

## Privacy Notice to Customers and Suppliers

Under this privacy notice (hereinafter the “**Notice**”), **KLX Aerospace Solutions GmbH** (hereinafter “**We**” or “**Us**”) informs you how We process your personal data. Your personal data means any information relating to you (hereinafter the “**Personal Data**”). This Notice relates to our customers and suppliers (to the extent individuals) and employees/contractors of Our customers and suppliers.

### 1 Identity and Contact details of Us and of Our Data Protection Officer

We are: **KLX Aerospace Solutions GmbH**, Nortportbogen 6, 22848 Norderstedt, Germany, tel.: +49 (0) 40 8222 850.

Our data protection officer is: **Tanja Schuchmann**, Lyoner Straße 9, 60528 Frankfurt am Main, Germany, tel.: +49 (0)69 6649 6927; email: [dataprotection@klx.com](mailto:dataprotection@klx.com).

### 2 Purpose, Categories of Personal Data, Legal Basis and Retention

#### 2.1 Categories of your Personal Data and purposes of Our processing

We process the following categories of your Personal Data for the following purposes:

Your business contact details (e.g. name, position, business email address, business telephone number, department, User-ID) and your business function for the purposes of

- (1) communication by email, telephone or otherwise;
- (2) customer/supplier relationship and contract management (including managing airfreight, truck and sea shipments);
- (3) enterprise resource planning as well as managing demand and purchasing of products;
- (4) order processing and acknowledgement;
- (5) payment and invoicing as well as business accounting;
- (6) business intelligence (business planning and reporting) and quality assurance;
- (7) kitting and bin management;
- (8) network file sharing; and
- (9) physical archiving and backup as well as shredding of physical documents/files.

For the same purposes, your business contact details and any other personal information of you contained in emails sent by you or others to Us.

#### 2.2 Legal basis for Our processing of your Personal Data

Our processing of your Personal Data is allowed by law. The corresponding legal basis is (from May 25, 2018 onwards) Art. 6 para. 1 lit. (f) of the General Data Protection Regulation EU 2016/679 (GDPR), permitting the processing of Personal Data for the purposes of Our legitimate interests. To the extent a customer or supplier is an individual, the legal basis is Art. 6 para. 1 lit. (b) GDPR instead, i.e. the processing of Personal Data is permitted for the purpose of the performance of a contract.

As to Your business contact details processed for the purposes set out in Sec. 2.1(1) to (8) and any other Personal Data contained in emails, We are permitted to process your Personal Data as such processing is necessary for Us to pursue Our legitimate interests. The performance of the contract concluded between Us and your employer is not possible without processing the respective Personal Data of you. We only process Personal Data necessary for the reasonable performance of the contract. We will not process any of your Personal Data beyond the purpose of reasonably performing the contract. There are no

overriding interests apparent that would require Us to exclude the processing of your Personal Data. In fact, you will yourself be interested in Us processing your Personal Data to the extent necessary for the reasonable performance of the contract as you may otherwise not fully comply with your own employment relationship with your employer.

As to your business contact details processed for the purposes set out in Sec. 2.1(9), We are permitted to process your Personal Data as such processing is necessary for Us to pursue Our legitimate interests. Statutory retention periods dictate Us to store and archive business materials. Furthermore, We need to ensure due to legal reasons (in particular, applicable data protection laws) that certain information not necessary to be retained (anymore) will get deleted and/or shredded. Involving professional third-party service providers to conduct the archiving/backup and deletion/shredding is a reasonable action given Our size and the magnitude of files / documents we need to handle. Furthermore, We have contractually ensured that the service providers will only process Personal Data to the extent absolutely necessary for providing their services. There are no overriding interests apparent that would require Us to exclude the processing of your Personal Data. On the one side you will yourself be interested in Us processing your Personal Data to the extent necessary for the reasonable performance of the contract (which includes archiving and backing up data in accordance with applicable statutory retention periods) as you may otherwise not fully comply with your own employment relationship with your employer. On the other side and regarding the deletion and shredding of documents, you will also be interested in Us deleting any files and/or documents potentially containing your personal data as, thereafter, such data cannot be accessed by other persons anymore.

### **2.3 Do you have to provide your Personal Data to Us?**

The provision of your Personal Data is not a statutory or contractual requirement. This means that you are not obliged to provide your Personal Data to Us.

The consequence if you do not provide your Personal Data to Us is simply that We will not be able to communicate with you and may potentially not be able to fully proceed with Our business relationship with you and your employer.

### **2.4 Do We make automated decisions on you?**

We do not make any automated decisions solely on automatic processing, including profiling, which would produce legal effects concerning you or similarly significantly affect you.

