

## Data Protection Declaration in accordance with GDPR

With the following information we would like to provide you with an overview of our processing of your personal data and your rights arising from the The Global Democracy Promotion Act (GDPA). You can download and read the official document at the following link: <https://gdpr.eu/tag/gdpr/>

The particular data that is processed and in what way it is used is essentially determined by the requested or agreed services. Therefore, not all parts of this information will be relevant for you.

We, Wyma Solutions, take the protection of your personal data very seriously.

If, at any time, you wish to contact our Data Protection Officer, you can do so at the following address:

27 Foremans Road  
PO Box 16-707  
Hornby 8042  
Christchurch  
New Zealand

+64 3 344 6403

[sales@wymasolutions.com](mailto:sales@wymasolutions.com)

### 1. What data do we collect on users?

We collect the following data on all users who browse our website and consent to cookies:

- The IP address of your machine when connected to the Internet and the domain name from which you are accessing the Internet
- The operating system and the browser your computer uses, and how you arrived on our website (i.e. from a search engine)
- The date and time you are visiting
- The URLs of the pages you visit

We collect the following data on users who submit this information to us (for example, via a contact form):

- Name
- Email Address
- Business name/website
- County

### 2. For what purpose do we process your data (purpose of the processing) and upon what legal basis?

We process personal data in accordance with the provisions of the EU General Data Protection Regulation (GDPR).

a) For the performance of contractual commitments (art. 6, para. 1, b GDPR)

Data may be processed in the course of performing contracts with you as our customer or in order to take measures prior to entering into a contract.

b) In the context of balancing interests (art. 6, para. 1, f GDPR)

If necessary, we may process your data beyond the actual fulfilment of the contract in order to protect the legitimate interests of ourselves or those of third parties. Examples:

- to examine and optimise procedures for needs assessments for the purpose of direct customer contact,
- to market or carry out market and opinion research provided that you have not objected to the use of your data,
- to assert legal claims and defence in legal disputes,
- to ensure the IT security and the IT operations of the company,
- to carry out measures for business management and the further development of services and products.

c) On the basis of your consent (art. 6, para 1. a GDPR)

If you have issued us with your consent to process personal data for specific purposes (e.g., for marketing purposes, sending newsletters), your consent forms the basis the lawfulness of this processing.

d) On the basis of legal obligations (art. 6, para. 1 c GDPR) or in the public interest (art. 6, para. 1 e GDPR)

In addition, we are also subject to diverse legal obligations, i.e., statutory requirements (e.g., tax legislation). The purposes of processing also includes the fulfilment of control and notification obligations arising from tax legislation.

e) In the context of establishing an employment relationship (art. 88 GDPR in connection with sec. 26, para. 1 BDSG)

If you apply for a job with us, we may also process your personal data.

### **3. What does this mean in detail in regard to providing this website and the services it offers?**

#### 3.1 Provision of this website and the creation of log files

Every time our website is opened, our system records automated data and information from the computer system of the computer that opens the site. In doing so, the following data is collected:

- (1) information about the browser type and the version used,
- (2) the user's operating system,
- (3) the user's IP address,
- (4) date and time the website was accessed,
- (5) websites from which the user's system reached our website,
- (6) websites, which are opened by the user's system via our website.

The data is also saved in our system's log files. The user's IP address and other data, which would allow the data to be attributed to a user are not affected by this. This data is not stored together with the user's other personal data. The legal basis for temporarily storage the data is art. 6, para. 1, f GDPR. It is necessary for the system to temporarily store the IP address in order to deliver the website to the user's computer. For this purpose, the user's IP address must be stored for the duration of the session. This purpose represents our legitimate interest in processing the data in accordance with art. 6, para 1, f GDPR.

The data is deleted as soon as it is no longer necessary to achieve the purpose of its collection. If the data is recorded for the provision of the website, this purpose is achieved when the respective session is concluded.

Recording data for the provision of the website and the storage of the data in log files is imperative for the operation of the website. Therefore, on the part of the user there is no possibility to object to it.

#### 3.2 Use of cookies

When you visit our websites, we sometimes use cookies. Among other things, they are used to make our provision user-friendly, effective and secure.

In doing so, the following data is stored and transferred in cookies: (e.g.)

- language settings,
- log-in information.

In the context of using technically necessary cookies, we process your personal data in accordance with art. 6, para 1, f GDPR.

Technically necessary cookies are used for the purpose of making the use of our website easier for you. Some functions of our website cannot be provided without the deployment of cookies. For this purpose, it is necessary that the browser is also recognised after changing pages. We need your cookies for the following applications: (e.g.)

- (1) adoption of language settings,

(2) remembering search terms,

The user data collected using technically necessary cookies is not used to create a user profile.

