

Privacy Policy for the performance of internal audits by the Group Audit department

A. Data controller

In this Privacy Policy, we inform you about the processing of your personal data by Volkswagen AG, Berliner Ring 2, 38440 Wolfsburg, Germany (groupaudit@volkswagen.de), entered in the register of companies at Braunschweig District Court under the register no. HRB 100484 ("Volkswagen AG") for the performance of internal audits by the Group Audit department.

B. Collection, processing and use of your personal data

1. Purposes of processing

The Volkswagen AG Audit department performs regularly internal audits at Volkswagen AG and at Group companies (Sections 15 ff. AktG) (*internal audits*). These audits serve the purpose to control whether business processes are executed in compliance with legal requirements and internal corporate policies. The Audit department thereby supports the Group Board of Management in the fulfilment of its consolidated affiliated group obligations for the organisation and due diligence (Sections 91(3), 93(1) p. 1 AktG), its obligation to manage operations (Section 76(1) AktG), reporting to the Supervisory Board (Section 90(1) AktG) and the prevention of non-compliant conduct of the company (Sections 30, 130 OWiG). As part of the internal audits, cost compliance and compliance with the basic principles of economic effectiveness and efficiency are also checked and quality checks are performed (collectively: *audit purposes*).

In connection with the performance of internal audits, your personal data may be processed. The Audit department, to the extent that this is necessary to achieve the respective purpose of the audit, will review documents and systems and hold meetings with employees. Potentially affected by the data processing are employees of Volkswagen AG, Group companies of Volkswagen AG, employees of business partners, customers and other third parties.

2. Relevant data categories

The performance of internal audits can affect any category of your personal data that is available to Volkswagen AG. This is due to the fact that internal audits extend across all business processes and can thereby include all relevant data within the audited business processes in the audit. However, only the data that is required to achieve the purpose of the audit will be included in the respective audit. If possible, personal data is anonymised or pseudonymised in this context.

3. Recipients

Only those persons within the Volkswagen AG have access to your data who require this data for the purposes listed above under B.1.

Volkswagen AG will only share the above named data, and only in compliance with the applicable data protection law, with third parties or other recipients if this is required for the performance of the internal audits or if this is required on any other statutory basis. If Volkswagen AG assigns processors (e.g. service providers), Volkswagen AG ensures the protection of your data by concluding of processing agreements (Article 28 (3) GDPR).

The third parties or other recipients that Volkswagen AG shares your data with depend on the respective internal audit in the individual case. As part of the internal audits, particularly the following recipients are considered:

- **Internal departments:** the Audit department of Volkswagen AG will share your personal data with other departments within Volkswagen AG if this is required to achieve the purposes of the audit (see above under B.1.).
- **Other Group companies:** for a more detailed clarification of facts, your data may have to be transferred to other Group companies of Volkswagen AG. Such Group-internal data transfers are particularly considered if facts affect multiple Group companies.
- **Service providers:** during the performance of internal audits, Volkswagen AG may involve external service providers, such as law firms or auditing companies. In this case, these service providers act as separately responsible controllers for data protection within the meaning of Article 4(7) GDPR and are also obligated to comply with the legal requirements for the protection of your personal data.
- **Processors bound by instructions:** as part of internal audits, Volkswagen AG may involve processors within the meaning of Article 28 GDPR, such as for the provision of data analyses, language or legal competences in the audited process or country. For the protection of your data, Volkswagen AG will ensure that these processors process your data solely on the basis of an effective order processing agreement.
- **Other third parties:** if this is necessary for the performance of the purposes named in this privacy policy, your personal data may also be disclosed to opposing parties, insurance companies or other external offices, such as credit agencies.
- **Courts, authorities and other public offices:** although it is the exception, the results of internal audits may also have to be disclosed to public offices. This may affect German or foreign public prosecutor's offices, courts or other authorities. Such disclosure may particularly be necessary if Volkswagen AG is legally required to disclose the relevant data. For example, this can be the case as part of criminal investigations.

Insofar that this is absolutely required for the purposes of the internal audit (see above under B.1.), Volkswagen AG will also transfer your personal data to recipients that are domiciled outside of the EU/EEA. Volkswagen AG concludes EU standard contractual clauses with these recipients in order to ensure that your personal data is adequately protected. If required by the applicable data protection legislation, other protective measures (such as encryption and additional contractual provisions) are also put in place in order to ensure that your personal data is adequately protected. You can access the EU standard contract clauses via the URL [Standardvertragsklauseln für Verantwortliche und Auftragsverarbeiter in der EU / im EWR | EU-Kommission \(euro-pa.eu\)](https://eudataprivacy.europa.eu/standard-contractual-clauses-for-data-controllers-and-processor-in-the-eu-or-eea/).

