



# **“Sales, Services and Marketing Measures” Privacy Policy in the European market**

Dear customer,

As part of your visit, your Volkswagen dealership carries out all the processes necessary to provide the stipulated service and to satisfy your requirements. This typically leads to a series of processes in which information about you as a customer and your vehicle is processed and in which Volkswagen AG is involved as the manufacturer of your vehicle. In particular, this involves handling service processes and new car or used car purchases, or conducting customer surveys. We will inform you of the relevant data processing by Volkswagen AG in the following sections.

## **A. Controller**

This privacy policy provides information on the collection, processing and use of your personal data by 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 register no. HRB 100484 (“Volkswagen AG”).

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

### **I. General information**

Electronic control units are installed in your vehicle. Control units process data that they receive from vehicle sensors, generate themselves or exchange with other control units, for example. Some control units are required for the safe functioning of your vehicle, others support you while driving (driver assist systems), and others enable convenience or infotainment functions. In particular, the control units required for the functioning of your vehicle play an important role in services such as repair and maintenance orders.

If you make use of services, the operating data stored can be read out and used together with the vehicle identification number (“VIN”) if necessary. It can be read out from the vehicle by employees of the service network (e.g. workshops, manufacturers) or third parties (e.g. breakdown services). The same applies to warranty claims and quality assurance measures.

Volkswagen AG may also process your personal data in individual cases as part of new or used car purchase processing or when conducting customer surveys.

### **II. Reference to a specific person**

In order to be able to provide certain services for your vehicle, it is necessary to collect vehicle-specific information about your vehicle. Information regarding the basic vehicle data, including the VIN, equipment features and construction status, is stored by us as the manufacturer of your vehicle to enable services such as the repair or replacement of vehicle parts over the entire service life of a vehicle.



Therefore, the data generated or processed by control units can be personal – or can be considered personal under certain conditions.

### **III. Data processing by Volkswagen AG**

Below you will find the specific processing purposes, the personal data that Volkswagen AG processes for these purposes, and the legal basis and storage period of the data.

#### **1. 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 legal CO<sub>2</sub> emissions 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.

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 fleet customer. The legitimate interest involves fulfilling existing claims for old price billing, including in the interests of customer satisfaction, and complying with existing claims for old price billing and compliance with the dealership contract.

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

#### **2. Warranty and guarantee claims, maintenance and wear packages, and goodwill**

In order to check and process guarantee and warranty claims, as well as maintenance and wear packages, Volkswagen AG processes your name, address, VIN, repair and invoice data and the construction status of your vehicle.

Volkswagen AG is happy to comply with existing claims arising from guarantee and warranty claims, as well as maintenance and wear packages. For this purpose, Volkswagen AG first checks whether claims are valid or are excluded, for example, due to modifications to the vehicle's construction status (e.g. tuning, conversions etc.) made by an owner. For this check, Volkswagen AG uses your contact and vehicle data.

The VIN, construction status data and mileage are also processed at the importer level to prepare and conduct



warranty audits. These audits are required to check the proper application of the manufacturer's warranty specifications.

In addition, Volkswagen AG processes your personal data in the case of goodwill guarantees in the event of major damage (e.g. caused by hail or storm) or in the event of faults in the equipment of new vehicles you have ordered.

Volkswagen AG processes this data to fulfil the terms of your contract (see Article 6 (1) (b) GDPR) or on the basis of an overriding legitimate interest in accordance with Article 6 (1) (f) GDPR.

Your data that we process for handling guarantee and warranty claims as well as goodwill cases will be deleted, at the latest, 15 years after processing the transaction.

### **3. Mobility guarantee**

For the ID models, VW AG is responsible for the implementation of the mobility guarantee; for all other models in the European region outside Germany, the respective importer is the responsible entity. You can, therefore, obtain further information on data processing from the respective importer.

If you have taken out a mobility guarantee, Volkswagen AG processes your name, contact details and the VIN and data of your vehicle when you use services provided on the basis of this guarantee.

