



# Privacy Policy for Direct Customers (Direct Sales)

Dear prospective customer,

Dear customer,

In the following we will inform you about the collection, processing and use of your personal data as a customer or potential customer within the scope of sales and services as well as marketing measures for direct customer business with Volkswagen AG as the sole data controller under data protection law.

## A. Controller

Via this Privacy Policy, we wish to inform you of how your personal data will be collected, processed and used. The data controller within the meaning of Art. 4 No. 7 of the European Union's General Data Protection Regulation (Regulation (EU) 2016/679 – "GDPR") for data processing is Volkswagen AG, Berliner Ring 2, 38440 Wolfsburg, Germany, [kundenbetreuung@volkswagen.de](mailto:kundenbetreuung@volkswagen.de), entered in the register of companies at Braunschweig District Court under the number HRB 100484 ("Volkswagen AG").

In the context of vehicle deliveries, Volkswagen Konzernlogistik GmbH & Co. OHG, Heßlinger Straße 12, 38436 Wolfsburg, Germany, [datenschutz-auskunft.vwag.r.wob@volkswagen.de](mailto:datenschutz-auskunft.vwag.r.wob@volkswagen.de) (hereinafter referred to as Group Logistics), entered in the register of companies at Braunschweig District Court under the number HRA 100170 is also the data controller within the meaning of the GDPR. These cases are referenced separately in the Privacy Policy.

## B. Collecting, processing and use of your personal data

### I. Data processing by Volkswagen AG

Personal data such as personal identification data (e.g. first and last name), contract data (e.g. date of purchase, lease period etc.) or general vehicle data such as the vehicle identification number (VIN) are processed by Volkswagen AG within the framework of direct customer business. The cases in which personal data is processed are discussed below, including a description of the legal basis on which the data is processed and for which purpose and how long it is retained.

#### 1. Creation of offers, ordering, delivery, 2nd set of tyres, rental contract and invoicing

When requesting an offer and ordering vehicles as a customer of Volkswagen AG through to delivery of the vehicle, where applicable delivery of a second set of tyres, in the case of a rental contract and for invoicing, personal and professional identification data, contract data and general vehicle data, namely VIN and initial registration, is required. If a leasing offer is requested, we pass on the personal and professional identification data and the vehicle offer data to Financial Services AG (FS AG).



Depending on where it has been agreed upon that handover of the vehicle and, if ordered, the second set of tyres, is to take place, we pass on the data in full or in part to the following companies:

- Autostadt GmbH
- Customer Centre Emden
- Transparent Factory Dresden
- Audi AG
- Customer Centre Wolfsburg
- Customer Centre Hannover
- Volkswagen dealership

Where a customer chooses to pick up the vehicle in the Autostadt GmbH and in addition, to stay overnight in the hotel The Ritz Carlton in Wolfsburg, we will arrange for a booking at the request of the customer. The personal data necessary for the fulfilment of the contract (postal address, first and last name) will be passed on to the hotel exclusively for the purpose of identification, making the booking and advance communication (email address, landline or mobile phone number).

Data is processed on the basis of a contract or during the initiation of a contract (see Article 6 (1) (b) GDPR).

The data will be deleted after the purpose for its retention no longer applies, for tax-law reasons at the latest after 15 years.

## **2. Customer care and after sales**

In order to support customers even after the conclusion of the direct customer business (e.g. answering customer enquiries, questions relating to guarantee or goodwill, technical enquiries), personal or professional identification data, contract data as well as general vehicle data, namely VIN and initial registration, is required.

This data is also processed by Volkswagen AG in the "rental" business model, for example, in the context of the vehicle return process.

Data processing in the context of customer care and after sales is carried out on the basis of a contract or during the initiation of a contract (Art. 6 (1) (b) GDPR) or on the basis of an overriding legitimate interest (Art. 6 (1) (f) GDPR). Volkswagen AG's overriding legitimate interest is in customer satisfaction by providing adequate support.

