

# Privacy policy for the BürgerStimme (Demo) app

Last updated: February 25, 2023

*\*The following text has been translated automatically using translation software. We accept no responsibility for the accuracy of the translation. If you have any questions or comments, please contact us using the contact information below.\**

## Introduction

The following data protection provisions apply to mobile apps of NTQ Solutions GmbH, available in the Google Play Store and the Apple AppStore.

Below you will find information on what personal data is collected, processed or stored by NTQ Solutions GmbH:

We use your personal data to provide and improve the service. By using the service, you consent to the collection and use of information in accordance with this privacy policy.

Use of this app is voluntary. You alone can decide whether to download, use and share your information with this App.

## 1. Interpretations and definitions

### Interpretation

Words in bold, in the context of this document, have the following description. The definitions have the same meaning whether they are in the singular or plural.

### Definitions

In the context of this Privacy Policy, applies:

**Account/User/Account** means a unique account created for you to access our Service or any part thereof.

**Application/ The App** refers to NTQ Solutions GmbH's mobile applications (Apps).

**Company** (referred to in this Agreement as either "the Company", "we", "us" or "our") refers to NTQ Solutions GmbH, Hölderlinstraße 12, 74074 Heilbronn, Germany. Country refers to: Baden-Württemberg, Germany.

**Device** means any device that can access the Service, such as a mobile phone or digital tablet.

**Personal Data** means any information relating to an identified or identifiable individual.

**Service** refers to the Application and any associated service.

**Service Provider** means any natural or legal person who processes the Data on behalf of the Company. It refers to third party companies or individuals employed by the Company to facilitate the Service, provide the Service on behalf of the Company, provide services related to the Service or assist the Company in analysing the use of the Service.

**Usage data** refers to automatically collected data generated either by the use of the service or by the infrastructure of the service itself.

**You** is the natural person accessing or using the Service or the company or other legal entity on whose behalf such person accesses or uses the Service.

**The BürgerStimme Service System** is a system developed by the Company that provides a communication interface between a city (or municipality) and its citizens, and may consist of other city life functions. It includes an app (for citizens) and a web interface for the municipal administration, as well as various services.

## 2. data protection at a glance

### General information

The following notices provide a simple overview of what happens to your personal data when you use our mobile application (hereinafter referred to as the App).

A use of the data collected in connection with the download or use of the applications by the respective store of Apple or Google that is not in accordance with the European Data Protection Regulation cannot be ruled out on the part of NTQ Solutions GmbH, as the company has no influence on this. NTQ Solutions GmbH does not pass on any data to Apple or Google.

### Data collection within our app

#### Who is responsible for data collection within the app?

Data processing within the app is carried out by the publisher of the app.

The publisher is:

NTQ Solutions GmbH Hölderlinstraße 12  
74074 Heilbronn  
Baden-Württemberg, Germany  
Phone: +49 (0) 157 587 663 02  
E-mail: [kontakt@buerger-stimme.com](mailto:kontakt@buerger-stimme.com)

#### How do we collect your data?

On the one hand, your data is collected by you providing it to us. This may, for example, be data that you enter directly into the app.

Other data is collected when our app accesses data storage on your end device, for example during smart log-in using facial recognition or fingerprint.

Still other data is collected automatically when you use the app. This is mainly technical data (e.g. mobile device, operating system or time of use). This data is collected automatically as soon as you use our apps.

#### What do we use your data for?

Your data is needed to fulfill the overall purpose of this app. You can find a precise definition of the purpose below under "Purpose of the app". Part of the data is collected

to send your selected instructions via the app to the server and from there to the controlled devices (function fulfillment). Other data may be used for analysis and troubleshooting.

## **Purpose of the app**

The overall purpose of this app, which requires the collection, processing and storage of personal data, is as follows: The BürgerStimme service system, which is the contact interface between a municipality and its citizens, is to be exemplified in a demo version. For this, users must be able to test all functions on the platform via an app. In order to be able to interact with the various functions, a user account is necessary, which must be created in the app. This user account must be uniquely adapted to the correlating user, which requires their personal data. A detailed description of the app's functions can be found in the module catalogue.

