

Privacy Notice

The following privacy notice provides an overview of the collection and processing of your data.

The information below is intended to give you an overview of how we process your personal data and of your rights under data protection law.

The specific data processed and the manner in which it is used depend largely on the services requested or agreed upon.

1. Who is responsible for data processing and who can I contact?

The data controller is:

Deutsch-niederländische Zweckverband Euregio
Rhein-Waal
Emmericher Straße 24
47533 Kleve
Tel.: +49-2821-79300
Fax: +49-2821-793030
Email: info@euregio.org
Website: www.euregio.org

You can contact our Data Protection Officer at:

BDO Concunia GmbH Wirtschaftsprüfungsgesellschaft
Scharnhorststraße 2 48151 Münster
Telephone: +49 251 322015-0 Fax: +49 251
322015-20
Email address:
bdo-concunia-datenschutz@concunia.de

2. What is the purpose of the data collection, processing or use?

The main purpose is the collection, processing and use of data on behalf of the organisation to fulfil its statutory tasks within the framework of cross-border cooperation.

3. For what purposes do we process your data (purpose of processing) and on what legal basis?

We process personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the Datenschutzgesetz Nordrhein-Westfalen (DSG NRW) as well as – insofar as Dutch law applies – the Dutch Uitvoeringswet AVG (UAVG):

a) On the basis of your consent (Art. 6(1)(a) GDPR)

Where you have given us your consent to process personal data for specific purposes, the lawfulness of this processing is based on your consent. Consent that has been given may be withdrawn. This also applies to the withdrawal of declarations of consent given to us prior to the entry into force of the General Data Protection Regulation, i.e. before 25 May 2018.

The withdrawal of consent does not affect the lawfulness of the processing carried out prior to the withdrawal.

b) To fulfil contractual obligations (Art. 6(1)(b) GDPR)

The processing of personal data (Art. 4(2) GDPR) takes place for the purpose of carrying out contractual measures or providing services within the framework of our business relationship with our customers, as well as all activities necessary for operations and administration.

For the performance of a task carried out in the public interest (Article 6(1)(e) of the GDPR)

As a public-law association, we process personal data primarily for the purpose of carrying out the public tasks entrusted to us within the framework of cross-border cooperation. The legal basis is Article 6(1)(e) of the GDPR in conjunction with the relevant provisions of German and Dutch law (in particular the association's statutes, the Act on Municipal Cooperation (GkG NRW) and the intergovernmental agreements governing cross-border cooperation).

In the case of special categories of personal data (Article 9 of the GDPR), the conditions set out in Article 9(2) of the GDPR also apply.

On the basis of legal requirements (Article 6(1)(c) of the GDPR)

Where we are legally obliged to process personal data (e.g. retention obligations under commercial and tax law, budgetary requirements), the processing is carried out on the basis of Article 6(1)(c) of the GDPR.

4. Who receives my data?

As a general rule, we do not disclose any personal data relating to our contacts to third parties, unless such disclosure is strictly necessary due to legal requirements or for the fulfilment of a contract. In such cases, data subjects will be informed unless they are already aware of this.

5. How long will my data be stored?

We process and store your personal data for as long as is necessary to fulfil our contractual and legal obligations. It should be noted that our business relationship is intended to last for several years. Once the data is no longer required to fulfil contractual or legal obligations, it is regularly deleted, unless its – temporary – further processing is necessary for the following purposes:

- Compliance with commercial and tax law retention periods: These include the German Commercial Code (HGB), the German Fiscal Code (AO) and the Wetboek van Koophandel. The retention and documentation periods specified therein range from two to ten years.
- Preservation of evidence within the framework of statutory limitation periods. According to Sections 195 et seq. of the German Civil Code (BGB), these limitation periods may be up to 30 years, although the standard limitation period is 3 years. The limitation period under the EU Regulation (5 years after submission of the proof of use) must also be observed.

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

Data processing in the context of cross-border cooperation between Germany and the Netherlands takes place within the European Union; a transfer between the German and Dutch association offices does not constitute a transfer to a third country. Any further transfer of personal data to bodies outside the EU or the EEA (third countries) is not envisaged in principle. Insofar as data is transferred to the USA in connection with the use of Google Analytics or social media plug-ins (see sections 8 and 9), this is done on the basis of the EU-US Data Privacy Framework (Article 45 of the GDPR) or – alternatively – on the basis of standard data protection clauses (Article 46(2)(c) of the GDPR).

7. Use of cookies

a) Description and scope of data processing

Our website uses cookies. Cookies are text files that are stored in the web browser or by the web browser on the user's computer system. When a user visits a website, a cookie may be stored on the user's operating system. This cookie contains a distinctive string of characters that enables the browser to be uniquely identified when the website is visited again.

We use cookies to optimise our website and make it more user-friendly. Certain elements of our website require the visiting browser to be identifiable even after a page has been changed.

