

BUCHER HYDRAULICS

PRIVACY POLICY

This Privacy Policy describes the collection and further processing of personal data by Bucher Hydraulics GmbH and its affiliates (together or – as the case may be – individually Bucher Hydraulics) as far as they are not covered by other data protection policies or are evident from the circumstances or are provided for by applicable law. The term personal data shall include all information relating to an identified or identifiable individual.

This Privacy Policy describes in Section I processing of personal data by Bucher Hydraulics in general. Section II contains specific provisions for specific applications.

I. GENERAL PROVISIONS

1. CONTROLLER, DATA PROTECTION OFFICER

Every website (including online-shops and mini sites for special offers), every presence on social media, multimedia portals, chatbots and every app of Bucher Hydraulics (each a WEBSITE) has a controller within Bucher Hydraulics with respect to collecting personal data according to the EU General Data Protection Regulation (GDPR) (or comparable provisions according to applicable data protection laws). Unless provided otherwise on the WEBSITE (according to the imprint, the terms of use, etc.) or under Section II below, Bucher Hydraulics GmbH is the controller.

The respective affiliate is the controller in case it communicates through other means of communication than the WEBSITE (email, letter, telephone, in person, etc.) and the communication does not fall within an activity for which Bucher Hydraulics GmbH has appointed a specific controller within this Privacy Policy or otherwise.

Should a Bucher Hydraulics company or affiliate disclose personal data to another Bucher Hydraulics company or affiliate for certain purposes of the receiving company or affiliate, such company or affiliate is the controller according to article 4 (7) GDPR.

Bucher Hydraulics has not appointed a data protection officer according to article 37 GDPR. Furthermore, any inquiry, claim or concern regarding data protection at Bucher Hydraulics can be addressed to the following contact person in case no specific contact is listed in Section II: dataprivacy@bucherhydraulics.com.

The representative of companies and affiliates of Bucher Hydraulics domiciled outside of the EU or EEA respectively (article 27 GDPR) is Bucher Hydraulics GmbH.

2. PROCESSING OF PERSONAL DATA

Bucher Hydraulics collects and processes personal data of

- users of its WEBSITES registered with Bucher Hydraulics;
- individuals and legal entities purchasing and receiving/benefitting from products and services of Bucher Hydraulics;

- potential or actual parties interested in products and services of Bucher Hydraulics;
- recipients of newsletters of Bucher Hydraulics;
- participants in research campaigns and opinion surveys conducted by Bucher Hydraulics;
- participants in courses, seminars and other training organized by Bucher Hydraulics; and
- users of WIFI provided at Bucher Hydraulics stores and other locations.

(together CUSTOMERS).

The personal data of CUSTOMERS is generally collected directly during the course of using the WEBSITE, in stores or at events of Bucher Hydraulics or Bucher Hydraulics retailers respectively or in direct communication via email, telephone or otherwise. However, personal data can also be collected indirectly, in particular through further acquisition of supplementary information from third party data sources (e.g. social media, address brokers).

In particular, the following categories of personal data is processed by Bucher Hydraulics:

- **Data related to individuals** including but is not limited to first and last name, maiden name, address, residence, telephone number, email address, date of birth, gender, marital status, relatives, contact in case of emergency, pictures, etc.;
- **Data pertaining to orders and purchases** including but is not limited to payment information, credit card details and other payment details, billing and shipping address, products and services ordered and purchased, information connected to queries, complaints and disagreements relating to products and services or respective contracts entered into such as warranty claims, rescissions and disputes, information regarding CUSTOMERS blacklisted by Bucher Hydraulics, etc.;
- **Data in connection with product and services marketing** including but is not limited to information such as newsletter opt-ins and opt-outs, documents received, invitations to and participations at events and special activities, personal preferences and interests, etc.;
- **Data concerning the use of the WEBSITE** including but is not limited to the IP address and other identification (e.g. user name of social media, MAC address of smartphones or computers, cookies), date and time of WEBSITE visits, visited sites and contents, referring websites, etc.
- **Data in connection with communication** such as preferred means of communication, correspondence and communication with Bucher Hydraulics (including records of the communication), etc.;
- **Data which was collected in connection with a customer program** such as number of membership, access codes (including passwords), preferred language, number of gift certificate, date and duration of the membership, payment information of the customer or a potential third party, information concerning the recipient of a gift, number of visits of the WEBSITE, purchase history, products acquired, etc. (besides all WEBSITE accounts, activities and events for which a CUSTOMER must register with his personal data and thus enter into a contract with the respective companies of Bucher Hydraulics shall be deemed a customer program for the purposes of this policy);

(together CUSTOMER DATA).

