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DATA PROTECTION NOTICE FOR CUSTOMERS

HOW WE HANDLE YOUR DATA AND YOUR RIGHTS

Information in accordance with Article 13, 14 and 21 of the General Data Protection Regulation (GDPR)

With this data protection notice we wish to inform you, our customers, of how we process your personal data as well as of your rights in accordance with the EU General Data Protection Regulation (GDPR), valid from 25 May 2018. This notice will be updated where necessary and will be published on www.borussia.de. Our data protection notice for visitors to our website will also be posted there.

1. Who controls data processing and whom can I contact?

The controller is

Borussia VfL 1900 Mönchengladbach GmbH / e.V.
Hennes-Weisweiler-Allee 1
41179 Mönchengladbach
Phone: +49 (0) 2161/9293-9977
E-mail: info@borussia.de

Represented by managing directors Rolf Königs, Siegfried Söllner, Stephan Schippers and Max Eberl

To contact the Data Protection Officer:

Address as above: „c/o Data Protection Officer“,
E-mail: datenschutz@borussia.de

2. Which sources and data are used?

Borussia VfL 1900 Mönchengladbach GmbH / e.V. processes data that we receive during our business relationship with you, e.g. in connection with a purchase or an enquiry or when visiting our website.

Specifically, we process the following data:

- Identification data (e.g. customer's name, address and contact details, bank details)
- Data connected to the execution of the specific order (customer number, membership number, fan project membership number, clothing size, date of birth, etc.)
- Information on the customer's risk profile, including credit worthiness and solvency and details in accordance with the suitability statement
- Contractual data for other correspondence (e.g. e-mail, phone calls or written correspondence with you)
- Marketing and sales data (e.g. for products and services that potentially could interest you)
- Social media / internet data

3. Why is my data processed (purpose of processing) and on what legal basis?

Borussia VfL 1900 Mönchengladbach GmbH / e.V. processes your data on the following legal basis and for the following purposes:

- Admission tickets and merchandising (purchase agreement),
- Memberships and fan matters,
- Events, images taken at events,
- Payment procedures and outstanding items,
- Contact with sponsors/licenses, suppliers and traders,
- Autom. decision-making and profiling
- Competitions and questionnaires,
- Online media and personalised marketing,
- Complaints management.

3.1. For the performance of contractual obligations (Article 6 (1)(b) GDPR)

We process your data to perform our contracts with you, i.e. for example to handle services you have ordered.

The purposes of data processing are based on the specific service and the contractual documents in each case.

3.2. For purposes of legitimate interests (Article 6 (1)(f) GDPR)

In addition, your data may be used to weigh interests in order to safeguard our legitimate interests or those of third parties.

This is undertaken for the following purposes:

Borussia VfL 1900 Mönchengladbach GmbH / e.V. processes personal data for various business transactions. These include items such as admission tickets, merchandising, memberships, events, marketing or online media (www.borussia.de or e-mail newsletters etc.). Each of these transactions has at least one purpose. When purchasing a product, this may be delivery and payment or, e.g., for events, holding the event. In addition, every transaction in which personal data is processed is founded on a legal basis, e.g. the necessity to prepare or perform a contract (Article 6 (1)(b) GDPR), the necessity to comply with a legal obligation to which Borussia VfL 1900 Mönchengladbach GmbH / e.V. is subject (Article 6 (1)(c) GDPR), on the basis of legitimate interests of Borussia VfL 1900 Mönchengladbach GmbH / e.V. after weighing



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interests accordingly (Article 6 (1)(f) GDPR) or when consent has been given (Article 6 (1)(a) GDPR).

The interests of Borussia VfL 1900 Mönchengladbach GmbH / e.V. in the respective processing stem from the respective purposes and are incidentally of an economic nature (efficient execution of tasks, sales, avoiding legal risks).

As far as the specific purpose allows, Borussia VfL 1900 Mönchengladbach GmbH / e.V. processes data in pseudonymous or anonymous form.

3.3. Due to your consent (Article 6 (1)(a) GDPR)

Insofar as you have granted consent to the processing of personal data, the respective consent is the legal foundation for the processing cited there.

In addition, in some cases you may have granted consent to receiving marketing information by e-mail or phone. Further, you may have granted consent to the recording of your phone conversations with us.

You may retract your consent at any time with effect for the future. This also applies to consent that you have granted Borussia VfL 1900 Mönchengladbach GmbH / e.V. before the application of the GDPR, hence prior to 25 May 2018. The retraction takes effect solely for future processing.

3.4. Due to statutory requirements (Article 6 (1)© GDPR)

Borussia VfL 1900 Mönchengladbach GmbH / e.V. is subject to various legal obligations, i.e. statutory requirements (e.g. Technical Inspection Order, Industry Safety Regulation, Money Laundering Act, tax laws).

The purposes of processing include the verification of identity and age, fraud and money laundering prevention, accounting, risk assessment and control (including creating a risk profile for customers), as well as verifying creditworthiness, as well as complying with fiscal monitoring and reporting obligations.