## **What rights do you have regarding your data?**

You have the right to receive information about the origin, recipient and purpose of your stored personal data free of charge at any time. You also have the right to request the correction, blocking or deletion of this data. You can contact us at any time at the address given for this purpose and for further questions on the subject of data protection. Furthermore, you have the right to lodge a complaint with the competent supervisory authority.

You also have the right to request the restriction of the processing of your personal data under certain circumstances. For details, please refer to the data protection declaration under "Right to restriction of processing".

## **3. Important notes and obligatory information**

### **Data protection**

Your personal data will be treated confidentially and in accordance with the statutory data protection regulations and this privacy policy.

When you use this app, various personal data will be collected. This Privacy Policy explains what data we collect and what we use it for. It also explains how this is done and for what purpose.

It is important to note that security gaps cannot be guaranteed to be excluded when transmitting data over the internet. Consequently, complete protection of data against unauthorized access by third parties is aimed for, but not always possible.

### **Responsible body**

The responsible body for data processing within this app is:

NTQ Solutions GmbH Hölderlinstraße 12  
74074 Heilbronn  
Baden-Württemberg, Germany  
Phone: +49 (0) 157 587 663 02  
E-mail: [kontakt@buenger-stimme.com](mailto:kontakt@buenger-stimme.com)

## **Revocation of your consent to data processing**

Most data processing operations are only possible with your express consent. In addition, you can revoke consent you have already given at any time. An informal communication via e-mail to us is sufficient for this purpose. The legality of the data processing carried out until the revocation remains unaffected by the revocation.

## **Right to object to data collection in special cases and to direct marketing (Art. 21 DSGVO)**

If data processing is based on Art. 6(1)(e) or (f) DSGVO, you have the right to object to the processing of your personal data at any time on grounds relating to your particular situation; this also applies to profiling based on these provisions. The respective legal basis on which processing is based can be found in this data protection declaration. If you object, we will no longer process your personal data concerned unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing serves the purpose of asserting, exercising or defending legal claims (objection under Article 21(1) DSGVO).

Your personal data will not be processed by the company for the purpose of direct marketing.

## **Right of complaint to the competent supervisory authority**

In the event of violations of the GDPR, data subjects have the right to lodge a complaint with a supervisory authority, in particular in the Member State of their habitual residence, their place of work or the place of the alleged violation. The right of appeal is without prejudice to any other administrative or judicial remedy.

## **Right to data portability**

You have the right to have data that we process automatically on the basis of your consent or in performance of a contract handed over to you or to a third party in a common, machine-readable format. If you request the direct transfer of the data to another person responsible, this will only be done insofar as it is technically feasible.

## **Information, blocking, deletion and correction**

Within the framework of the applicable legal provisions, you have the right at any time to free information about your stored personal data, its origin and recipient and the purpose of the data processing and, if applicable, a right to correction, blocking or deletion of this data. For this purpose, as well as for further questions on the subject of personal data, you can contact us at any time at the address given.

## **Right to restriction of processing**

You have the right to request the restriction of the processing of your personal data. To do this, you can contact us at any time at the address given. The right to restriction of processing exists in the following cases:

If you dispute the accuracy of your personal data stored by us, we usually need time to check this. For the duration of the verification, you have the right to request the restriction of the processing of your personal data.

If the processing of your personal data has happened / is happening unlawfully, you can request the restriction of data processing instead of erasure.

If we no longer need your personal data, but you need it to exercise, defend or assert legal claims, you have the right to request restriction of the processing of your personal data instead of erasure.

If you have lodged an objection pursuant to Art. 21 (1) DSGVO, a balancing of your and our interests must be carried out. As long as it has not yet been determined whose interests prevail, you have the right to demand the restriction of the processing of your personal data.

