herthundbuss.com)

### Facebook fan page

The operation of a Facebook fan page constitutes processing on the basis of shared responsibility within the meaning of Art. 26 GDPR. To this end an agreement has been concluded with Facebook Ireland Ltd. (4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland). This agreement can be viewed via the following link:  
[https://www.facebook.com/legal/terms/page\\_controller\\_addendum](https://www.facebook.com/legal/terms/page_controller_addendum)

According to this agreement we ourselves have no possibility to decide or influence the processing of data by Facebook. The responsibility for the processing of what is known as "Insights Data" and fulfilment of the corresponding obligations under the GDPR is incumbent on Facebook.

### Our company data protection officer can be contacted as follows:

Herth+Buss Fahrzeugteile GmbH & Co. KG  
Dieselstraße 2-4  
63150 Heusenstamm  
Datenschutzbeauftragter  
Telefon: 06104 608 400  
E-Mail-Adresse: [datenschutz@herthundbuss.com](mailto:datenschutz@herthundbuss.com)

## 2. Which sources and data do we use?

We process personal data which we have received from yourself in the framework of your usage of social media.  
We currently offer the following social media channels:

- Facebook fan page ([www.facebook.com/HerthundBuss/](http://www.facebook.com/HerthundBuss/))
- YouTube channel ([www.youtube.com/user/Fahrzeugteile](http://www.youtube.com/user/Fahrzeugteile))

Relevant personal data includes your IP address and data about your usage of the telemedia that we offer (e.g. time at which you call up our website, apps or newsletter, our pages or entries that you click on) and other data comparable with the above categories.  
In the framework of such social media usage we are able to retrieve statistics on usage from the social media company in question. This can be information on the call-up of pages and associated activities; call-up of individual articles, videos, services (e.g. route planners), etc.; comments, shared content, responses, levels of usage: men and women, origin in terms of country and city, language.

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## 3. Why do we process your data (purpose of processing) and on what legal basis?

We process personal data in conformity with the provisions of the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG):

### a) In the framework of the evaluation and balancing of interests (Art. 6 para.1 point f) GDPR)

Where necessary, we process your data beyond the purposes of fulfilling the contract in order to safeguard our legitimate interests or those of third parties. Examples:

- Checking and optimising procedures for requirements analysis and direct customer approach;
- Advertising or market and opinion research, e.g. by using cookies, unless you have objected to the usage of your data;
- Assertion of legal claims and defence in the event of legal disputes;
- Safeguarding of IT security and IT operations;
- Measures for business management and further development of services and products.

Social media companies will in particular utilise your usage pattern to create what is known as usage profiles and employ them for the placement of advertising. This generally involves the storage of cookies on your computer.

### b) On the basis of your consent (Art. 6 para.1 point a) GDPR)

Where you provide us with consent for the processing of personal data for specific purposes (e.g. disclosure of data to third parties, evaluation of data for marketing purposes), the lawfulness of such processing shall be deemed to exist on the basis of your consent. Where consent has been given, it can be revoked at any time.

Please note that such revocation will only apply with effect for the future. Any processing performed prior to revocation will not be affected here.

Where you have given social media companies consent regarding specific data processing, processing shall be performed on the legal basis of Art. 6 para.1 point a) GDPR.

### c) On the basis of compliance with statutory provisions (Art. 6 para.1 point c) GDPR) or in the public interest (Art. 6 para.1 point e) GDPR)

We are furthermore subject to various legal obligations, i.e. statutory requirements. If data is processed for such ends, this exclusively takes place as defined by these regulations.

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## 4. Who gets your data?

Within the company, departments that require your data to fulfil our contractual and legal obligations will be provided with such data. Data processors (Article 28 GDPR) commissioned by us can also receive data for the above purposes. These are companies operating in the following categories: IT services, telecommunications, advice and consulting, sales and marketing.

The following must be noted with regard to the transfer of data to recipients outside the company: we only pass on your data where legal provisions permit or command us to do so, if you have consented to this or where we are authorised to provide the information in question. As defined by these prerequisites, recipients of personal data may include the following, among others:

- Public authorities and institutions (e.g. public prosecution offices, the police, supervisory authorities) where a legal or official obligation exists.

Further recipients of data may include parties for which you have consented to the transfer of data.