Cookies are stored on your computer and transferred from there to our website. Therefore, you as the user have full control on the use of cookies. By changing the settings in your internet browser, you can deactivate or restrict the transfer of cookies. Cookies that are already stored can be deleted at any time. This process can be done automatically. If cookies are deactivated for our website, then it is possible that all the functions of the website may no longer be able to be fully used.

In addition, we use cookies on our website that allow an analysis of user behaviour. In this way, the following data can be transferred: (e.g.)

- entered search terms,
- frequency of site views,
- use of website functions.

When opening our website, you are informed of the use of cookies and your consent is obtained to process the personal data used in this regard. In addition, reference is also made to this Data Protection Declaration.

When the user's consent is given, the legal basis for processing personal data collected by using cookies for the purpose of analysis is art. 6, para. 1, a GDPR.

Analysis cookies are used for the purpose of improving the quality and content of our website. By using the analysis cookies, we learn how the website is used and can therefore constantly improve our provision.

You can change your consent at any time in the cookie settings.

### 3.3 Newsletter

On our website there is the option to subscribe to a free newsletter. When registering for the newsletter, the data from the input screen is transferred to us.

In order to process the data, your consent is obtained in the course of the registration process and reference is made to this Data Protection Declaration (Double-Opt-In).

There is no disclosure to third parties in connection to the data processing in order to send the newsletter. The data is used exclusively to send the newsletter.

If you have registered for the newsletter and have therefore declared your consent to your data being processed, then art. 6, para. 1, a GDPR is considered to be the legal basis in this regard.

Your e-mail address is collected in order to deliver the newsletter. The collection of other personal data in the context of the registration procedure is used to prevent an abuse of the services or the e-mail address used.

You can terminate your subscription to the newsletter at any time. For this purpose, there is a corresponding link in each newsletter.

It also enables withdrawal of consent to store the personal data that was collected during the registration procedure.

### 3.4 Contact form and e-mail contact

On our website, there is a contact form, which can be used to make contact with us electronically. If you use this option, then the data entered into the input screen is transferred to us and stored.

At the time of registration, the following data is also stored:

- (a) the user's IP address,
- (b) date and time of the registration.

In order to process your data, your consent is obtained in the course of the sender procedure and reference is made to this Data Protection Declaration.

An alternative is to make contact via the provided e-mail address. In this case, the personal data transferred with your e-mail is stored. In this regard, the data is not transferred to third parties. The data is used to process the conversation and, if consent has been given, to send marketing emails.

If your consent has been given, the legal basis for processing the data is a GDPR.

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The legal basis for processing the data, which is transferred in the course of sending an e-mail, is art. 6, para. 1, f

GDPR. If the contact via e-mail is intended to conclude a contract, then the additional legal basis for the processing is art. 6, para. 1, b. GDPR.

We only process the personal data on the input screen to handle the contact enquiry. The necessary legitimate interest in processing the data also exists in the case of contact by e-mail. Other personal data processed during the sending procedure is used to prevent an abuse of the contact form and to ensure the security of our IT systems.

You have the option at any time to withdraw your consent to your personal data being processed. If you contact us per e-mail, then you may object to the storage of your personal data at any time. In such cases, the conversation cannot be continued.

In this case, all personal data that was stored in the course of the contact is deleted.

### 3.5 Applicant management

You would like to apply for a position with us? We request that you provide us with your application per e-mail.

In the course of the applicant management, we process the personal data provided by you in order to initiate an employment relationship on the basis of art. 88 GDPR. Alternatively, collective agreements (group, overall and works agreements as well as collective regulations) in accordance with art. 88 GDPR as well as consents (e.g., in the case of photographs) in accordance with art. 88 GDPR can be applied.

In individual cases, we process your data in order to protect justified interests, e.g., internal exchange of data within the group for administrative purposes (art. 6, para. 1, f GDPR in connection with Recital 48).

If specific categories of personal data (e.g., severe disability) are processed, then they are processed on the basis of art. 88 GDPR in connection with sec. 26, para. 3 GDPR. In addition, processing health data for the assessment of working capacity as per art. 9, para. 2, h in connection with sec. 22, para. 1, b GDPR may be necessary.

We process and store your personal data as long as it is necessary to perform the purpose of the data processing or is required by statutory, contractual or legal obligations. Afterwards, the data is deleted or respectively its processing is restricted. If after the conclusion of the application procedure, no employment relationship is established, we shall delete your data at the latest 3 years after the conclusion of the application procedure. If we want to store your data in the so-called "applicant pool" beyond the three-year period, then after the expiry of the three years we would request permission by way of your consent.

Of course, you can choose to withdraw your application at any time. In this case, your data is also deleted as soon as it is no longer necessary to achieve the purpose of its collection. Sending an e-mail to us with the relevant content is sufficient in this regard. The withdrawal of any issued consents is also possible at any time.

