

State Authority for Mining, Energy and Geology (LBEG)
Privacy Policy

I. Name and address of the controller responsible for data processing and of the data protection officer

The controller responsible for data processing within the meaning of the General Data Protection Regulation (GDPR), other EU member state data protection laws and further data protection regulations is the

State Authority for Mining, Energy and Geology (LBEG)
Stilleweg 2
30655 Hannover
Germany
Tel.: +49 (0) 511-643-0
Email: poststelle-hannover@lbeg.niedersachsen.de

You can contact the LBEG's data protection officer at the State Authority for Mining, Energy and Geology (LBEG)
Stilleweg 2
30655 Hannover
Germany
Tel.: +49 (0) 511-643-3818
Email: datenschutz@lbeg.niedersachsen.de

II. Data processing

1. General information

We collect and process our users' personal data only to the extent necessary to ensure the proper working of our website and to deliver our content and services. We process our users' personal data only after they have consented to such processing. An exception is made in those cases in which it is not possible, for practical reasons, to obtain prior consent and the processing of such data is permissible by law.

"Personal data" means all those data relating to you personally, for example your name, postal address, email address and user behaviour.

2. Website

If you are using our website solely for informational purposes, that is if you transmit no data to us, we will only collect those personal data which your browser transmits to our server. If you wish to view our website, then we will collect the data listed below. These are required for technical reasons so that we can deliver our website to you and guarantee its stability and security:

- (1) The internet service provider's IP address;
- (2) The date and time of access.

Point (f) of Article 6(1) of the GDPR forms the legal basis for the above.

The IP address needs to be temporarily stored to enable the website to be delivered to the user's device. That is why the user's IP address needs to be stored for the duration of the session.

3. Cookies

In addition to the aforementioned data, cookies will be stored on your device whenever you visit our website. Cookies are text files which are stored in the internet browser or by the internet browser on

a user's computer system. Whenever a website is accessed, a cookie can be stored in the user's operating system. A cookie contains a distinctive sequence of characters which allows for the clear identification of the browser the next time the same website is accessed again.

Point (f) of Article 6(1) of the GDPR forms the legal basis for the above.

You can, of course, access our website without using cookies. Please note that use of the website will be restricted as a result. You can set your browser so that cookies are not stored, restrict such storage to specific websites or set your browser to notify you as soon as a cookie is transmitted.

4. Email

You have the option of contacting us by email. Personal data are only collected if you voluntarily notify us of these data in your email. In such cases we will store the personal data transmitted to us so that we can process and respond to your request. These data are not passed on to third parties.

Point (a) of Article 6(1) of the GDPR forms the legal basis for the above.

Processing of your personal data enables us to deal with your request.

You may, at any time, withdraw your consent to personal data being stored. The email conversation will, however, then be discontinued.

You can withdraw your consent by writing to the controller responsible for data processing either by post or email (see I. above for contact details).

5. Ordering materials and products

You have the option of ordering various materials and products from us. Whenever you place an order, we will store your personal data (incl. email address, name and postal address) for the purposes of contractual correspondence and delivering the ordered materials or products.

Point (b) of Article 6(1) of the GDPR forms the legal basis for the above.

Personal data are processed for the purpose of order processing.

6. Press newsletter and job postings subscription

You can register to receive our newsletter, which contains information about press releases published by the Land Government of Lower Saxony and other news. You can also register to receive current job postings. When you register for the newsletter, the email address you enter in the input mask will be transmitted to us.

Registration for our newsletter is completed through what is known as the double opt-in procedure. This means that after you have registered we will send an email to the email address which you have notified us of. In that email you will be requested to confirm that you wish to receive the newsletter. If you do not confirm your registration within 24 hours, this information will be blocked and automatically erased after one month. We will also store the IP addresses used and the times at which you registered and confirmed your registration. This is necessary in order to be able to provide proof of your registration and, where necessary, to investigate any possible misuse of your personal data.

Point (a) of Article 6(1) of the GDPR forms the legal basis for the above.

The stored email address is used only so that we can send out our newsletter. No personal data are passed on to third parties.

You can, at any time, withdraw your consent to receive the newsletter and cancel your subscription. To withdraw your consent, simply click on the link included in each newsletter email or send an email to one of the addresses provided in I. above.