The data will be deleted after the purpose for its retention no longer applies, for tax-law reasons at the latest after 15 years.

## **3. Customer events**

In the context of direct business, customers and potential customers are invited to various events. In order to be able to ensure that invitations to these events are sent to the right people, personal or professional identification data is required.



The legal basis here is a declaration of consent from the customer or potential customer (Art. 6 (1) (a) GDPR) or an overriding legitimate interest (Art. 6 (1) (f) GDPR), namely that in the context of such an event, Volkswagen AG starts a direct dialogue with customers or with you as a customer, prospect or employee of the respective customer about the products in order to hear their wishes and suggestions.

The data retained for communication purposes will be deleted after a maximum of two years after the reason for its retention no longer applies.

#### **4. Initiating and completing the purchase of vehicles by special customers**

Certain customer groups such as people with disabilities conclude a sales contract directly with Volkswagen AG. During processing of the purchase process incl. clarification of funding measures, through to possible purchase cancellations, and the associated customer care measures, private contact and identification data (e.g. first name, surname, address), general vehicle data (e.g. VIN) and particularly sensitive data (e.g. disability status) will be processed. Processing of particularly sensitive data is necessary to check whether the purchase transaction is eligible for special funding.

Volkswagen AG processes this data on the basis of consent (see Art. 9 (2) (a) GDPR).

The data processed here is usually deleted 15 years after processing the customer matter.

#### **5. Fulfilment of statutory requirements**

In order to comply with statutory requirements, Volkswagen AG processes your name, address, VIN, the construction status of your vehicle and, if necessary, other personal data.

Volkswagen AG is subject to various statutory requirements that it must meet. These can result, for example, from statutory customs, tax and vehicle registration regulations.

For example, Volkswagen AG processes the VIN to check and ensure that legal CO<sub>2</sub> emissions are compliant with EU legislation for monitoring CO<sub>2</sub> emissions from passenger cars and light commercial vehicles. It receives the relevant VIN from the Volkswagen dealerships in the event of changes to the construction status of the vehicle and the resulting changes to the vehicle documents. If bodywork or completions are carried out on light commercial vehicles, WLPT results are transmitted to the body manufacturer for the purpose of ensuring legitimate CO<sub>2</sub> emissions.

Data processing is necessary to fulfil legal obligations (see Article 6 (1) (c) of the GDPR) or on the basis of an overriding legitimate interest (see Article 6 (1) (f) GDPR) if the processing of the customer data is used for processing the premium payment to the dealership.

The retention period depends on the respective processing purpose prescribed by the legal requirements.

In the event of price changes at short notice according to section 309 of the German Civil Code (BGB), the customer is entitled to the previous price if the vehicle was ordered before the effective date of the price increase. General vehicle data such as the VIN, the model and the engine power is required to determine the entitlement.



This data is processed on the basis of the fulfilment of contracts in accordance with Article 6 (1) (b) GDPR if the customer is a natural person (individual customer) or on the basis of the overriding legitimate interest (Article 6 (1) (f) GDPR) if the customer is an employee of a major customer.

For tax law reasons, the data is stored for 15 years from the event.

## **6. Product liability and field monitoring**

For the purposes of product liability and field monitoring, Volkswagen AG receives the VIN, the construction status, equipment and data about repairs to your vehicle that have already been carried out.

Volkswagen AG is required by law to continuously monitor the products it places on the market during their life cycle in order to detect any possible defects promptly and to rectify them as quickly as possible. These include the obligations of product monitoring and hazard prevention. The product monitoring obligation includes the collection and evaluation of various information.

Volkswagen AG is subject to a legal obligation when processing data (see Article 6 (1) (c) GDPR).

The data processed for product liability and field monitoring will usually be deleted after 15 years.

## **7. Audit checks**

In order to conduct internal audits, Volkswagen AG processes your name, contact data, VIN, contract data and additional data about your vehicle, depending on the internal process to be audited.

Volkswagen AG regularly carries out audits in order to check internal processes. It may be that your personal data specified above is required in order to assess a specific process.