If you have restricted the processing of your personal data, this data may - apart from being stored - only be processed with your consent or for the assertion, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of an important public interest of the European Union or a Member State.

### **Linking of our app to Firebase services of Google LLC.**

As part of the operation of the app, we use services from Firebase, which are necessary, among other things, for the storage and retrieval of data. Therefore, we also refer to the data protection guidelines of Firebase. The current version (as of 25.02.2023) can be found on the following website:

Data protection and security in Firebase: <https://firebase.google.com/support/privacy?hl=en>

Further information on data processing by Firebase (as of 25.02.2023) can be found here: <https://firebase.google.com/terms/data-processing-terms>

## **4. Data collection through our app**

### **App data**

The app automatically transmits data during communication with our server, which is automatically stored in files by the server. These data are:

- Type of mobile device
- Operating system used
- Language used
- Technical information about the mobile device used
- Date and time of the request
- IP address
- Mobile phone number and device number

This is done on the basis of Art. 6 (1) lit. b DSGVO, which permits the processing of data for the fulfillment of a contract or pre-contractual measures.

### **Processing of data (customer and contract data)**

We collect, process and use personal data only to the extent that it is necessary for the establishment, content or amendment of the legal relationship (inventory data). This is done on the basis of Art. 6 (1) lit. b DSGVO, which permits the processing of data for the fulfillment of a contract or pre-contractual measures. We collect, process and use personal data about the use of our app (usage data) only insofar as this is necessary to enable the user to use the service.

The collected customer data is deleted after completion of the order or termination of the business relationship. Statutory retention periods remain unaffected.

## **4.1 Collection and use of your personal data**

### **Types of data collected**

#### **Personal Information**

While using our Service, we may ask you to provide us with certain personally identifiable information that may be used to contact or identify you. Personally identifiable information may include, but is not limited to:

Email address First and last name Address, state, postcode, city.

#### **Usage Data**

Usage Data is automatically collected when you use the Service.

When you access the Service with or through a mobile device, we may automatically collect certain information, including but not limited to the type of mobile device you are using, the unique ID of your mobile device, the IP address of your mobile device, your mobile operating system, the type of mobile internet browser you are using, unique device identifiers and other diagnostic data.

We may also collect information that your browser sends when you visit our Service or when you access the Service through a mobile device.

#### **Information collected during use of the application**

In order to provide features of our Application, we may, with your prior permission, collect the following information:

- Information about your location/geographic data
- Images and other information from your device's camera and photo library - Access to your device's facial recognition or fingerprint sensor (necessary for smart log-in).

We use this information to provide features of our service, to improve and customize our service. The information may be uploaded to the Company's servers and/or a service provider's server or simply stored on your device.

You can enable or disable access to this information at any time through your device settings.

#### **Use of your personal data**

The Company may use personal data for the following purposes:

**To provide and maintain our service**, including Monitoring the use of our service.

**To manage your account:** to manage your registration as a user of the Service. The personal information you provide may give you access to various features of the Service that are only available to you as a registered user.

**To contact you:** To contact you via electronic communications, such as push notifications from a mobile application regarding updates.

**To manage your requests:** To process and manage your requests to us.

**For other purposes:** We may use information for other purposes, such as data analysis and security checks related to the smooth use of the App.

### **We may share your personal information in the following situations:**

**With service providers:** We may share your personal information with service providers to monitor and analyse the use of our service and to contact you.

**With affiliates:** We may share your information with our affiliates, in which case we require those affiliates to comply with this Privacy Policy. Affiliates include any other subsidiaries, joint venture partners or other companies that we control or that are under common control with us.

**With other users:** If you share personal information or otherwise interact with other users in the public areas, that information may be viewed by all users and publicly disseminated to the outside world.

