

Individual agreement on the order processing of personal data

entered into by

the customer

- Principal -

and

d.vinci HR-Systems GmbH
Nagelsweg 37-39
D-20097 Hamburg
Germany

- Contractor -

1. Subject matter of the commissioning

- 1) The parties have entered into a framework agreement for the processing of personal data, which shall now be supplemented by way of this individual agreement.
- 2) Commissioning use of the d.vinci Career Pages, in the context of which the Contractor processes personal data on behalf of the Principal, is the reason for entering into this individual agreement.

2. Subject matter and purpose of the processing

- 1) The subject matter of the processing of personal data is the rendering of services by the Contractor for the Principal agreed in the main contract (offer confirmation).

- 2) The purpose of the respective processing of personal data is set out in the main contract (offer confirmation). The Contractor processes personal data exclusively to fulfil this purpose. In conjunction with the services to be rendered in this respect by the Contractor, personal data from the Principal's sphere of influence shall be processed by the Contractor within the meaning of Article 4 No. 2 GDPR. Such data shall, in particular, be collected, stored, modified, selected, retrieved, used, disclosed, compared, linked and erased. The purpose comprises, in particular, the following tasks:
- a) Creation and editing of career pages and recruiting landing pages
 - b) Operation of d.vinci Career Pages and recruiting landing pages in a computer centre commissioned by the Contractor
 - c) Maintenance and care of the software in accordance with the contractual agreements

3. Personal data types affected by the processing

The following types of personal data are affected by the order processing:

- a) The IP address of visitors to the created websites
- b) The device used by visitors to the created websites
- c) The time of the visit
- d) The internet address of the website that was visited immediately before the career page by the visitor (source)

The Principal is to conduct a risk assessment to determine whether or not the services to be rendered by the Contractor and the agreements entered into in this respect are suitable for processing special categories of personal data in accordance with Article 9 (1) GDPR.

4. Categories of data subjects

The following categories of persons are affected by the order processing:

- a) Visitors to the career pages and recruiting landing pages
- b) Employees as users of the d.vinci Career Pages

5. Technical and organisational measures

The Contractor shall adopt the technical and organisational measures listed here for the personal data processed by order: <https://www.dvinci.de/en/info-materials/>

6. Persons authorised to issue instructions

- 1) The following persons are authorised to issue instructions on behalf of the Principal. The Principal may modify the list of persons authorised to issue instructions at any time by way of a unilateral statement.
 - a) All persons authorised to represent the Principal in legal transactions according to the commercial register in a number authorised to represent
 - b) All the Principal's named key users
- 2) The Contractor states that the following persons are authorised to receive on its behalf:
 - a) All persons authorised to represent the Contractor in legal transactions according to the commercial register in a number authorised to represent
 - b) All d.vinci employees who work in Customer Service

7. Subcontractors

- 1) The Contractor uses standard and optional subcontractors to process personal data. The latter are only activated by our customers following a thorough review (e.g. by their data protection officers).
- 2) The subcontractors are listed here: <https://www.dvinci.de/infomaterialien/>

8. Place of performance

The order processing shall occur exclusively in the territory of the Federal Republic of Germany, in a Member State of the European Union or in another state party to the Agreement on the European Economic Area. Data are not disclosed to third parties.

9. Return of data etc.

- 1) Data, data carriers and all other materials containing personal data that are subject to this contract are, at the Principal's request, either be surrendered or erased following the end of the contract. Insofar as the Principal issues erasure instructions that differ from those agreed to date, and if this results in additional costs for the Contractor, such costs shall be borne by the Principal. The erasure is to be appropriately documented. The Principal has the right to check that the data have been returned and erased in full and as per agreement at the Contractor's premises. This may also be done by inspecting the data processing equipment.

- 2) The parties agree that objecting to the right of retention by the Contractor within the meaning of Section 273 BGB (German Civil Code) in respect of the processed data and associated data carriers shall be excluded. This shall not apply in the event of an obligation incumbent upon the Principal to continue to store the personal data in accordance with Union law or the law of the Member States. In such a case, this contract shall continue to apply for the duration of such an obligation.

10. Duration of the agreement

The duration of this individual agreement is based on the term of the main contract (offer confirmation). It may only be terminated for good cause.



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Customer

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