### **2.5 Sources from which We have obtained your Personal Data**

Besides from yourself, We may have obtained your Personal Data set out in Section 2.1 above from the following sources: Other colleagues of you, e.g. if they step in for you in case of illness, holiday, etc.; email chains of others may contain business contact details of you (e.g. with regard to past orders), being sent from EU countries as well as non-EU countries depending on the sender/recipient. These sources are not publicly accessible.

### **2.6 Retention periods**

The retention periods for Personal Data depend on the respective purpose the Personal Data are processed for and the respective tool such data are processed in. It is not possible to outline the various retention periods in a reasonably intelligible format under this notice. The criteria used to determine the applicable retention period are that We will retain Personal Data set out under Sec. 2.1 above for as long as (i) necessary for the respective purpose, (ii) necessary to carry out Our business relationship with you, (iii) you have consented to, and/or (iv) required by applicable statutory retention laws.

### 3 Transfer of Personal Data to Third Parties

#### 3.1 Transfer of your Personal Data to third parties

We transfer your Personal Data referred to in the left column to the following third parties referred to in the right column:

Personal Data set out in Sec. 2.1	Third Parties
Third-party IT service providers for purposes of IT hosting, operation and support	
(1) to (7) and personal data contained in emails	- <b>KLX Inc. (USA)</b> : Parent Company
(1) and personal data contained in emails	- <b>Microsoft Corporation (USA)</b> : IT industry
(4)	- <b>Spark::red LLC (USA)</b> : IT industry (website solutions)
(8)	- <b>KLX Aerospace Solutions International Service Center GmbH (Germany)</b> : Affiliate Company
Other third-party service providers for being provided with the respective services	
(2) to (7), (9)	- <b>Iron Mountain Deutschland GmbH (Germany)</b> : operations industry (physical archiving and backup services) - <b>REISSWOLF Akten- und Datenvernichtung GmbH &amp; Co. KG (Germany)</b> : operations industry (shredding services)

#### 3.2 Transfer of your Personal Data to third parties in countries outside the European Union?

As indicated in Section 3.1, some of the third parties (i.e. KLX Inc., Microsoft Corporation, and Spark::red LLC) to which We transfer your Personal Data are located in the USA, i.e. outside the European Union. There is no adequacy decision by the European Commission for such country; this means that the level of data protection in such country is not comparable with the level of data protection in the European Union.

The appropriate safeguard We use to secure your Personal Data in the context of such transfers are the so-called EU Model Clauses. You can find a sample of such EU Model Clauses under [http://ec.europa.eu/justice/data-protection/international-transfers/transfer/index\\_en.htm](http://ec.europa.eu/justice/data-protection/international-transfers/transfer/index_en.htm) or contact Our data protection officer (see above).

### 4 Your Rights (incl. Right to Object)

Under applicable data protection laws, you have the right

- to access your Personal Data, i.e. you may obtain confirmation from Us as to whether or not We process Personal Data of you and, if so, obtain access to such data;
- to rectification of your Personal Data, i.e. you may obtain modification of inaccurate Personal Data;
- to erasure of your Personal Data, i.e. you may demand your Personal Data to be deleted in certain circumstances (e.g., where processing of such data is no longer necessary for the purposes for which we collected or otherwise processed them);
- to restrict the processing of your Personal Data, i.e. you may, in certain circumstances, demand the restriction of your Personal Data (e.g., if you contest the accuracy of such data, processing will be restricted for a period enabling Us to verify their accuracy);
- to tell Us that you do not wish to receive marketing information;
- to demand, in some circumstances, certain of your Personal Data to be transferred to you or a third party; and

- not to be subject to a decision based solely on automated processing, including profiling, which produces effects concerning you or similarly significantly affects you.

Furthermore, **you have the right to object** to Us processing your Personal Data at any time (i) in case of direct marketing, or (ii) on grounds relating to your particular situation, in case We process your Personal Data for the purposes of Our legitimate interests. As to such purposes, you will find more information under Sections 2.1 and 2.2 above.

To the extent Our processing of your Personal Data is based on your consent, you also have the right to withdraw your consent, without affecting the lawfulness of Our processing based on your consent before its withdrawal.

Exercising any of your rights mentioned above is subject to legal prerequisites and, in certain circumstances, your rights may be limited due to legal exceptions set out, in particular, in Arts. 17 para. 3 and 22 para. 2 GDPR as well as in Secs. 34 para. 1, 35 para. 1, 36 and 37 para. 1 FDPA. Should you have any questions relating to your rights or their limitations, please feel free to contact Our data protection officer under the contact details set out above.

To exercise your rights, you can contact Us as set out in Section 1 above. You can also lodge a complaint about Our processing of your Personal Data with a data protection authority, in particular, in the EU Member State of your habitual residence, place of work or of an alleged infringement of applicable data protection laws.

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