In addition, Bucher Hydraulics collects and processes the following personal data:

- **Data of users of the WEBSITE**, who do not register with Bucher Hydraulics (VISITOR) but may constitute personal data for example with social media (VISITOR DATA), the provisions of this policy regarding data collected from a CUSTOMER in connection with the use of the WEBSITE shall apply accordingly even though the identification of a VISITOR usually is not possible for Bucher Hydraulics;
- **Information pertaining to employees and contacts of their dealers, suppliers and further business partners** (hereinafter natural persons shall be referred to as PARTNERS their data as PARTNER DATA) such as in particular contact details, information regarding their function, information relating to the previous contact with these individuals, data regarding marketing activities (e.g. receipt of newsletters), information regarding business transactions, requests, offers, tenders, conditions and contracts, information related to professional or other interests of the individuals, etc.

Within the framework of their business relationship, CUSTOMERS will be required to provide CUSTOMER DATA necessary for the establishment and execution of the contractual relationship and the fulfilment of the associated contractual obligations or required by law. Without this data, Bucher Hydraulics will generally not be able to conclude or execute the contract with the respective CUSTOMER. This also applies analogously to PARTNERS and PARTNER DATA. As any access to the WEBSITE is logged, connection data (such as the IP address) will always be logged; this is done automatically during use and cannot be deactivated for individual VISITORS, PARTNERS or CUSTOMERS.

3. PURPOSE OF THE PROCESSING AND LEGAL BASIS

In accordance with applicable law, Bucher Hydraulics may process CUSTOMER DATA in particular for, but not limited to, the following purposes:

- In connection with services offered, conclusions of contracts (in particular purchases), executions of contracts (in particular purchase contracts and contracts regarding the participation at customer programs and events), maintenance and development of customer relations, communication, customer service and support, promotions, advertisement and marketing (including newsletters and mailing of promotional materials);
- Management of the users of the WEBSITE and other activities in which CUSTOMERS participate, operation and enhancement of the WEBSITE (including the provision of functions which require identifiers or other personal data) and further IT systems, identity verifications;
- protection of CUSTOMERS, employees and other individuals and protection of data, secrets and assets of and entrusted to Bucher Hydraulics, safety of systems and premises of Bucher Hydraulics;
- compliance with legal and regulatory requirements and internal rules of Bucher Hydraulics, enforcement and exploitation of legal rights and claims, defense against legal claims, litigation, complaints, combating abusive conduct, engaging in legal investigations and proceedings and responding to inquiries of public authorities;
- sale or acquisitions of business divisions, companies or parts of companies and other corporate transactions and the transfer of CUSTOMER DATA associated therewith; and
- for other purposes as far as a legal obligation requires processing and such processing was evident from the circumstances or indicated at the time of the collection.

(together the PURPOSE OF CUSTOMER DATA PROCESSING).

Bucher Hydraulics uses the CUSTOMER DATA for the PURPOSE OF CUSTOMER DATA PROCESSING based on the following legal grounds:

- performance of contracts;
- compliance with legal obligations of Bucher Hydraulics;
- consent of the CUSTOMERS (only insofar as the processing is based on a specific query and can be withdrawn at any time, in particular the receipt of newsletters for which the client has registered for); and/or
- legitimate interests of Bucher Hydraulics, including but not limited to
 - purchase and shipment of products and services, also in connection with individuals who are not direct contractual partners (such as e.g. individuals receiving a gift);
 - carrying out advertisement and marketing activities;
 - efficient and effective customer support, maintenance of contact and other communication with CUSTOMERS outside of the processing of contracts;
 - understanding customer behavior, activities, concerns and needs, market studies;
 - efficient and effective improvement of existing products and services and development of new products and services;
 - efficient and effective protection of customers, employees and other individuals as well as protection of data, secrets and assets of or entrusted to Bucher Hydraulics, safety of systems and premises of Bucher Hydraulics;
 - maintenance and secure, efficient and effective organization of business operations including a secure, efficient and effective operation and successful further development of the WEBSITE and other IT systems;
 - reasonable corporate governance and development;
 - successful sale and acquisition of business units, companies or parts of companies and other corporate transactions;
 - compliance with legal and regulatory requirements and internal rules of Bucher Hydraulics;
 - concerns regarding the prevention of fraud, offences and crimes as well as investigation in connection with such offences and other improper conduct, handling of claims and actions against Bucher Hydraulics, cooperation in legal proceedings and with public authorities as well as the prosecution, exercise of and defense against legal actions.

In accordance with applicable data protection laws, Bucher Hydraulics may in particular process VISITOR DATA for the purpose of maintaining and developing the WEBSITE (including the provision of functions which require identifiers or other personal data), for statistical analysis regarding the use of the WEBSITE as well as for combating abusive conduct, for purposes of legal investigations or proceedings and for the response to inquiries of public authorities. The VISITOR DATA shall be processed in accordance with the principles set out for CUSTOMER DATA above.