Volkswagen AG draws on a legitimate interest in this regard (see Article 6 (1) (f) GDPR). The grounds for this interest are the fact that internal processes are audited for their legal compliance and effectiveness to improve them if necessary.

Your personal data will only be included in internal audit reports if this is necessary. Deletion usually takes place a maximum of 15 years after creation. This is to ensure that verification obligations are met.

## **8. Special promotions for products and services**

In order to process and check your entitlement to special conditions, Volkswagen AG processes your name, email address, telephone number, address, the VIN of your vehicle and, if applicable, copies of evidence, such as your driver's licence.

The data is processed in the context of processing your claiming of special conditions in order to execute the contract concluded with you (see Article 6 (1) (b) GDPR).

Volkswagen AG offers you certain products and services at special conditions at regular intervals. These offers are special conditions which are offered to you either directly by your Volkswagen dealership or which you are entitled to claim from Volkswagen AG.



Volkswagen AG also processes your data for the purpose of checking your entitlement to special conditions offered to you by your Volkswagen dealership on the basis of an overriding legitimate interest (see Article 6 (1) (f) GDPR).

The retention period depends on the statutory retention periods, for example those arising from tax law regulations.

### **9. Customer satisfaction survey and market research**

For the purposes of customer satisfaction surveys and market research, Volkswagen AG processes the following data:

- Private contact and identification data (e.g. first name, surname, address, year of birth, language)
- General vehicle data (e.g. VIN)
- Contract data (e.g. state/country code, brand code, membership of the customer club, membership/care programme selected, club card recipient)
- Credit rating and bank details (e.g. customer account, IBAN, BIC)

Data is processed on the basis of your consent (see Article 6 (1) (a) GDPR) or an overriding legitimate interest (see Article 6 (1) (f) GDPR).

If you provided consent to Volkswagen AG, you can revoke it at any time with future effect. You can find more detailed information on this in **Section C**.

As soon as the authorisation to process your data by Volkswagen AG ends, your data will be deleted. This is the case, for example, if you revoke the declaration(s) granted on your part and if there are no longer any statutory retention periods and your data will not be required to prevent legal claims.

Your data processed within the scope of the overriding legitimate interest will be deleted four years from creation.

### **10. Initiating and completing the purchase of an ID model**

To initiate and process the purchase of an ID model, the Volkswagen dealership, on behalf of Volkswagen AG, must process your personal data (e.g. first name, surname, date of birth, postal address, telephone and mobile phone number). This relates to the creation of offers and the execution of the sales contract (vehicle order, change of order, delivery, cancellation). In connection with sales contract processing, Volkswagen AG may contact you using the personal data you provide. Volkswagen AG processes the above-mentioned personal data and, if necessary, other personal data you provide to fulfil the terms of your contract (see Article 6 (1) (b) GDPR).

For the delivery processing, we shall, if you wish, involve Autostadt GmbH and/or Volkswagen Sachsen GmbH and/or the delivering dealership. In such cases, a corresponding data transfer takes place for the purpose of providing the contractual service (see Article 6 (1) (b) GDPR). In the event of a delayed payment and any subsequent dunning and debt collection, we will involve Volkswagen Financial Services Digital Solutions GmbH, Gifhorner Straße 57, 38112 Braunschweig Germany, to process the matter on behalf of Volkswagen AG.



The deletion and retention period for your data in the sales system in the case of a concluded sales contract is a maximum of ten years after delivery and a maximum of 15 years for the order data in the Volkswagen AG ordering system. After the deadline has expired, the corresponding data will be deleted routinely, as long as it is no longer required to fulfil the terms of the contract or to initiate the contract and/or there is no basis for further storage on our part.