## 5. How long will your data be stored?

Where permitted by law, we process and in particular store your personal data for as long as necessary to fulfil the purposes in question.

## 6. Is data transmitted to a third country or to an international organization?

A transfer of data to third countries (countries outside the European Economic Area – EEA) only takes place when this is required to provide our social media channels, where it is a legal requirement or where you have given us your consent to do so.

We will inform you separately about the details where this is required by law:

When availing yourself of our social media channels, please note that data belonging to yourself as a user may be processed outside the EU with your use of our social media channels.

The following companies have, as Privacy Shield-certified US providers, undertaken to comply with the data protection standards of the EU.

This applies to:

- Facebook: <https://www.privacyshield.gov/participant?id=a2zt0000000GnywAAC&status=Active>.

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## 7. Which data protection rights do you have?

Every data subject holds the right to **access** acc. to Art. 15 GDPR, the right to **rectification** acc. to Art. 16 GDPR, the right to **erasure** acc. to Art. 17 GDPR, the right to **restriction of processing** acc. to Art. 18 GDPR and the right to **data portability** under Art. 20 GDPR. The right to access and the right of erasure are subject to the restrictions under Sections 34 and 35 BDSG. There furthermore exists a right to lodge a complaint with a supervisory authority for data protection (Art. 77 GDPR within the meaning of Section 19 BDSG).

We should like to point out here that your rights as a data subject in conjunction with your social media usage can be most easily asserted against the social media company.

On Facebook you can find further information at:

[https://www.facebook.com/legal/terms/information\\_about\\_page\\_insights\\_data](https://www.facebook.com/legal/terms/information_about_page_insights_data)

On YouTube you can find further information at:

[https://support.google.com/youtube/topic/2803240?hl=de&ref\\_topic=6151248](https://support.google.com/youtube/topic/2803240?hl=de&ref_topic=6151248)

## 8. Is there a duty for you to provide data?

In the framework of usage of the Internet or social media you are only obliged to provide personal data which is required for usage or which we are obliged by law to collect. Without this data practical usage may be restricted or rendered impossible.

## 9. To what extent is there automated individual decision-making in individual cases?

Fully automated decision-making as defined by Art. 22 GDPR does not take place. Should we make use of such procedures in individual cases, we will inform you of this separately where required to do so by law.

## 10. To what extent is your data used for profiling (scoring)?

We do not process your data with the aim of evaluating specific personal characteristics (profiling).

## 11. Miscellaneous

We would like to inform you here about additional options for the protection of your rights, the selection of settings and the protection of your privacy in the case of social media companies.

Information on Facebook: <https://www.facebook.com/about/privacy/> and in "Information about Page Insights data": [https://www.facebook.com/legal/terms/information\\_about\\_page\\_insights\\_data](https://www.facebook.com/legal/terms/information_about_page_insights_data)

Opt-out: <https://www.facebook.com/settings?tab=ads> and <http://www.youronlinechoices.com>

# Information about your right to object according to Art. 21 General Data Protection Regulation (GDPR)

## 1. Case-specific right of objection

For reasons arising from your particular situation, you have the right to object at any time to the processing of your own personal data that takes place in accordance with Article 6, para. 1, point e) GDPR (data processing in the public interest) and Article 6, para. 1, point f) of the General Data Protection Regulation (data processing based on the evaluation and balancing of interests). This also applies to profiling as based on this provision and defined by Article 4(4) GDPR.

Should you object to processing, we will no longer process your personal data unless we are able to demonstrate compelling legitimate grounds for processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

## 2. Right to object to the processing of data for direct marketing purposes

In individual cases we process your personal data in order to undertake direct marketing. You have the right to object at any time to the processing of personal data belonging to yourself for the purposes of such advertising; this shall also apply to profiling where associated with such direct marketing.

Should you object to processing for the purposes of direct marketing, we will no longer process your personal data for these purposes.

**The objection can be free of form and, where possible, should be directed to:**

Herth+Buss Fahrzeugteile GmbH & Co. KG  
Dieselstraße 2-4  
63150 Heusenstamm, Germany  
Telephone: 06104 608-0  
Fax: 06104 608-333  
E-mail: [verwaltung@herthundbuss.com](mailto:verwaltung@herthundbuss.com).

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