4. Legal basis for data processing

Your personal data is processed only for the intended purpose and only if there is a relevant legal basis for doing so.

The purpose described above is based on the following legal bases:

Your personal data is always processed on the basis of a balancing of overriding interests according to Article 6 (1)(f) GDPR. Volkswagen AG has a legitimate interest in the processing of your data to achieve the purposes of the audit (see above under B.1.).

In addition, we can base our processing of personal data as part of internal audits on the same legal basis as for the audited business process, such as a legal obligation under the employment law to transfer certain social data (Section 6(1)(c), 9(2)(b) GDPR in conjunction with Section 67a SGB X). The internal audit must ensure the regularity of the respective business process and thereby serves the same purpose as the respective audited business process. This also applies if the achievement of the audit purposes requires the processing of sensitive data (Section 9, 10 GDPR) as an exception. We are providing information on the data processing within the respective business processes in detail in our separate privacy policies.

Section C of this policy provides information on your rights, including the right to object to the processing of your personal data.

5. Joint internal audits ("Joint Audits")

The internal audits described in this Privacy Policy can also be conducted as so-called "Joint Audits" by Volkswagen AG and one of its Group companies (collectively **Joint Audit Partners**) as jointly responsible parties under data protection law. This means that the joint audit partners process personal data collectively insofar that this is required to achieve the audit purposes (see above under B.1.).

The joint audit partners will check separately in each individual case which measures are appropriate, necessary and proportionate for the clarification of relevant facts.

The joint audit partners have concluded a transparent agreement for the bases of the joint processing of your personal data and have coordinated their responsibilities. In particular, they have agreed that

- you, as a data subject, can contact each joint audit partner to exercise your rights. If you are an employee of one of the joint audit partners, you can also exercise these rights toward your employer. The joint audit partners will mutually support each other to respond to your data subject rights request in the best way possible and/or implement your data subject rights.
- Both partners will comply with the obligations to provide information according to Section 13 and 14 GDPR to ensure the best possible provision of information to the data subjects.
- Data is only processed for the purposes of the internal audit as described in this Privacy Policy.

You can find further information in the specific privacy policies for the joint audits, which we will provide in the individual case.

6. Duration of processing and erasure of data

Your data will only be stored as long as this is required for the purposes of the processing, unless otherwise indicated by other legal reasons.

With the exception of information on the respective audit teams and recipients of the internal audit reports, we do not include personal data in internal audit reports.

As a rule, the audit documentation is erased no later than 7 years after it was created. This serves the assurance of the obligation to document and provide evidence of an internal audit.

C. Your rights

You can exercise your rights below toward Volkswagen AG, or in the case of joint audits, toward each joint audit partner at any time and free of charge. The relevant contact details for exercising your rights are provided in Section D.

Right to information: you have the right to obtain information from us about how we process your personal data.

Right to rectification: you have the right to demand the immediate correction of incorrect or incomplete information of your personal data that is stored by us.

Right to erasure: you have the right to have your data erased if the conditions set out in Section 17 GDPR are met. According to this, you can request, for example, that your data be erased if it is no longer necessary for the purposes for which it was collected. In addition, you can request 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 request a restriction of the processing of your data if the conditions set out in Section 18 GDPR are met. This is the case, for example, if you dispute the accuracy of your data. You can request restriction of processing for the period during which the accuracy of the data is being checked.

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

Right to object: you have the right to object to the processing of your data in the following cases:

- **If processing takes place for direct marketing purposes (including profiling for direct marketing purposes).**
- **If processing (including profiling) takes place on the grounds of the following legal bases:**

- **Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us (Section 6(1)(e) GDPR).**
- **Processing is necessary for the purposes of protecting our or a third party's legitimate interests (Section 6(1)(f) GDPR) and we are not able to demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims. If you do raise any objection of this kind, we kindly request that you in-form us of the reasons why you are objecting to data processing.**

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

Right of complaint: you also have the right to lodge a complaint about our processing of your data with a supervisory authority (such as the Data Protection Commissioner for the State of Lower Saxony [Landesbeauftragte für den Datenschutz Niedersachsen]).

D. Your contact persons

Contact persons for exercising your rights

The contact persons for exercising your rights, along with further information, can be found on the following website: <https://datenschutz.volkswagen.de>.

Data protection officer

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

Data Protection Officer, Volkswagen AG,
Berliner Ring 2, 38440 Wolfsburg, Germany

dataprivacy@volkswagen.de

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