If you choose a leasing contract, Volkswagen Leasing GmbH, Gifhorner Straße 57, 38112 Braunschweig, Germany, info@volkswagenleasing.de, entered in the register of companies at Braunschweig District Court under the register no. HRB 1858, is responsible for initiating, implementing and processing the leasing contract in terms of data protection. The data required for the creation of a request (in particular, your private identification data, your contact data, your address and your vehicle configuration) are transferred by Volkswagen AG to Volkswagen Leasing GmbH for the purpose of the initiation of a contract (see Article 6 (1) p 1 (b) GDPR). You can find detailed information about data processing in the data protection information of Volkswagen Leasing GmbH. If you conclude a leasing contract, only the vehicle configuration and leasing contract number are transferred to Volkswagen AG and stored and processed there.

#### **11. Creating evaluations for corporate governance**

Volkswagen AG is constantly striving to improve business processes as part of company management and to optimise the associated costs. To achieve this goal, it is necessary to analyse web analysis, offer, sale and order data in detail. For this reason, Volkswagen AG processes data from web analysis, offer, sale and ordering systems, e.g.

- Pseudonymous identification data (e.g. a randomly generated pseudonymous user ID)
- Private contact and identification data (address)
- Contract data (e.g. vehicle equipment, order data, logistics data)
- Vehicle usage data (e.g. vehicle data)
- IT usage data (e.g. last login to the services, use of functions).

The purposes of processing, the processing itself and the corresponding legal basis are described in detail below.

In order to create evaluations for corporate governance, Volkswagen AG carries out analyses of web analysis, offer, sale and order data according to model, sales channel, order status, analyses according to the required variants and equipment and reporting on key performance indicators using an identification number. Furthermore, Volkswagen AG merges its data with external information such as socio-economic or socio-demographic characteristics. In the course of processing, your personal data is pseudonymised. Pseudonymisation involves removing all direct personal identification features (e.g. name, email, telephone number, vehicle identification number). Indirectly traceable identification features (pseudonyms) are retained. The data is only analysed in the Volkswagen AG analytics systems once this pseudonymisation has been completed. The direct reference to a specific person is not restored at any time. The results of the analysis (especially metrics and key figures) are completely anonymous. In the case of processing extending beyond this (e.g. the calculation of segments, metrics and key indicators), the data is anonymised in advance.



The described processing of your data takes place on the basis of the legitimate interest of Volkswagen AG to perform evaluations for company management (Article 6 (1) (f) GDPR).

Volkswagen AG deletes your pseudonymous data after three years or in accordance with the legal requirements, e.g. as soon as the purpose for which the data was collected no longer applies and provided that there are no other retention obligations.

Your personal data is processed in an Amazon Web Services cloud operated by Amazon Web Services EMEA SARL ("Amazon") in the European Union to create evaluations for company management purposes. Access to personal data by Amazon Web Services, Inc., based in the USA, cannot be excluded, so that the relevant EU standard contractual clauses (a contract approved by the European Commission that accords the same protection to personal data that it has in the EU during data processing in non-EU countries) have been concluded. Amazon will process your personal data only on our behalf and in accordance with our instructions under a data processing agreement. In addition, Volkswagen AG will use Volkswagen Deutschland GmbH & Co. KG, CARIAD SE, Adastra GmbH and Deloitte Consulting GmbH, all based in Germany, as processors in order to safeguard the operation and for further development.

You can view the EU standard contractual clauses used via the following link: [EUR-Lex - 32021D0914 - EN - EUR-Lex \(europa.eu\)](#)

## 12. Analysis of sales activities

Volkswagen AG is constantly striving to optimise the workflows and business processes of its sales activities, to reduce the costs associated with this and to create decision-making bases for sales activities. In order to achieve this goal, Volkswagen AG processes personal offer, sale and order data in order to gain knowledge about sales activities, such as:

- Pseudonymous identification data (e.g. a randomly generated pseudonymous user ID)
- Vehicle usage data (e.g. vehicle data)
- Vehicle identification data (e.g. vehicle identification number (VIN), commissioning number)
- Contract data (e.g. vehicle equipment, order data, logistics data, leasing and financing data)
- Delivery dates (e.g. pick-up date, delivery date and time).