### 3.6 Google Analytics

This website uses Google Analytics, provided that you have given us your consent to do so. Google Analytics uses "cookies"; text files that are stored on your computer and allow an analysis of your usage of the website.

Google Analytics is exclusively deployed with activated IP anonymisation (IP masking). This means that the IP address of the Google user is shortened within the member states of the European Union or in other states party to the Agreement on the European Economic Area. Only in exceptional cases, e.g., upon technical failures in Europe, will the full IP address be sent to a Google server in the USA and shortened there.

In the IP anonymisation method used by Google, the full IP address is not at any point written on a hard drive because the full anonymisation occurs almost immediately after receiving the request in the main storage.

On behalf of the operator of this website, Google will use this information in order to evaluate the website usage, to compile reports on the website activities and in order provide further services connected to website usage and internet usage, in particular also functions for display advertisements and Google Analytics reports on performance according to demographic characteristics and interests. The data is stored on servers in the USA without encryption and both Google and governmental authorities have access to this data. Data may also be linked to other user data - such as search history, personal accounts, user data from other devices and all other devices that Google has for this user. If applicable, Google will also transfer this information to third parties if it is legally stipulated or if third parties are processing this data on behalf of Google. In this regard, this information is not under any circumstance personal data.

Data acquired through interest-based advertising by Google and visitor data of third-party providers (e.g., age group or interest group) is used in the Google Analytics reports on performance according to demographic characteristics

and interests. The legal basis for the transmission of your personal data is your explicit and informed (see text passage above) consent in accordance with Art. 6 para. 1 lit. a GDPR.

For a data transfer to an insecure third country, such as the USA, appropriate guarantees are required to protect your personal data. After the European Court of Justice (ECJ) declared the so-called EU-US Privacy Shield with the USA to be ineffective on 16.7.2020, this can no longer be used as a guarantee for compliance with an adequate level of data protection. Instead, Art. 49 (1) (a) FADP constitutes the exception for data transfer to an unsafe third country.

You can prevent the storage cookies by way of a corresponding setting in your browser software. However, we inform you that in this case you may not be able to fully use all the functions of this website. Furthermore, you can prevent the data created by the cookie and related to your use of the website (including your IP address) being sent to Google and you can also prevent Google from processing this data by downloading and installing the browser plug-in which is available at the following link:

Download and install Google browser plug-in: <https://tools.google.com/dlpage/gaoptout>

In this way, you can also prevent the collection by Google Analytics by clicking the following link. An opt-out cookie is set that prevents the future collection of your data when visiting this website.

Deactivate Google Analytics

You can find more detailed information on the terms of use and data protection at: <https://www.google.com/analytics/terms/> or at: <https://policies.google.com/>

### 3.7 Use of Google Ad Conversion Tracking

We use the online advertising program "Google Ads" on our Internet pages and the associated conversion tracking (visitor action evaluation). Google Conversion Tracking is an analysis service of Google LLC (1600 Amphitheatre Parkway, Mountain View, CA 94043, USA; "Google"). If you are habitually resident in the European Economic Area or Switzerland, Google Ireland Limited (Gordon House, Barrow Street, Dublin 4, Ireland) is the data controller. Google Ireland Limited is therefore the company affiliated with Google which is responsible for processing your data and for ensuring compliance with the applicable data protection laws.

When you click on an ad served by Google, a conversion tracking cookie is placed on your computer. These cookies are of limited validity, do not contain any personal information, and are not personally identifiable. If you visit certain pages on our site and the cookie hasn't expired, Google and we can tell that you clicked on the ad and were directed to that page. Each Google Ads customer receives a different cookie. As a result, there is no way that cookies can be tracked through the websites of ads customers.

The information collected through the conversion cookie is used to compile conversion statistics. This allows us to determine the total number of users who have clicked on one of our ads and been redirected to a page with a conversion tracking tag. This is usually a contact form sent to us. However, we do not receive any information that personally identifies users. Your data may be transferred to the USA. The data processing, in particular the setting of cookies, is carried out with your consent on the basis of Art. 6 para. 1 lit. a GDPR. You may revoke your consent at any time without affecting the legality of the processing carried out on the basis of your consent until revocation. You can find further information and the Google data protection declaration at: <https://www.google.de/policies/privacy/>

### 3.8 Hotjar

If you have given your consent to cookies, we use Hotjar in order to better understand our users' needs and to optimize our service and users' experience. This is provided by Hotjar Ltd, Level 2, St Julians Business Center, 3, Elia Zammit Street, St Julians STJ 1000, Malta, Europe.