**With your consent:** With your consent, we may disclose your personal information for other purposes.

### **Retention of your personal data**

The Company will retain your personal data only for as long as is necessary for the purposes set out in this Privacy Policy. We will retain and use your personal data to the extent necessary to (a) fulfill the App's overarching purpose and (b) comply with our legal obligations (for example, if we need to retain your data to comply with applicable laws), resolve disputes and enforce our legal agreements and policies.

The Company also stores Usage Data for internal analysis purposes. Usage data is generally retained for a shorter period of time unless it is used to improve the security or functionality of our service or we are required by law to retain it for longer periods of time.

### **Transfer of your personal data**

Your information, including personal data, may be processed at Company operating offices or other locations where the parties involved in the processing are located. Your consent to this Privacy Policy and subsequent transfer of such information constitutes your consent to such transfer.

The Company will take all reasonable steps to ensure that your data is treated securely and in accordance with this Privacy Policy and no transfer of your personal data will take place to any organization or country unless there are adequate controls in place to include the security of your data and other personal information.

### **Deletion of your personal data**

You have the right to delete or request assistance from us in deleting the personal information we have collected about you.

Our Service may give you the option to delete certain information about you within the Service.

You can update, change or delete your information at any time by logging into your account, if you have one, and accessing the account settings section where you can manage your personal information. You may also contact us to access, correct or delete any personal data you have provided to us.

However, please note that we may need to retain certain information if we are required to do so by law or have a legal basis to do so.

If you delete your user account on the App, we will also delete all associated personal data. Exceptions may occur to comply with our legal obligations. Where part of the personal data is still related to the direct fulfillment of the purpose of the App, which goes beyond the individual purpose of the user, and this purpose has not yet been achieved, this data may be retained until the purpose has been fulfilled.

## **Disclosure of your personal data**

### **Business transactions**

If the Company is involved in a merger, acquisition or asset sale, your personal data may be transferred. We will notify you before your personal information is transferred and becomes subject to a different privacy policy.

### **Law Enforcement**

In certain circumstances, the Company may be required to disclose your personal information if required to do so by law or in response to reasonable requests from public authorities (e.g. a court or government agency).

### **Other legal requirements**

The Company may disclose your personal data in good faith that such action is necessary to:

- comply with a legal obligation
- protect and defend the rights and property of the Company
- prevent or investigate possible misconduct in connection with the Service
- protect the personal safety of users of the Service or the public
- protect against legal liability

### **Security of your personal data**

The security of your personal information is important to us, but remember that no method of transmission over the Internet or electronic storage is 100% secure. Although we strive to protect your personal information by commercially acceptable means, we cannot guarantee its absolute security.

## **5. Data protection for children**



Our Service is not directed to anyone under the age of 13. We do not knowingly collect personal information from anyone under the age of 13. If you are a parent or guardian and know that your child has provided us with personal information, please contact us. If we learn that we have collected personal information from individuals under 13 without verifying parental consent, we will take steps to remove that information from our servers. If we need to rely on consent as the legal basis for processing your information and your country requires parental consent, we may require your parent's consent before collecting and using that information.

## **6. Links to other websites**

Our Service may contain links to other websites that are not operated by us. When you click on a third party link, you will be directed to that third party's site. We strongly recommend that you read the privacy policy of each website you visit. We have no control over, and assume no responsibility for, the content, privacy policies, or practices of any third party websites or services.

## **7. Changes to this privacy policy**

We may update our Privacy Policy from time to time. We will notify you of any change by linking to the new (or at any time current) privacy policy on all relevant interfaces. We encourage you to review this Privacy Policy periodically for changes. Changes to this Privacy Policy will be effective from the date of posting.

## **8. Contact**

If you have any questions about this Privacy Policy, you can contact us:

**By email:** [kontakt@buenger-stimme.com](mailto:kontakt@buenger-stimme.com)

**Via our website:** <https://www.buenger-stimme.com/kontakt>

**By mail:** Hölderlinstraße 12, 74074 Heilbronn, Baden-Württemberg, Germany