Based on this data, Volkswagen AG conducts in-depth analyses and generates reports and forecasts in relation to new orders, sales and inventories. These reports serve as a medium and long-term planning tool for Volkswagen AG.

Your personal data collected by Volkswagen AG and by third parties will be processed by Volkswagen AG for the above-mentioned purpose. The respective third parties (e.g. Volkswagen dealerships, Volkswagen Financial Services AG) transmit your data to Volkswagen AG for this purpose.

Please refer to the Privacy Policy of the respective third party for further information on the processing described above.

The described processing of your data takes place on the basis of the legitimate interest of Volkswagen AG to perform analyses of sales activities (Article 6 (1) (f) GDPR).



Volkswagen AG deletes your data after 10 years at the latest or in accordance with the legal requirements, e.g. as soon as the purpose for which the data was collected no longer applies and provided that there are no other retention obligations.

Your personal data is processed in an Amazon Web Services cloud operated by Amazon Web Services EMEA SARL ("Amazon") in the European Union for the purpose of analysing sales activities. Access to personal data by Amazon Web Services, Inc., based in the USA, cannot be excluded, so that the relevant EU standard contractual clauses (a contract approved by the European Commission that accords the same protection to personal data that they have in the EU during data processing in non-EU countries) have been concluded. Amazon will process your personal data only on our behalf and in accordance with our instructions under a data processing agreement. In addition, Volkswagen AG shall use Volkswagen Deutschland GmbH & Co. KG and CARIAD SE, both based in Germany, as processors in order to safeguard its operations and for further development. You can view the EU standard contractual clauses used via the following link: [EUR-Lex - 32021D0914 - EN - EUR-Lex \(europa.eu\)](#)

### **13. Vehicle rental contracts**

In direct sales, under certain conditions (e.g. roadshow for raffle winner) a vehicle may be provided for a specific period on the basis of a rental contract. In such cases, personal or professional identification data, contract data and general vehicle data, namely VIN and initial registration, is required. Where the vehicle is to be picked up at Autostadt GmbH, the data is passed on to Autostadt GmbH. The vehicle can, however, be picked up by an agency commissioned by the business partner. In this case, personal and professional data and general vehicle data, namely VIN and registration number, will be passed on to the agency. If additional insurance is desired, the vehicle identification number (VIN) will be passed on to Financial Services AG (FS AG).

Data is processed on the basis of a contract or during the initiation of a contract (see Article 6 (1) (b) GDPR).

The data will be deleted after the purpose for its retention no longer applies, for tax-law reasons at the latest after 15 years.

## **II. Processing of personal data by Group Logistics**

Personal data (personal contact and identification data and vehicle usage data, in particular the VIN) may be processed by Group Logistics as part of the timely and efficient processing of vehicle deliveries.

Data processing takes place on the basis of an overriding legitimate interest in accordance with Article 6 (1) (f) GDPR (weighing of interests). The overriding interests of Group Logistics are to enable simple and timely processing of vehicle deliveries. Vehicles to be delivered are assigned to a transport destination via the VIN and delivered accordingly.

The data processed in this way will be deleted immediately after the legal basis ceases to apply, when it is no longer required for the purposes stated or the purposes stated cease to apply, and if there is no other legal basis (e.g., retention periods under commercial and tax law), at the latest after 15 years.





### III. Recipients of the data outside Volkswagen AG

Volkswagen AG will only pass on your personal data to processors or third parties if a legal basis exists for this.

For example, Volkswagen AG uses order processors for data processing. They support Volkswagen AG in the above-mentioned processes. Order processing contracts have been concluded with the order processors in accordance with Article 28 of the GDPR so that your data is also subject to the high level of protection of Volkswagen AG in the area of protection of the order processor.

The order processors provide support e.g. by hosting IT systems, providing technical support and customer care.

Furthermore, in a few cases, Volkswagen AG will pass on your data to other offices responsible under the terms of data protection law. For example, Volkswagen AG is legally obliged to pass on the VIN and the construction status of your vehicle to damage assessors.