In accordance with applicable data protection laws, Bucher Hydraulics may process PARTNER DATA in particular for the purpose of entering into and performance of contracts and other business relationships with PARTNERS, promotions, advertisement and marketing, communication, invitation to events and participation in promotions for PARTNERS, organization of joint activities, compliance with legal and regulatory requirements

and internal rules of Bucher Hydraulics, enforcement and exploitation of legal rights and claims, defense against legal claims, litigation, complaints, combating abusive conduct, engaging in legal investigations and proceedings and responding to inquiries of public authorities, for the sale or acquisition of business units, companies or parts of companies and other corporate transaction and related transfers of PARTNER DATA. The PARTNER DATA shall be processed in accordance with the principles set out for CUSTOMER DATA above.

All the purposes of processing shall be applicable for Bucher Hydraulics, i.e. not only for the company or affiliate of Bucher Hydraulics which initially collected the personal data. Personal data of CUSTOMERS, VISITORS and PARTNERS is collected for the purpose of all Bucher Hydraulics companies.

4. DISCLOSURE OF DATA AND TRANSFER OF DATA ABROAD

In accordance with applicable data protection laws, Bucher Hydraulics may disclose CUSTOMER DATA, VISITOR DATA and PARTNER DATA to the following categories of third parties who process PERSONAL DATA in accordance with the purposes set out above on behalf of Bucher Hydraulics or for their own purposes:

- service providers (within Bucher Hydraulics as well as external), including processors;
- dealers, suppliers and other business partners;
- customers of Bucher Hydraulics;
- local, national and foreign authorities;
- media;
- insurances;
- the public including visitors of websites and social media of Bucher Hydraulics;
- industry organizations, associations, organizations and other committees;
- competitors;
- acquirers or parties interested in acquiring business units, companies or other parts of Bucher Hydraulics;
- other parties in potential or actual legal proceedings;
- companies of Bucher Hydraulics
- companies of the Bucher Industries Group

(together THIRD PARTIES).

Bucher Hydraulics may disclose CUSTOMER DATA, VISITOR DATA and PARTNER DATA within Bucher Hydraulics as well as to third parties and in every country worldwide, including in particular all countries in which Bucher Hydraulics is represented by companies, affiliates or other offices and representatives, as well as to countries in which service providers of Bucher Hydraulics process their data. If data is disclosed to countries that do not guarantee adequate protection, Bucher Hydraulics will ensure adequate protection of data disclosed by CUSTOMERS, VISITORS or PARTNERS by way of putting adequate contractual guarantees in place, in particular on the basis of EU model clauses, binding corporate rules or it bases the transfer on the exceptions of consent, conclusion or performance of contract, the determination, exercise or enforcement of legal claims, overriding public interests or it discloses the data in order to protect the integrity of these individuals. The

CUSTOMER, VISITOR or PARTNER can obtain a copy of the contractual guarantees from or will be advised where to obtain such copies by the respective controller. Bucher Hydraulics reserves the right to redact such copies for reasons of data protection or secrecy reasons.

5. STORE OF DATA

As a rule, Bucher Hydraulics retains contract related CUSTOMER DATA, VISITOR DATA and PARTNER DATA as long as the contractual relation is ongoing or it has an interest in them (in particular an interest for reasons of proof in case of claims, documentation of compliance with certain legal or other requirements, operational reasons) or it is obligated to do so (by way of contract, law or other provisions). Deviating legal obligations are reserved in particular with respect to anonymization or pseudonymization.

6. COOKIES, GOOGLE ANALYTICS AND SOCIAL PLUG-INS

Bucher Hydraulics uses cookies on its WEBSITE. Cookies are a widespread technique that allocates identification to the browser of the user of a WEBSITE which the user saves and shows upon request. On the one hand, Bucher Hydraulics uses session cookies which are automatically erased when the user closes the WEBSITE and which enable the server to establish a stable connection to the user (so that the content of a shopping basket is not lost, for example) as long as he browses on the website. On the other hand, permanent cookies which are only erased after a period defined per WEBSITE are used. Permanent cookies allow saving certain settings (e.g. language) for several sessions or allow for an automated log-in. The user consents to the application of permanent cookies by way of using the WEBSITE and the respective functions (e.g. language settings and automated log-in). The user may block the application of cookies on his browser or delete cookies there which may, however, impair the use of the WEBSITE.

In accordance with applicable law, Bucher Hydraulics may install coding in newsletters and other marketing email which allow it to determine if the recipient has opened an email or downloaded pictures contained in the email. However, the recipient may block this application in his/her email application. In any case the recipient consents to the application of this technology by way of receiving newsletters on other marketing related emails.