With the aid of this data, Volkswagen AG checks whether you are entitled to the service provided. The data is also required to be able to offer you the specific service.

For example, if you use Roadside Assistance, we will also process your current location and the presumed reason for your vehicle's breakdown.

This data is required to provide immediate telephone assistance or, if necessary, to commission a Volkswagen dealership in the immediate vicinity to provide Roadside Assistance.

A mobility guarantee is automatically linked to the purchase or leasing of a Volkswagen ID family vehicle. The content of the mobility guarantee can be found in the warranty conditions provided. If you claim services from this warranty, your private identification data, your contact data, your address and your vehicle configuration data will be processed by Volkswagen AG.

With the aid of this data, Volkswagen AG checks whether you are entitled to the service provided. The data is also required to be able to offer you the specific service. If you use additional services, such as immediate assistance by telephone, courtesy cars or other mobility alternatives, your location data, driving licence information, credit card data and also the personal data of passengers may also be recorded and processed. This data is required to provide immediate telephone assistance or, if necessary, to commission a Volkswagen dealership or contracted provider in the immediate vicinity to provide Roadside Assistance. The Volkswagen dealerships or the contracted providers process the personal data under their own responsibility.

This data is processed to fulfil the terms of your mobility guarantee claim or mobility guarantee contract (see Article 6 (1) (b) GDPR).



For the processing and billing of breakdowns, such as the acceptance of the customer's request by telephone or the internal billing of costs, for the German market, Volkswagen AG uses Volkswagen Deutschland GmbH & Co. KG and Volkswagen Group Service GmbH as order processors. In certain cases (e.g. if the vehicle has to be transported or a service has to be invoiced), it may be necessary for arc europe S.A. in Brussels to act as an order processor for Volkswagen AG in the European market for the ID models, which themselves commission service providers in the respective country. After handling and offsetting the services in the event of a breakdown, your private identification data (VIN) and your vehicle configuration are transferred from the Volkswagen dealership to Volkswagen AG. This transfer is based on the legitimate interest of Volkswagen AG (see Article 6 (1) ( f ) GDPR).

The legitimate interest of Volkswagen AG is to enable the best possible service for sold vehicles in terms of problem situations and breakdown situations. The vehicles are equipped with a mobility guarantee. This guarantee improves customer retention and also promotes vehicle sales.

Personally identifiable data are recorded in order to handle and settle breakdown assistance. In doing so, the non-disclosure obligation and all Group data protection rules are taken into account and ensured.

The data is usually deleted six months after the order date. This excludes the deletion of tax-relevant data, which is deleted after a retention period of 15 years.

#### **4. Replacement parts**

When certain replacement parts are ordered, Volkswagen AG receives the VIN of your vehicle, the equipment features and construction status of your vehicle, and the part number of the replacement part to be ordered. There are components in the vehicle that are specially manufactured for a vehicle and only fit specific vehicles (e.g. the key). Volkswagen AG requires this data to be able to provide the parts suitable for your vehicle.

Volkswagen AG processes this data to be able to fulfil the terms of your contract (see Article 6 (1) ( b ) GDPR).

In addition, when ordering such vehicle parts, a check is made as to whether the vehicle has been reported as scrapped or stolen. In these cases, the order is not executed.

This data processing is both in the legitimate interest of Volkswagen AG and the interests of those affected (see Article 6 (1) ( f ) GDPR). Volkswagen AG has an interest in preventing unauthorised access to your vehicle, initiating the necessary steps for an investigation and preventing the unauthorised enforcement of claims arising from a guarantee or warranty.

Your data is usually deleted 12 months after the order date. This excludes the deletion of tax-relevant data, which is deleted after a retention period of 15 years.

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

For the purposes of product liability and field monitoring, Volkswagen AG receives the VIN, the construction status, the equipment, software version, vehicle operating values, other vehicle health data 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.