7. Online applications

You can use our current online applications (incl. Online Borehole Notifications, Geothermal energy – Does it work for me?, Online Sinkhole Notifications, Online Surface Opening Notifications, Online Artesian Confined Groundwater Notifications) to send us online notifications or reports. Where it is possible and/or obligatory to enter data, we will store these once you have filled in and forwarded the relevant form.

Point (a) of Article 6(1) of the GDPR in conjunction with section 3 of the German Federal Data Protection Act and, in the case of non-performance of public tasks, point (f) of Article 6(1) of the GDPR form the legal basis for the above.

The processing of these data makes it possible for us to process your requests, notifications and applications.

8. Use of Piwik/Matomo

This website uses Matomo (formerly Piwik), an open-source web analytics application, to analyse and regularly improve the usability of our website. Processing user's personal data enables us to analyse user behaviour. By analysing the data collected we can put together information about how the individual components of our website are being used. This helps us to continually improve our website and its user friendliness. This represents a legitimate interest in the processing of the data. We store the following data:

- (1) Two bytes of the IP address of the user's accessing system
- (2) The website accessed
- (3) The website via which the user accessed the website (referrer)
- (4) The sub-pages accessed via the accessed website
- (5) The dwell time on the website
- (6) The frequency of access of the website

Point (f) of Article 6(1) of the GDPR forms the legal basis for the above.

Cookies (see 3. above) are stored on your device so that we can perform this analysis. The data are only stored on the controller's server in Germany. You can prevent these analyses being performed by deleting existing cookies and blocking the storage of cookies. However, if you block the storage of cookies, you may not be able to use certain features of this website. To block the storage of cookies, you must make the appropriate settings in your browser.

The IP address is anonymised immediately after processing and before storage occurs. By using this website you declare your consent to the data relating to you being collected and processed in the above-mentioned manner and exclusively for the above-mentioned purpose.

To read the third party's privacy information, go to <http://matomo.org/docs/privacy/>.

9. Retention period

A data subject's personal data are erased or blocked as soon as the purpose of storage no longer applies. Personal data may, further, be stored where provided for by either the European or national legislature in Union regulations, laws or other directives to which the controller is subject. Data must also be blocked or erased once the retention period provided for in the relevant data protection norms expires.

Data stored for the purpose of data processing are erased as soon as they are no longer needed to achieve the purpose for which they were collected. Those data which are recorded for the purpose of delivering our website are deleted once the session ends.

The data collected using Matomo are erased as soon as they are no longer required for our record-keeping purposes.

The data transmitted by the online applications are erased as soon as they are no longer required to achieve the purpose of their collection.

III. Rights of data subject

Where personal data relating to you are processed, then you are the “data subject” within the meaning of the GDPR. In accordance with Article 15 et seqq. of the GDPR, you thus have the following rights vis-à-vis the controller:

1. Right of access

You have the right to obtain confirmation from the controller as to whether or not we are processing personal data relating to you. Where this is the case, you have the right to access to the personal data and to the following information:

- (1) The purposes for which your personal data are being processed;
- (2) The categories of personal data which are being processed;
- (3) The recipients or categories of recipients to whom your personal data have been or will be disclosed;
- (4) The envisaged period for which your personal data will be stored, or, if provision of this information is not possible, the criteria used to determine that period;
- (5) The existence of the right to request correction or erasure of your personal data or restriction of the processing of personal data by the controller, or to object to such processing;
- (6) The right to lodge a complaint with a supervisory authority;
- (7) Where the personal data are not collected from the data subject, any available information as to their source;
- (8) The existence of automated decision-making, including profiling, as defined in Article 22(1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processes for the data subject.

You have the right to information about whether your personal data are being transmitted to a third country or to an international organisation. Where this is the case, you have the right to be informed about appropriate safeguards as set out in Article 46 of the GDPR relating to the transfer.

2. Right to rectification

You have the right to obtain from the controller the rectification and/or completion of inaccurate or incomplete personal data concerning you. The controller must rectify such data immediately.

3. Right to restriction of processing

You have the right to obtain restriction of the processing of your personal data where one of the following conditions applies:

- (1) You contest the accuracy of the personal data relating to you for a period which enables the controller to verify the accuracy of the personal data;
- (2) The processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead;

(3) The controller no longer needs the personal data for the purposes of the processing but you require them for the establishment, exercise or defence of legal claims;

(4) If you object to the processing in accordance with Article 21(1) of the GDPR and it is not yet clear whether the legitimate grounds of the controller override your grounds.