Should Bucher Hydraulics place advertisement of third parties on the WEBSITE (e.g. banners) or intend to place an own ad on the website of a third party, cookies from companies specializing in the use of such advertisement may be employed. Bucher Hydraulics will not disclose personal data to such companies, i.e. they shall only place a permanent cookie with users of the WEBSITE in order to recognize users and do so in the sole interest of Bucher Hydraulics. This allows Bucher Hydraulics to place aimed advertisements for these individuals on external websites (e.g. in connection with products for which these individuals showed an interest in the online-shop). Bucher Hydraulics will not disclose personal data to the operators of external websites either.

Bucher Hydraulics may use Google Analytics or similar services on its WEBSITE. These applications are third party services which allow Bucher Hydraulics to measure and analyze the use of its WEBSITE. The provider of these services may be located in any country worldwide (in the case of Google Analytics which is operated by Google Inc. it is the U.S., www.google.com). The service provider uses permanent cookies for these applications. Bucher Hydraulics will not disclose any personal data to the service provider (who will also not save any IP addresses). The service provider may, however, monitor the use of the WEBSITE by the user and combine this data with data from other websites monitored by the same service provider which the user has

visited and the service provider may use these findings for its own benefits (e.g. control of advertisement). The service provider knows the identity of the user who has registered with the service provider. In this case the processing of personal data will be the service provider's responsibility and data shall be processed according to the data protection policies of the service provider. The service provider will provide data on the use of the WEBSITE to Bucher Hydraulics.

In addition, Bucher Hydraulics may use plug-ins from social media networks such as Facebook, Twitter, Youtube, Google+, Pinterest or Instagram on its WEBSITE. In the default setting of the WEBSITE plug-ins are activated; the user can thus choose when to deactivate them. If he doesn't, the social media providers are able to establish a direct connection to the user during his visit on the WEBSITE, which allows the provider to be aware of the user's visit and may analyze the respective information. The subsequent processing of the personal data will be conducted in the responsibility of the provider and according to his data protection policies. The provider of the respective social media offering will not disclose any information to Bucher Hydraulics.

7. RIGHTS OF THE CUSTOMER, VISITORS AND PARTNERS

Any affected individual subject to the GDPR, including any CUSTOMER, VISITOR and PARTNER, may request information from Bucher Hydraulics as to whether data concerning them is being processed. In addition, such affected individuals have the right to request the correction, destruction or restriction of personal data regarding them as well as to object to the processing of personal data. Should the processing of personal data be based on consent, such affected individuals may withdraw consent at any time. In certain cases, such affected individuals have the right to obtain data generated during the use of online services in a structured, common and machine-readable format which allows for further use and transfer. Request in this respect shall be submitted to the contact person (see para. 1). Affected individuals not subject to the GDPR may have similar rights under applicable data protection laws. Bucher Hydraulics reserves the right to restrict the rights of any affected individual in accordance with applicable law and e.g. not to disclose comprehensive information or not to delete data.

Should Bucher Hydraulics make an automated decision with respect to a certain individual which may have a legal effect for the affected individual or seriously affect her in a similar way, the affected individual shall have, in accordance with applicable law, the right to communicate with a controller of Bucher Hydraulics and to request a reconsideration of the decision or to request the prior evaluation by the controller. In this case the affected individual might no longer be able to use certain automated services. The individual will be informed thereof subsequently or separately in advance.

Any affected individual may also raise a complaint with the competent data protection authority of the respective country.

8. CHANGES TO THE DATA PROTECTION POLICY

Bucher Hydraulics is entitled to amend this Privacy Policy at any time and without prior notice or announcement. The latest version according to the WEBSITE shall be applicable.

Should this Privacy Policy form part of an agreement with CUSTOMERS or PARTNERS, Bucher Hydraulics may inform them of an update or amendments by email or in another appropriate manner. The amendments

shall be deemed to have been accepted unless an objection is raised within 30 calendar days of notification. In case of objection Bucher Hydraulics shall be free to terminate the agreement exceptionally and with immediate effect.

II. Specific Provisions

The following provisions shall supplement the general provisions set out in Section I above for certain activities of Bucher Hydraulics. In the event there is any inconsistency, the following provisions shall prevail the general provisions set out in Section I.

1. NEWSLETTER AND BANNER ADVERTISEMENT

Bucher Hydraulics may send newsletters or other commercial communications in connection with its products and services to CUSTOMERS and PARTNERS. In accordance with applicable law Bucher Hydraulics reserves the right to do so without prior consent of existing customers and business partners. However, the respective customers and business partners may object to a further mailing of newsletters or other commercial communications at any time through their account on the respective WEBSITE or through the link indicated in every mailing. However, the termination of one newsletter may not entail the termination of other newsletters, as well.

It is possible that personalized advertisement is placed during the visit on the WEBSITE. Every banner advertisement displayed to the CUSTOMER contains products offered on the WEBSITE which have previously been looked at by the customer. The advertisement is generated by Bucher Hydraulics by the means of cookies (see Section I para. 6 above).