The data processing is necessary for the fulfilment of a legal obligation (see Art. 6 (1) (c) GDPR) or on the basis of an overriding legitimate interest (see Art. 6 (1) (f) GDPR). For the identification and analysis of anomalies and errors, the data of your vehicle and other vehicles are combined by Volkswagen AG. Only by taking a holistic view can a high level of quality and freedom from defects of the products brought to market be ensured at economically reasonable expense in the interest of the Volkswagen Group and in the interest of the customers.

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

## **6. 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.

## **7. Service quality and customer care**

In order to answer any enquiries relating to a new or used car purchase or customer care and to guarantee you a high quality of service, Volkswagen AG processes the general data of your vehicle, such as the VIN and data about repairs to your vehicle that have already been carried out.

In this way, Volkswagen AG enables importers, dealerships and workshops to handle services in the most efficient way. This has the advantage for you that you can expect a high repair quality and avoid repeat repairs. In addition, the importer is able to provide sound answers to enquiries in your interest with the assistance of Volkswagen AG.

Volkswagen AG draws on an overriding legitimate interest in this regard (see Article 6 (1) (f) GDPR). The aim of this is to enable dealerships and/or workshops and Customer Care to provide you with the best possible service.

The data processed in this case is usually deleted directly after answering an enquiry or, in case of repair, after 15 years.

In addition, based on the VIN, Volkswagen AG provides importers, dealerships and workshops with information on the status of the digital products of your vehicle, in as far as your vehicle is technically enabled for their use. The aim is to allow enquiries relating to a new or used car purchase or in the workshop to be answered with a high service quality and to address customers actively in order to inform them of any usage restrictions, such as



online navigation, voice control or the possibility of over the air updates if you have not installed the product portfolio or do not have the full product portfolio or when the initial licence period is about to expire.

Volkswagen AG draws on an overriding legitimate interest in this regard (see Article 6 (1) (f) GDPR). This interest lies in enabling the dealerships and workshops to provide the best possible advisory and support services for you.

The data processed here is deleted in accordance with the legal requirements.

### **8. Ensuring and improving product quality and fault rectification**

In order to ensure the quality of our products, to improve them where necessary and to detect and remedy faults as quickly as possible, Volkswagen AG processes your vehicle's VIN, equipment features, construction status, repair data and complaints.

Volkswagen AG leans on an overriding legitimate interest in this regard (see Article 6 (1) (f) GDPR). This is founded in the identification, analysis, implementation of measures and the use of measures in the case of key issues identified for improving the product and customer satisfaction.

The data processed for ensuring and improving product quality will usually be deleted after 15 years.

### **9. 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 that are offered to you either directly by your Volkswagen dealership or which you may 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.

### **10. Reading out on-board fuel consumption monitoring data (OBFCM data)**

For compliance with legal requirements (Commission Implementing Regulation (EU) No. 2021/392), vehicle data recording fuel consumption and kilometres driven (known as on-board fuel consumption monitoring data) is read out when vehicles are taken in for service or repairs and sent to the European Commission together with the vehicle identification number.

Data processing, transfer and storage is regulated by the provisions of this legal requirement; customers may



withdraw their consent to such activities prior to the data being read out in the authorised workshop.

Your data is deleted after 15 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.

#### **IV. 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. These determine the current value of the vehicle on your behalf.

As part of 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. Data is passed on to production facilities and suppliers within Volkswagen Group as well as to third-party manufacturers of parts/component/system suppliers for the purpose of product liability and field monitoring. 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.

#### **V. Data transfer 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 find further information on exercising your rights on the following website: <https://datenschutz.volkswagen.de/?lang=en-gb>

**Right to information:** You have the right to obtain information from us regarding the processing of your personal data.

**Right to rectification:** You have the right to obtain 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 if processing is based on an overriding interest or your data is used for the purposes of direct advertising. An objection is permitted if processing is conducted either in the public interest or for the exercise of official authority, or if it is conducted for a legitimate interest of Volkswagen AG or of a third party. 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:** 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 contacts**

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

The names of contact persons for the exercising of your rights and further information can be found on the following website <https://datenschutz.volkswagen.de/?lang=en-gb>.

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

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

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

**Version dated: 11 April 2022**