We also use cookies on our website that enable us to analyse users' browsing behaviour. In this way, the following data may be transmitted:

- (1) Search terms entered
- (2) Frequency of page views
- (3) Use of website functions

The user data collected in this way is pseudonymised through technical measures. Consequently, it is no longer possible to link the data to the user accessing the site. The data is not stored together with any other personal data relating to the user.

When accessing our website, users are informed via a cookie consent tool (Consent Management Platform, CMP) about the use of non-essential cookies and are asked to give their explicit, prior and informed consent. According to the judgment of the European Court of Justice of 1 October 2019 (C-673/17, Planet49), consent given merely by continuing to use the website ('opt-out') or by means of pre-ticked boxes is not permissible. Consent must be given through an active action. Reference is also made to this privacy policy and the option to disable cookies in the browser settings.

b) Legal basis for data processing

The legal basis for the processing of personal data using technically necessary cookies is Section 25(2)(2) of the TDDDG (technical necessity, no consent required); the associated processing of personal data is based on Article 6(1)(e) of the GDPR (performance of a task carried out in the public interest).

The legal basis for the processing of personal data using cookies for analytical purposes is Article 6(1)(a) of the GDPR, provided the user has given their consent in this regard.

c) Purpose of data processing

The purpose of using technically necessary cookies is to simplify the use of websites for users. Some functions of our website cannot be provided without the use of cookies. For these, it is necessary for the browser to be recognised even after a page has been changed.

We require cookies for functions such as applying language settings or remembering search terms. The user data collected by technically necessary cookies is not used to create user profiles.

Analytics cookies are used for the purpose of improving the quality of our website and its content. Analytics cookies enable us to understand how the website is used, allowing us to continuously optimise our service. The processing of analytics cookies is carried out exclusively on the basis of your consent (Article 6(1)(a) of the GDPR in conjunction with Section 25(1) of the

TDDDG). Recourse to legitimate interest (Article 6(1)(f) of the GDPR) is ruled out, as this legal basis does not apply to processing carried out by a public body in the performance of its tasks (Article 6(1), second subparagraph, of the GDPR)

d) Cookies are stored on the user's computer and transmitted from there to our website.

As a user, you therefore have full control over the use of cookies. By changing the settings in your web browser, you can disable or restrict the transmission of cookies. Cookies that have already been stored can be deleted at any time. This can also be done automatically. If cookies are disabled for our website, it may no longer be possible to make full use of all the website's functions.

8. Website analysis via Google Analytics

a) Google Analytics

This website uses features of the web analytics service Google Analytics. The provider is Google Ireland Limited ("Google"), Gordon House, Barrow Street, Dublin 4, Ireland.

Google Analytics enables the website operator to analyse the behaviour of website visitors. In doing so, the website operator receives various usage data, such as page views, time spent on the site, operating systems used and the user's origin. Where applicable, Google may consolidate this data into a profile assigned to the respective user or their device.

Google Analytics uses technologies that enable the user to be recognised for the purpose of analysing user behaviour (e.g. cookies or device fingerprinting). The information collected by Google regarding the use of this website is generally transmitted to a Google server in the USA and stored there.

The use of Google Analytics (GA4) is based solely on your consent in accordance with Article 6(1)(a) of the GDPR. You may withdraw your consent at any time with future effect, for example via our cookie consent tool on this website. The lawfulness of the processing carried out prior to withdrawal remains unaffected.

b). Purpose and legal basis

We use Google Analytics 4 (GA4) to analyse and improve the use of our website. The data collected by Google may be transferred to the USA and stored there. The legal basis for the data transfer to the USA is the EU-US Data Privacy Framework (DPF) in accordance with the EU Commission's Adequacy Decision of 10 July 2023 (Article 45 of the GDPR), provided that Google LLC is certified under the DPF. In addition, we rely, in the alternative, on standard data protection clauses in accordance with Article 46(2)(c) of the GDPR. Further details on the DPF and Google's certification can be found at: <https://www.dataprivacyframework.gov/>.

c). Preventing the storage of cookies

You can prevent cookies from being stored by adjusting the settings in your browser software accordingly; however, please note that in this case you may not be able to make full use of all the functions of this website. You can also prevent the collection of data generated by the cookie and relating to your use of the website (including your IP address) by Google, as well as the processing of this data by Google, by downloading and installing the browser plug-in available via the following link: <http://tools.google.com/dlpage/gaoptout?hl=de>.

d) Anonymisation

In Google Analytics 4 (GA4), IP addresses are truncated on the server side before being stored. However, this does not guarantee complete anonymisation in the sense of data protection law; prior consent in accordance with Article 6(1)(a) of the GDPR therefore remains necessary.

e) Further information on data protection from Google

Google Ireland Ltd., Gordon House, Barrow Street, Dublin 4, Ireland (data controller for data processing in the EU/EEA).