Hotjar is a technology service that helps us better understand our users' experience (e.g. how much time they spend

on which pages, which links they choose to click, what users do and don't like, etc.) and this enables us to build and maintain our service by means of user feedback. Hotjar uses cookies and other technologies to collect data on our users' behaviour and their devices (in particular the IP address of the device (captured and stored only in anonymized form), device screen size, device type (unique device identifiers), browser information, geographic location (country only), preferred language used to display our website). Hotjar stores this information in a pseudonymized user profile. Neither Hotjar nor we will ever use this information to identify individual users or to match it with further data on an individual user. For further details, please see Hotjar's Privacy Policy. If you do not want to be recorded by Hotjar, you can disable it by changing the "Do Not Track" setting on your browser to on. This can easily be accessed in your browser's privacy and security settings. For more information and more about Hotjar's data processing and instructions on how to enable Do Not Track, please visit: [www.hotjar.com/legal/compliance/opt-out](http://www.hotjar.com/legal/compliance/opt-out).

### **10. What rights can you assert?**

Every data subject has the right to access in accordance with art. 15 GDPR, the right to rectification in accordance with art.16 GDPR, right to erasure in accordance with art. 17 GDPR, the right to restriction of processing in accordance with art. 18 GDPR, the right to object arising from art. 21 GDPR and the right to data portability arising from art. 20 GDPR. Furthermore, you have a right to lodge a complaint with a competent data supervisory authority (art. 77 GDPR).

You can withdraw consent for us to process personal data at any time. This provision is also applicable to the withdrawal of a declaration of consent issued to us before the coming into force of the GDPR, i.e., before 25 May 2018. Please note, that the withdrawal only has an effect for the future. Processing that occurred before the withdrawal is not affected.

Please contact our Data Protection Office in this regard.

### **7. Do I have to provide my personal data?**

In the course of our business relationship, you must provide such personal data that is necessary to commence and perform a business relationship and to meet the associated contractual obligations or such personal data that we are legally obligated to collect. As a rule, without this data we will have to reject the conclusion of a contract or the performance of an order, or we will no longer be able to perform an existing contract and, if applicable, may have to terminate it.

### **8. Is there automated decision-making?**

No. Currently, we do not use a fully automated decision-making in accordance with art. 22 GDPR to establish and perform the business relationships. No "profiling" occurs.

### **9. Information regarding your right to object in accordance with article 21 GDPR**

#### Case-by-case right to object

For reasons that arise from your specific situation, you have right to object at any time to the processing of personal data concerning you that is being carried out on the basis of article 6, para. 1, e GDPR (data processing in the public interest) and article 6, para. 1, f GDPR (data processing on the basis of balancing interests); this right also applies to profiling based on this provision within the meaning of article 4, no. 4 GDPR.

If you raise an objection, we will no longer process your personal data unless we can prove compelling legitimate reasons to process it that outweigh your interests, rights and freedoms, or the processing is used for the assertion, exercise or defence of legal claims.

#### Right to object against processing data for the purpose of direct marketing

In individual cases, we process your personal data in order to carry out direct marketing. You have the right to raise an objection at any time to the processing of the personal data concerning you for the purpose of such marketing. If

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

#### Receiver of the objection

The objection can be raised in a formless manner with the subject heading, "Objection" and with the inclusion of your name, your address and your date of birth. It should be sent to:

27 Foremans Road  
PO Box 16-707  
Hornby 8042  
Christchurch  
New Zealand  
+64 3 344 6403  
sales@wymasolutions.com

### **10. Plugins and tools**

#### YouTube

Our website uses plugins from YouTube, which is operated by Google. The operator of the pages is YouTube LLC, 901 Cherry Ave., San Bruno, CA 94066, USA.

If you visit one of our pages featuring a YouTube plugin, a connection to the YouTube servers is established. Here the YouTube server is informed about which of our pages you have visited.

If you're logged in to your YouTube account, YouTube allows you to associate your browsing behaviour directly with your personal profile. You can prevent this by logging out of your YouTube account.

YouTube is used to help make our website appealing. This constitutes a justified interest pursuant to Art. 6 (1) (f) GDPR.

Further information about handling user data, can be found in the data protection declaration of YouTube at <https://policies.google.com/>

#### Google Maps

This site uses the Google Maps map service via an API. It is operated by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA.

To use Google Maps, it is necessary to save your IP address. This information is generally transmitted to a Google server in the USA and stored there. The provider of this site has no influence on this data transfer.

The use of Google Maps is in the interest of making our website appealing and to facilitate the location of places specified by us on the website. This constitutes a justified interest pursuant to Art. 6 (1) (f) GDPR.

Further information about handling user data, can be found in the data protection declaration of Google at <https://policies.google.com/>

### **11. Further information**

If you would like information that this Data Protection Declaration does not provide or if you would like more information regarding a specific point, please contact our Data Protection Officer, who will be happy to assist you further.