Where processing of your personal data has been restricted, these personal data may, with the exception of storage, only be processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the EU or of a member state.

Where processing has been restricted under one of the above conditions, you will be informed by the controller before the restriction is lifted.

4. Right to object

You have the right, on grounds relating to your particular situation, at any time to object to the processing of personal data relating to you which is based on point (e) or point (f) of Article 6(1) of the GDPR; this also applies to profiling based on those provisions.

The controller will no longer process your personal data unless compelling legitimate grounds for the processing can be demonstrated which override your interests, rights and freedoms or the processing serves the establishment, exercise or defence of legal claims.

If you withdraw your consent to processing for the purposes of direct advertising, your personal data will no longer be processed for these purposes.

In the context of using information society services and notwithstanding Directive 2002/58/EC, you may exercise your right to object to automated means using technical specifications.

5. Right to erasure

5.1. Obligation to erase data

You have the right to obtain from the controller the immediate erasure of personal data concerning you. The controller is obliged immediately to erase these data where one of the following grounds applies:

(1) The personal data concerning you are no longer required for the purposes for which they were collected or otherwise processed;

(2) You withdraw the consent on which the processing is based as set out in point (a) of Article 6(1) or point (a) of Article 9(2) of the GDPR, or there is no other legal ground for the processing;

(3) You object to the processing in accordance with Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing as set out in Article 21(2) of the GDPR;

(4) The personal data concerning you have been unlawfully processed;

(5) The personal data concerning you have been erased to satisfy a legal obligation under EU or member state law to which the controller is subject;

(6) The personal data concerning you have been collected in relation to the offer of information society services as set out in Article 8(1) of the GDPR.

5.2. Notification to third parties

If the controller has made your personal data public and is obliged, in accordance with Article 17(1) of the GDPR, to erase them, then the controller, taking account of available technology and the cost of implementation, must take reasonable steps, including technical measures, to inform controllers

processing the personal data that you, the data subject, have requested such controllers to erase any links to or copies or replications of those personal data.

5.3. Exceptions

The right to erasure does not apply where the processing is necessary

- (1) to exercise the right of freedom of expression and information;
- (2) to satisfy a legal obligation which requires processing under EU or member state law to which the controller is subject or to perform a task carried out in the public interest or exercise official authority vested in the controller;
- (3) for reasons of public interest in the area of public health as set out in point (h) and point (i) of Article 9(2) and in Article 9(3) of the GDPR;
- (4) for archiving purposes which are in the public interest, scientific or historical research or for statistical purposes as set out in Article 89(1) of the GDPR in so far as the right referred to in 5.1 above is likely to render impossible or seriously impair the achievement of the objectives of that processing;
- (5) for the establishment, exercise or defence of legal claims.

6. Right to notification

Where you have asserted your right to rectification, erasure or restriction of processing vis-à-vis the controller, the controller is obliged to notify each recipient to whom your personal data have been disclosed, unless this proves impossible or involves disproportionate effort.

You have the right to be notified by the controller about who these recipients are.

7. Right to data portability

You have the right to receive, in a structured, commonly used and machine-readable form, the personal data concerning you which you have provided to the controller. You also have the right to transmit these data to another controller without hindrance from the controller to whom the personal data were originally provided, where

- (1) the processing is based on consent as defined in point (a) of Article 6(1) or point (a) of Article 9(2) of the GDPR or on a contract as referred to in point (b) of Article 6(1) of the GDPR; and
- (2) the processing is carried out by automated means.

Further, in exercising this right to data portability you have the right to have your personal data transmitted directly from one controller to another, where this is technically feasible. The rights and freedoms of other persons may not be adversely affected by such transmission.

The right to data portability does not apply to the processing of personal data which is necessary to perform a task carried out in the public interest or in the exercise of official authority vested in the controller.

8. Right to lodge a complaint with a supervisory authority

Irrespective of other administrative or judicial legal remedies, you have the right to lodge a complaint with a supervisory authority, in particular in the member state of your habitual residence or place of work or of the place of the alleged infringement if you are of the opinion that the processing of personal data relating to you infringes the GDPR.

The supervisory authority with which the complaint has been lodged informs the complainant on the progress and the outcome of the complaint, including the possibility of a judicial remedy as referred to in Article 78 of the GDPR.

9. Right to withdraw consent

You have the right at any time to withdraw your consent to the processing of your personal data. The withdrawal of consent does not affect the lawfulness of any processing based on consent before its withdrawal.