4. Who receives my data?

Borussia VfL 1900 Mönchengladbach GmbH / e.V. will only transmit your data in keeping with the GDPR and the German Federal Data Protection Act (BDSG).

Within Borussia VfL 1900 Mönchengladbach GmbH / e.V., your data will only be transmitted to those bodies that require said data to perform contractual and statutory obligations or to perform their respective tasks (e.g. dispatch and scheduling, commercial services, sales and marketing, accounting, etc.).

Besides these, your data may be disclosed to the following bodies:

- Processors who work on our behalf (Article 28 GDPR), especially in IT services, logistics, disposal and print services, who process your data subject to our instructions
- Public authorities and institutions (e.g. the police) if there is a statutory or official obligation

- Our relevant employees, consultants, representatives, authorised agents, auditors, service providers
- Other bodies for whom we have received your consent to transmit your data

5. How long will my data be stored?

As far as necessary, your personal data will be processed for the duration of the business relationship, which includes the initiation and performance of the contract.

Furthermore, Borussia VfL 1900 Mönchengladbach GmbH / e.V. is subject to various storage and documentation obligations in accordance with, among others, the German Commercial Code. The storage and documentation periods stipulated therein are five to ten years.

Lastly, the storage period is determined by the legal statute of limitations, which for example is three years in accordance with the Civil Code, but in certain cases may be up to thirty years.

The various storage and documentation obligations of additional controllers are determined among others in the German Commercial Code (HGB), the Fiscal Code (AO), the Banking Act (KWG), the Money Laundering Act (GwG) and the German Securities Trading Act (WpHG). These determine storage and documentation periods of two to ten years.

Lastly, the duration of storage is also determined by the legal statute of limitations, which for example generally may be three years, in certain cases up to thirty years in accordance with §§ 195 ff. of the German Civil Code (BGB).

6. Will data be transferred to a third country or an international organisation?

Your data will only be transferred to states outside of the European Economic Area – EEA (third countries) insofar as this is necessary or legally required in order to perform your orders or if you have granted consent.

7. What other data protection rights do I have?

Under the relevant statutory requirements you have the right of access (Article 15 GDPR), to rectification (Article 16 GDPR), to erasure (Article 17 GDPR), to restriction of processing (Article 18 GDPR) as well as to data portability (Article 20 GDPR).

7.1 Right to lodge a complaint

In addition, you have the right to lodge a complaint with a data protection supervisory authority (Article 77 GDPR).

You can assert these rights against Borussia VfL 1900 Mönchengladbach GmbH / e.V. centrally.

Responsible supervisory authority:

Data Protection Commissioner NRW
Postfach 20 04 44
40102 Düsseldorf



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Tel.: +49 (0) 211/38424-0
Fax: +49 (0) 211/38424-10
E-mail: poststelle@ldi.nrw.de

8. Do I have an obligation to provide data?

Within the framework of our business relationship, you need only provide such personal data which is required to initiate, perform and conclude a business relationship or which we have a statutory obligation to collect.

9. What is the extent of automated individual decision-making?

As a general rule, we do not use automated decision-making in order to initiate and perform business relationships in accordance with Article 22 GDPR. If we should use this procedure in individual cases, we will inform you of this separately, insofar as this is legally required.

10. To what extent is my data used for profiling?

Borussia VfL 1900 Mönchengladbach GmbH / e.V. processes your data in a partially automated manner with the aim of evaluating certain personal aspects („profiling“ in accordance with Article 4 (4) GDPR). Profiling is used in the following cases, for example.

- Due to statutory requirements we have an obligation to combat money laundering, terrorist financing and crimes that put assets at risk. In this process, data is evaluated (among others with regards to payment transactions). These measures are also for your protection. The same applies to mailings.

In addition, Borussia VfL 1900 Mönchengladbach GmbH / e.V. may evaluate your data in order to identify your potential interest in products and services. This evaluation is carried out using statistic procedures using both current and past customer data.

We use the results to approach you purposefully and according to your needs, as well as to support the associated companies in their consulting, handling and sales.

11. What rights to object do I have? (Article 21 GDPR)

a) Individual right to object

You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you collected due to Article 6 (1)(f) GDPR (data processing on the basis of weighing interests). This also includes profiling based on this provision as referred to in Article 4 (4) GDPR, that may occur e.g. for customer service and support and for sales purposes.

If you object, your personal data will not be processed any longer, unless compelling legitimate grounds for processing can be proven which override your interests, rights and freedoms, or if the processing serves the establishment, exercise or defence of legal claims.

b) Right to object to data processing for the purpose of direct marketing

Within the scope of statutory requirements, Borussia VfL 1900 Mönchengladbach GmbH / e.V. may also process your data for the purpose of direct marketing. You have the right to object at any time to the processing of personal data concerning you and used for the purpose of such marketing. This includes profiling to the extent that it is related to such direct marketing.

If you object to the processing for the purposes of direct marketing, we will no longer process your personal data for these purposes. The objection is not subject to any condition as to form. Our contact details are listed under Section 1.