As part of the orderly business operations of Volkswagen AG and as part of business correspondence, data is regularly transmitted to development and production facilities as well as to importers/sales companies. For example, Volkswagen AG may pass on your VIN to foreign production sites as part of eliminating product faults and improving products.

Investigating authorities and courts present specific queries relating to motor vehicles that are affected by investigations to Volkswagen AG. In this context, your personal data may be passed on to the aforementioned bodies.

### IV. Data transmission to third countries

When transferring data to so-called third countries (countries that are neither a member of the European Union nor the European Economic Area), Volkswagen AG strictly complies with the relevant data protection regulations. For example, Volkswagen AG only transmits data to recipients (e.g. IT service providers who provide technical support or production facilities which perform quality inspections on vehicle models manufactured there) in third countries if the European Commission has deemed this appropriate for the respective third country or if the data transfer is adequately protected by the conclusion of

EU standard contract clauses, as created by the European Commission, with the recipient of the data.

You have the option of obtaining a copy of these appropriate guarantees that we conclude to ensure an adequate level of data protection. Please contact us in this regard via the contact details listed in **Section D**.

### C. Your rights

You can assert your following rights against Volkswagen AG at any time and free of charge. You can obtain further information about exercising your rights on the following website: <https://datenschutz.volkswagen.de>

You are also entitled to the following rights when your data is processed by Group Logistics, and you can exercise these rights free of charge at any time. For more information please contact: [datenschutz-auskunft.vwag.r.wob@volkswagen.de](mailto:datenschutz-auskunft.vwag.r.wob@volkswagen.de).



**Right to information:** You have the right to obtain information from us about how we process your personal data. This information report provides an overview of the processing activities in relation to your personal data at Volkswagen AG. You can use this report to make a detailed request. You will find a corresponding form attached.

**Right to rectification:** You have the right to demand from us the rectification of any inaccurate or incomplete personal data concerning yourself.

**Right to erasure:** You have the right to have your data erased if the conditions set out in Article 17 of the GDPR are met. According to this, you can demand, for example, that your data is erased if it is no longer necessary for the purposes for which it was collected. In addition, you can demand erasure if we process your data on the basis of your consent and you withdraw this consent.

**Right to restriction of processing:** You have the right to ask for a restriction of the processing of your data if the conditions set out in Article 18 of the GDPR are met. This is the case, for example, if you dispute the accuracy of your data. You can demand restriction of processing for the period during which the accuracy of the data is being checked.

**Right to object:** you have the right to object to the processing of your data for reasons relating to your specific situation if the processing is based on a legitimate interest of Volkswagen AG or a third party, or takes place in the public interest or the exercise of official authority. If you object to the processing of your data, please notify us of the reasons for your objection. Furthermore, you have the right to object to data processing for the purposes of direct marketing. This also applies to profiling where this is connected to direct marketing.

**Right to data portability:** If data processing is based on consent or performance of a contract and the processing is performed by automated means, you have the right to receive your data in a structured, commonly used and machine-readable format and to transmit this data to another data processor.

**Right to withdraw consent:** If the data processing is based on consent, you have the right to withdraw your consent to the data processing with effect for the future at any time, free of charge.

**Right to lodge a complaint:** You also have the right to lodge a complaint with a supervisory authority (e.g. the Data Protection Officer for the State of Lower Saxony) about our processing of your data. In addition, you have the right to make a claim under civil law.



#### **D. Your contacts**

##### **Contact persons for exercising your rights**

The contact persons for exercising your rights in relation to Group Logistics can be reached at: [datenschutz-auskunft.vwag.r.wob@volkswagen.de](mailto:datenschutz-auskunft.vwag.r.wob@volkswagen.de)

##### **Data protection officer**

Our data protection officer is your contact person for matters relating to data protection:

Data Protection Officer at Volkswagen AG and Group Logistics  
Berliner Ring 2, 38440 Wolfsburg, Germany  
[datenschutz@volkswagen.de](mailto:datenschutz@volkswagen.de)

**Version dated: 20 July 2022**