

Mandatory Information for Donations pursuant to Art. 12 et seq. GDPR

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Contact details of the Controller

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Contact details (business)

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Contact of the external Data Protection Officer

E-Mail: datenschutz@amadeu-antonio-stiftung.de

Where do we obtain your personal data?

As a rule, your data is collected directly from you. The processing of the personal data you provide is necessary for fulfilling the contractual obligations arising from the agreement with us (donation). Due to your duty to cooperate, it is essential to provide the personal data requested by us; otherwise, we cannot accept your donation.

If the requested data is not provided by you, we cannot comply with your request to accept your donation.

To provide our services, it may be necessary to process personal data that we have lawfully received from other companies or third parties, e.g. tax offices, your business partners, etc., for the respective purpose.

We may also process personal data from publicly accessible sources, e.g. internet presences, which we lawfully use and only for the respective contractual purpose.

Purposes and Legal Basis of Processing

Your personal data is processed in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG):

Based on consent (Art. 6(1)(a) GDPR)

The purposes of processing result from the granting of consent. Consent given may be revoked by you at any time with effect for the future. Consents given prior to the GDPR (25 May 2018) may also be revoked. Processing carried out before the revocation remains unaffected.

Example: sending a newsletter, forwarding your data to third parties at your request (e.g. banks, insurers, shareholders, etc.).

Due to legal obligations (Art. 6(1)(c) GDPR) or in the public interest (Art. 6(1)(e) GDPR)

The purposes of processing result from legal requirements or are in the public interest (e.g. compliance with retention obligations, proof of compliance with advisory and information duties of the tax consultant).

Within the framework of balancing interests (Art. 6(1)(f) GDPR)

The purposes of processing result from safeguarding our legitimate interests. It may be necessary to process your data beyond the actual acceptance of the donation. Our legitimate interest may justify further processing of your data, provided that your interests or fundamental rights and freedoms do not outweigh it. Examples: assertion of legal claims, defense against liability claims, prevention of criminal acts.

Who receives the personal data you provide?

Within our foundation, those areas that need your personal data for processing your donation (donation receipt, etc.) and for fulfilling legal obligations, and that are authorized to process such data, will have access to it.

In fulfillment of the agreements concluded with you, only those entities that require your data by law will receive it, e.g. tax authorities, social security carriers, competent authorities, and courts.

Other recipients will only receive your data at your request if you grant us the necessary consent.

In the context of providing our services, we engage processors who contribute to fulfilling contractual obligations, e.g. data center service providers, IT partners, document shredders. These processors are contractually bound by us to comply with the requirements of the GDPR and the BDSG.

In the context of commissioned processing pursuant to Art. 28 GDPR, the following service provider is engaged:

- twingle GmbH, Prinzenallee 74, 13357 Berlin

Will the data you provide be transferred to third countries or international organizations?

Your data will not be transferred to a third country or an international organization under any circumstances. Should you request in an individual case the transfer of your data to a third country or an international organization, we will only carry this out after receiving your written consent.

Is automated decision-making including profiling carried out?

The processing of your data does not involve any fully automated decision-making (including profiling) pursuant to Art. 22 GDPR.

Duration of Processing (Criteria for Deletion)

Your data will be processed as long as it is necessary to achieve the acceptance and processing of your donation. After the donation process has been completed, your data will be further processed only to comply with legal retention obligations or based on our legitimate interests. After the expiry of statutory retention periods and/or the cessation of our legitimate interests, your data will be deleted.

Expected periods of retention obligations and legitimate interests:

- Compliance with commercial and tax law retention periods: two to ten years.
- Preservation of evidence under statutes of limitations: according to §§ 195 ff. BGB, limitation periods may last up to 30 years, with the regular limitation period being three years.

Information about your Rights

- **Right of access** (Art. 15 GDPR):
You have the right, upon request, to receive free information about whether and which data concerning you is stored and for what purpose.
- **Right to rectification** (Art. 16 GDPR):
You have the right to demand without delay the correction of incorrect personal data concerning you. Taking into account the purposes of the processing, you also have the right to demand the completion of incomplete personal data, including by means of a supplementary statement.
- **Right to erasure (“right to be forgotten”)** (Art. 17 GDPR):
You have the right to demand that your data be deleted immediately. The controller is obliged to delete personal data immediately if one of the following reasons applies:
 - a) The purposes for which the personal data was collected no longer exist.
 - b) You revoke your consent. No other legal basis exists.
 - c) You object to processing. No other legal basis exists.
 - d) The personal data was processed unlawfully.
 - e) The deletion is required to fulfill a legal obligation under Union or Member State law.
 - f) The personal data was collected in relation to services of the information society pursuant to Art. 8(1) GDPR.

- **Right to restriction of processing** (Art. 18 GDPR & § 35 BDSG):
You have the right to request restriction of processing if one of the following conditions applies:
 - a) You contest the accuracy of the data.
 - b) Processing is unlawful, but you oppose deletion.
 - c) The data is no longer required for processing, but you need it to assert, exercise, or defend legal claims.
 - d) You have objected to processing under Art. 21(1) GDPR, pending the verification of whether the legitimate grounds of the controller override yours.
- **Right to data portability** (Art. 20 GDPR):
You have the right to receive the data you have provided in a structured, commonly used, machine-readable format. Forwarding to another controller must not be hindered.
- **Right to object** (Art. 21 GDPR):
To exercise this right, please contact our Data Protection Officer at:
datenschutz@amadeu-antonio-stiftung.de
- **Right to lodge a complaint** with the supervisory authority (Art. 13(2)(d), 77 GDPR in conjunction with § 19 BDSG):
If you believe that the processing of your data violates the GDPR, you have the right to lodge a complaint with the supervisory authority. Please contact the competent supervisory authority.
- **Right to withdraw consent** (Art. 7(3) GDPR):
If processing is based on your consent pursuant to Art. 6(1)(a) or Art. 9(2)(a) GDPR (processing of special categories of personal data), you may **withdraw your consent** at any time without affecting the lawfulness of processing carried out before withdrawal.

This English translation is provided for convenience only. In case of any inconsistency or conflict in wording or meaning between this translation and the original German version, the [German version](#) shall prevail and be legally binding.