Google's current privacy policy:
<https://policies.google.com/privacy?hl=de> | Google Analytics Terms of Service:
<https://marketingplatform.google.com/about/analytics/terms/de/> | Opt-out add-on:
<https://tools.google.com/dlpage/gaoptout?hl=de>.

9. Social Media

Facebook, LinkedIn and Instagram Plug-ins

a) We currently use the following social media plug-ins: Facebook, Instagram and LinkedIn.

We use the so-called 'two-click solution' to provide the best possible protection for visitors to our website. This means that when you visit our site, no personal data is initially passed on to the plug-in providers. You can identify the plug-in provider by the label on the box, which features its initial letter or logo. We provide you with the option to communicate directly with the plug-in provider via the button. Only when you click on the labelled field and thereby activate it does the plug-in provider receive the information that you have accessed the relevant page of our website. In addition, the data specified in paragraph 3 of this policy is transmitted. In the case of Facebook, according to the respective providers in Germany, the IP address is anonymised immediately upon collection. By activating the plug-in, your personal data is therefore transmitted to the respective plug-in provider and stored there (in the case of US providers, in the USA). As the plug-in provider collects data primarily via cookies, we recommend that you delete all cookies via your browser's security settings before clicking on the greyed-out box.

With regard to the collection and transfer of data to the respective platform providers, we are joint controllers with the platform provider within the meaning of Article 26 of the GDPR. Where possible, we have entered into corresponding agreements with the providers. The key provisions of these agreements can be found in the privacy policies of the respective platform providers

b) Purpose of data processing and right to object

We have no influence over the data collected or the data processing operations, nor are we aware of the full scope of data collection, the purposes of processing or the retention periods. Nor do we have any information regarding the deletion of the collected data by the plug-in provider. Data is transferred regardless of whether you have an account with the plug-in provider and are logged in there. If you are logged in to the plug-in provider's service, the data we have collected about you will be directly linked to your existing account with the plug-in provider. If you click the activated button and, for example, share a link to the page, the plug-in provider will also store this information in your user account and

share it publicly with your contacts. We recommend that you log out of a social network regularly after use, but particularly before activating the button, as this will help you avoid your data being linked to your profile with the plug-in provider.

The plug-in provider stores the data collected about you as user profiles and uses this for the purposes of advertising, market research and/or tailoring its website to your needs. Such analysis is carried out in particular (including for users who are not logged in) to display targeted advertising and to inform other users of the social network about your activities on our website.

You have the right to object to the creation of these user profiles; to exercise this right, you must contact the relevant plug-in provider. Through the plug-ins, we offer you the opportunity to interact with social networks and other users, enabling us to improve our service and make it more interesting for you as a user.

c) Legal basis for data processing

The legal basis for activating the plug-ins and the associated data transfer to the respective platform provider is your consent in accordance with Article 6(1)(a) of the GDPR

d) Additional data protection information

Further information on the purpose and scope of data collection and its processing by the plug-in provider can be found in these providers' privacy policies. There you will also find further information on your rights in this regard and the settings available to protect your privacy.

10. What data protection rights do I have?

Every data subject has the right to access under Article 15 of the GDPR, the right to rectification under Article 16 of the GDPR, the right to erasure under Article 17 of the GDPR, the right to restriction of processing under Article 18 of the GDPR, the right to object under Article 21 of the GDPR, and the right to data portability under Article 20 of the GDPR. The right of access and the right to erasure are subject to the restrictions set out in the DSG NRW. Furthermore, you have the right to lodge a complaint with a competent data protection supervisory authority (Article 77 of the GDPR).

You may withdraw any consent you have given to the processing of personal data at any time. This also applies to the withdrawal of declarations of consent given to us prior to the entry into force of the General Data Protection Regulation, i.e. before 25 May 2018. Please note that the withdrawal only takes effect for the future. Processing carried out prior to the withdrawal is not affected.

11. Am I obliged to provide data?

In order to fulfil the contract and the tasks involved, the client or the data subject is obliged to provide personal data to the extent necessary for the fulfilment of the contract and the tasks. It is the client's responsibility to provide the contractor or the data controller only with the data necessary for the fulfilment of the contract (principle of data minimisation).

Right to object

Information about your right to object under Article 21 of the GDPR

1. Right to object on grounds relating to your particular situation

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you.

If you object, we will no longer process your personal data, unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing serves to establish, exercise or defend legal claims.

2. Right to object to the processing of data for direct marketing purposes

In certain cases, we process your personal data for the purposes of direct marketing. You have the right to object at any time to the processing of your personal data for the purposes of such marketing, insofar as it relates to such direct marketing. If you object to processing for the purposes of direct marketing, we will no longer process your personal data for these purposes. The objection may be submitted in any form to the controller and the data protection officer.