

Terms and Conditions of Participation for Online Sweepstakes and Contests

(Status: April 21st 2022)

Scope of application

These Terms and Conditions apply to all sweepstakes, prize competitions, and contests (hereinafter "contests") conducted by pei tel Communications GmbH, Rheinstraße 15A, 14513 Teltow, Germany (hereinafter "Organizer"). Each participant acknowledges these Terms and Conditions by participating.

This contest has no connection to Facebook or Instagram. It is not sponsored, supported, or organized in any way by Facebook or Instagram and establishes no legal claims whatsoever toward Facebook or Instagram. All information provided as part of this contest is provided exclusively by the Organizer.

Participation

Any natural person who has reached a minimum age of 18 years is eligible to participate in that person's own name. Participants who have reached the age of 16 years but are not yet of legal age are permitted to participate in contests only with the consent of a parent or legal guardian.

Minors who have not yet reached the age of 16 years and others who lack legal capacity are not permitted to participate.

The Organizer reserves the right to exclude persons from participation if they violate these Terms and Conditions or secure or attempt to secure an advantage over other participants by impermissibly influencing or manipulating the contest. In these cases, the Organizer is permitted to exclude participants from the contest, including after the fact, and to deny prize winnings or demand the return of prize winnings that have already been provided.

Participation is permitted only up to the deadline stated in the contest description. Every participant is only permitted to participate one time in an identical contest.

Participation in the contest is not open to employees of the contest organizer or to employees of the companies involved in this contest and their direct relatives.

All participants must be residents of Germany.

Implementation of the contest

The requirements for participation in the contest will be communicated with each call for entries. All contests are implemented within the stated period. All participants in the contest who meet the requirements mentioned in sections 2 and 3 by the time of the drawing will be considered.

Immediately after the participation deadline, the winner will be chosen at random from among the participants.

Prizes are not subject to change and cannot be redeemed for cash value. Prizes are not transferable.

Handling of winnings

The winner will be notified by the Organizer by e-mail or electronically (on Facebook or Instagram). With regard to prizes, every participant notified in this way is obligated to notify the Organizer, within one month after the prize notification is sent, of whether that participant wishes to accept the prize. If the Organizer does not receive a notification from the winner within this time limit, the participant will no longer be eligible to claim the prize, and the Organizer reserves the right to choose a different participant and notify that person accordingly.

If the contact information (such as e-mail address) provided by the participant is incorrect, the Organizer is not obligated to determine the correct information. Any disadvantage arising from failure to provide correct contact information (such as providing an incorrect e-mail address) is to the participant's detriment.

In the event that the contest involves raffling off a gift certificate, the claim to the prize is also forfeited, irrespective of the provisions of point 4.1, if it is not possible to transmit the gift certificate within six months after the Organizer has first notified the winner of his or her winning status for reasons lying in the winner's person.

Liability for defects

The Organizer is not liable for damage and/or losses suffered by the winner due to material and/or legal defects except in cases of malicious deceit, intent, or gross negligence. In all other respects, liability for material and/or legal defects is ruled out.

Premature termination, adjustment, or modification of the contest

The Organizer is entitled to terminate, adjust, or modify the contest at any time without prior notice and without stating any reasons if the proper implementation of the contest cannot be guaranteed without corresponding measures for technical or legal reasons.

Applicable law

The laws of the Federal Republic of Germany apply to all legal relations between the parties. In the case of consumers, this choice of law applies only to the extent that the protection afforded is not eliminated by non-waivable provisions of the laws of the state where the consumer is habitually resident.

Data protection and privacy

The controller responsible for data processing operations in conjunction with the contest is:

pei tel Communications GmbH
Rheinstraße 15A
14513 Teltow

The controller mentioned above is a joint controller within the meaning of Article 26 GDPR together with Facebook or Instagram (Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland) with regard to the data processing operations occurring on the Facebook or Instagram fan page on which the contest is organized.

Processing of your personal data within the scope of the contest

We process your personal data for the proper implementation and handling of the contest, and particularly in order to send out prizes.

To send out the prize, we collect the last name, first name, and address of each winner and share this information with a company that contracts with us to send out prizes. Your data are not shared with third parties beyond this.

The legal basis for this processing of your personal data is point (b) of Article 6(1) GDPR (performance of a contract).

Where we publish the first and last names of the winner or winners separately on our profile or fan page, this takes place only if we have obtained the express consent of the winner or winners beforehand in accordance with point (a) of Article 6(1) GDPR.

Period of storage

After the contest is concluded, those of your personal data that are processed within the scope of the contest will be erased no later than three months after the end of the contest unless there is valid consent to the continued processing thereof (with regard to sending the newsletter, for example) and/or we have an ongoing legitimate interest in continuing to store these data.

Your rights as a data subject

Applicable laws on data protection and privacy grant you the following rights as a data subject:

- Right of access to information pursuant to Article 15 GDPR:

You have, in particular, the right to access to information on the personal data concerning you that we process; the purposes of the processing; the categories of personal data concerned; the recipients or categories of recipient to whom your data have been or will be disclosed; the envisaged period for which the personal data will be stored or the criteria used to determine that period; the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing; the right to lodge a complaint with a supervisory authority; where the personal data are not collected from you, information as to their source; the existence of automated decision-

making, including profiling and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for you; and your right to be informed of the appropriate safeguards pursuant to Article 46 relating to the transfer of your data to third countries.

- Right to rectification pursuant to Article 16 GDPR:

You have the right to obtain from us without undue delay the rectification of inaccurate personal data concerning you and to have incomplete personal data stored by us completed.

- Right to erasure pursuant to Article 17 GDPR:

You have the right to obtain from us the erasure of personal data concerning you if the prerequisites stipulated in Article 17(1) GDPR are met. However, this right does not exist, in particular, if the processing is necessary for exercising the right of freedom of expression and information; for compliance with a legal obligation; for reasons of public interest; or for the establishment, exercise or defense of legal claims.

- Right to restriction of processing pursuant to Article 18 GDPR:

You have the right to obtain from us the restriction of processing of your personal data where you contest the accuracy of your personal data, for a period enabling us to verify the accuracy of the personal data; where the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead; where we no longer need the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defense of legal claims; or where you have objected to processing on grounds relating to your particular situation, pending the verification whether our legitimate grounds override yours.

- Right to notification pursuant to Article 19 GDPR:

If you have asserted the right to rectification, erasure, or restriction of processing toward the controller, the controller is obligated to communicate any rectification or erasure of personal data or restriction of processing that has been carried out to each recipient to whom the personal data concerning you have been disclosed, unless this proves impossible or involves disproportionate effort. You have the right to be informed about these recipients.

- Right to data portability pursuant to Article 20 GDPR:

You have the right to receive the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format or to have these personal data transmitted to another controller, where technically feasible.

- Right to withdraw consent pursuant to Article 7(3) GDPR:

You have the right to withdraw your consent to the processing of data, once given, at any time with effect for the future. In case of withdrawal of consent, we will erase the data in question without undue delay unless there is a legal basis for the further processing thereof without consent.

The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

- Right to lodge a complaint pursuant to Article 77 GDPR:

If you consider that the processing of the personal data relating to you infringes the GDPR, you have the right – without prejudice to any other administrative or judicial remedy – to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement.