

VOLKSWAGEN GROUP

Privacy Policy for business partners and employees of business partners of Volkswagen AG

In this document, we provide you with information on the processing of your personal data – in your capacity as a business partner or an employee of a business partner – by Volkswagen AG as the sole controller or by Volkswagen AG and its Group companies as joint controllers in terms of data protection.

This Privacy Policy does not cover the processing of your data outside the scope of the data processing operations described in the information that follows, particularly where any such operations are performed by Group companies of the Volkswagen Group as sole controllers in terms of data protection. In this respect, the only privacy policies that apply are separate privacy policies made available to you for any such data processing operations performed by Volkswagen AG or Group companies.

1. Who is responsible for data processing and who can I contact?

a. Controller(s)

Where the processing of your personal data is concerned,

Volkswagen AG

Berliner Ring 2, 38440 Wolfsburg, Germany
Braunschweig District Court – HRB 100484

is either the sole controller or a joint controller together with the **Group companies** in terms of data protection, as defined by Article 4(7) of the General Data Protection Regulation European Union (Regulation (EU) 2016/679 – **GDPR**).

Clause 3 below indicates whether data is being processed by Volkswagen AG as the sole controller or by Volkswagen AG and the Group companies as joint controllers in terms of data protection.

Volkswagen AG and the Group companies have concluded agreements within the meaning of Article 26 GDPR with regard to their joint control. We shall make the principal content of these agreements available to you on request. Please use the contact options below if you would like to request this.

b. Contact options for data subjects under data protection law

Data subject rights

Please use the form below if you wish to assert your data subject rights (for example, the right to access information about the processing of your personal data within the meaning of Article 15 GDPR).

[Data subject rights form for suppliers and service providers](#)

After completing the form, simply click "Send request" to submit it.

Other enquiries

For any other enquiries, please use the contact options below:

Data subject rights office for suppliers and service providers

Hours: Monday to Friday, 8:00 am to 4:00 pm (CET)

Contact: Tel.: +49 5361 9-46290

datenschutz@VWGroupSupply.com

c. Data protection officer

You can contact the Volkswagen AG data protection officer as follows:

Datenschutzbeauftragter der Volkswagen AG

Berliner Ring 2, 38440 Wolfsburg, Germany

dataprivacy@volkswagen.de

2. What data do we process and what sources does it come from?

We process personal data that we obtain from you with your permission or that we collect about you in a permissible manner as part of our business relationship with you as a business partner or as an employee of a business partner, and as part of your interaction with us. This includes, in particular, the use of IT systems (including web pages and platforms) and communication media, contact with employees or customer care, information that we obtain from your supervisors and colleagues, newsletter registrations, participation in education and training, participation in events, and the receipt of non-cash benefits.

Relevant personal data includes the following in particular:

Occupational and organisational data, such as your surname, first name, title, academic qualifications, sex/gender, address, name of the company you work for plus your department and duties, work email address, phone number, work address, job title, tasks and duties, qualifications, education and training data, language skills and job-related appraisals,

Private contact details and basic data, such as your address, email address, phone number, date and place of birth (for identification purposes, especially if you are applying for rights of use for IT systems) and nationality (so that any specific national laws can be considered),

Data on personal circumstances and preferences, such as preferred brands or models, hobbies, accommodation and catering preferences, honorary positions, memberships and data protection-related declarations such as declarations of consent to the processing of personal data,

Recordings (photos, videos, sound) , such as your plant ID photo and recordings published on the basis of separate consent,

Health-related data, such as accidents on plant premises,

IT usage data, such as user and login data (logins and authentications on IT systems, for example), username, roles, authorisations, user ID, password, PKI, etc., log data (relating to security) if IT security requirements exist for the system being used, log data (relating to operational security) such as technical logs, login times and logout times, log data (field-specific) such as technical logs, activity history, software and hardware data such as the IP address, MAC address, computer name, provisional machine number, serial numbers and IMEI

Data from permissible monitoring facilities, such as video monitoring systems and access details for plant premises and specially secured areas,

Vehicle data, such as the model, make and registration number

Information on working materials and allocation plans, such as mobile phones (including smartphones), tablets, laptops, locker allocation and access authorisation,

Miscellaneous: where applicable, we also process other personal data that you provide as part of our interaction (such as ID data or IT system usage data), that you provide during contact with our employees, or that we collect by permissible means from publicly available sources (such as the register of companies, credit agencies including Schufa, the press or publications).

3. For which purposes do we process your data and what is the legal basis for this?

We always process your personal data for a certain purpose and only to the extent that this is necessary for the fulfilment of this purpose.

a. General information

As a general rule, **personal data** may be processed on the following legal bases:

- You have given your consent (Article 6(1)(a) GDPR);
- Processing is necessary for the performance of a contract to which you are a contracting party or to implement pre-contractual measures pursuant to your enquiry (Article 6(1)(b) GDPR);
- Processing is necessary for the fulfilment of a legal obligation to which we are subject under EU law or the law of an EU member state (Article 6(1)(c) GDPR);
- Processing is necessary in order to protect your vital interests or those of another natural person (Article 6(1)(d) GDPR);
- 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 the legitimate interests pursued by us or by a third party, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data (Article 6(1)(f) GDPR).

In specific cases where we process **special categories of personal data**, there may be deviations from the provisions above on the basis of the following:

- You have given your explicit consent (Article 9(2)(a) GDPR);
- Processing is necessary to protect your vital interests or those of another natural person and you are physically or legally incapable of giving your consent (Article 9(2)(c) GDPR);
- Processing relates to personal data which you have manifestly made public (Article 9(2)(e) GDPR);
- Processing is necessary for the establishment, exercise or defence of legal claims (Article 9(2)(f) GDPR);
- Processing is necessary for reasons of substantial public interest, on the basis of Union or member state law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject (Article 9(2)(g) GDPR in conjunction with special legislation);
- Processing is necessary for the purposes of preventive medicine, for the assessment of your working capacity, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services or pursuant to your contract with a health professional and if this data is processed by health professionals or other persons subject to the obligation of professional secrecy or under their supervision (Section 22(1) no. 1 (b) of the German Federal Data Protection Act (BDSG)).

Special categories of personal data refer to personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

The **following outlines** provide a more specific definition of the legal basis on which – and the purpose for which – the personal data stated under Clause 2 may be processed: The data processing operations stipulated under **b.** are under the sole control of Volkswagen AG in terms of data protection. The data processing operations stipulated under **c.** are under the joint control of Volkswagen AG and other Group companies in terms of data protection.

b. Data processing under the sole control of Volkswagen AG

Objective	Examples	Legal basis	Legitimate interest in the balancing of interests
Establishing contact for the	General communication	Contract origination and	

<p>preparation, execution and termination of a business relationship between Volkswagen AG and the business partner for whom you work or, if applicable, with yourself outside of the context of the processes named under c.</p>	<p>Processing of orders and acquisitions based on contracts (e.g. nomination agreement, framework agreement, order)</p> <p>Enquiries pertaining to current orders (change requests, changes in capacity etc.)</p> <p>Appointment scheduling, event/participant management</p> <p>Invoicing between Volkswagen AG and the business partner, invoicing of service periods or settlement of expenses or costs</p> <p>Contact person for the business relationship, divisions, departments, projects, cooperation between the business partners</p> <p>Cooperation as part of the business relationship, projects</p>	<p>performance of a contract</p>	
<p>Execution and processing of Volkswagen AG procurement processes and internal processes for the execution of the business relationship outside of the context of the processes stated under c.</p>	<p>Processing of orders and acquisitions based on contracts (e.g. nomination agreement, framework agreement, order)</p> <p>Reporting and reporting administration</p> <p>Compliance with control and reporting obligations under tax law, data archiving</p> <p>Accounting, debt collection</p>	<p>Fulfilment of legal obligations, contract origination and performance of a contract</p>	
<p>Creation and management of access authorisations for the plant premises, areas, and buildings; security of the Volkswagen AG plant premises</p>	<p>Creation of plant IDs and access authorisations</p> <p>Identification of visitors and those with access authorisations</p> <p>Visitor administration, issue of visitor passes</p> <p>Issue of entry and/or parking authorisations for vehicles visiting the plant</p> <p>Video monitoring for plant premises</p>	<p>Contract origination and performance of a contract, balancing of interests</p>	<p>Safeguarding of our business and trade secrets, safeguarding of our domiciliary right, control of authorisations to access our buildings and properties</p>
<p>IT administration not covered in the processes specified in c.</p>	<p>User management (allocation of access rights, IT support, system access, permissions management)</p> <p>Verification of changes to information in applications</p> <p>Unambiguous identification of the user for the secure operation of applications</p> <p>Identification of errors and guarantee of system security, including exposure and tracking of unauthorised access attempts and access to our web server</p>	<p>Balancing of interests, contract origination and performance of a contract, compliance with our legal obligations on data security</p>	<p>Guarantee of security and integrity of processes when using our systems, rectification of errors and exposure and tracking of unauthorised access and/or access attempts</p>

Project organisation and management	<p>Participation in projects</p> <p>Exchanging information on projects with other business partners</p>	<p>Contract origination and performance of a contract</p>	
Taxes	<p>Identification and reporting of monetary benefits from benefits in kind</p> <p>Legal documentation regarding recipients of hospitality and gifts</p>	<p>Fulfilling our legal obligations in relation to taxation</p>	
Catering	<p>Cashless payments</p> <p>Plant ID credit balance complaints</p>	<p>Contract origination and performance of a contract (hospitality contract/plant ID payment function)</p>	
Health protection	<p>Medical care in the event of work-related accidents or accidents on the way to work, and accidents on the plant premises</p> <p>Medical care (acute medicine, medical emergency calls, work-related accidents, occupational health examinations and care, outpatient clinics, medical advice, functional diagnostics, medical history, laboratory analysis)</p>	<p>Consent, preventive medicine, medical diagnostics, protection of vital interests, Section 22(1) no. 1 (b) BDSG</p>	
Establishing contact for the purpose of preparing for and holding events (such as congresses, conferences, conventions and trade fairs)	<p>General communication</p> <p>Document exchange</p> <p>Exchanging information in order to prepare for an event</p>	<p>Balancing of interests, Contract origination and performance of a contract</p>	<p>Manageable design of processes for sending invitations to, preparing for and holding events</p>
Internal audit	<p>Regular and special audits</p> <p>Internal investigations</p>	<p>Balancing of interests</p>	<p>Checking compliance with the contractual and statutory obligations of Volkswagen AG, business partners and employees</p>
Protection and defence of our rights or disclosure as part of official/judicial measures	<p>Exercise and assertion of rights and claims</p> <p>Disclosure within the scope of official/judicial measures for the purposes of obtaining evidence, criminal prosecutions and the assertion of civil claims</p> <p>Processing of reported data protection breaches and requests of data subjects</p>	<p>Fulfilment of legal obligations, balancing of interests</p>	<p>Assertion and defence of our rights and compliance with legal and regulatory requirements</p>

according to the GDPR, provided this data processing is under our sole control

Prevention, combat and investigation of terrorist financing and criminal offences that endanger assets, checking European and international anti-terror lists	Checking anti-terror lists	Compliance with legal obligations and regulatory requirements	
Retention and archiving	Archiving based on retention obligations under basic tax and commercial law	Fulfilment of legal and official obligations, balancing of interests	Fulfilment of internal guidelines and industry standards
Prevention of fraud and money laundering		Compliance with legal and regulatory requirements	
Statistical evaluations for the purposes of corporate management, cost recording and controlling	Reporting on key business figures	Balancing of interests	Evaluations for the purpose of managing our business processes and cost control
Conducting surveys and marketing campaigns	Conducting surveys, marketing campaigns, market analyses, prize draws, competitions and similar promotional events	Balancing of interests, consent	Evaluations for the purpose of managing our business processes and cost control
Trialling, developing and further developing our products, quality assurance, product improvement	Processing data on the use of a trial/test vehicle (e.g. driving and operating behaviour, positioning and movement data, video and audio data) captured during trial/test driver activity as part of product development and/or quality assurance and during Acceptance Road Tests	Balancing of interests, consent	Trialling, developing and further developing our products, quality assurance, product improvement

c. Data processing under the joint control of Volkswagen AG and Group companies belonging to the Volkswagen Group

Objective	Examples	Legal basis	Legitimate interest in the balancing of interests
Establishing contact for the	General communication	Contract origination and	

<p>preparation, execution and termination of a business relationship between Volkswagen AG or a Group company and the business partner for whom you work or, if applicable, with yourself within the context of the procurement processes developed across the Group</p>	<p>Processing of orders and acquisitions based on contracts (e.g. framework agreement, order)</p> <p>Enquiries pertaining to current orders (change requests, changes in capacity etc.)</p>	<p>performance of a contract</p>
<p>Execution and processing of Volkswagen AG procurement processes and internal processes for the execution of the business relationship within the context of the procurement processes developed across the Group</p>	<p>Processing of orders and acquisitions based on contracts (e.g. framework agreement, order)</p> <p>Reporting and reporting administration</p> <p>Compliance with control and reporting obligations under tax law, data archiving</p> <p>Accounting, debt collection</p>	<p>Fulfilment of legal obligations, contract origination and performance of a contract</p>
<p>IT administration outside of the procurement processes developed across the Group</p>	<p>User management (allocation of access rights, IT support, system access, permissions management)</p> <p>Verification of changes to information in applications</p> <p>Unambiguous identification of the user for the secure operation of applications</p> <p>Identification of errors and guarantee of system security, including exposure and tracking of unauthorised access attempts and access to our web server</p>	<p>Balancing of interests, contract origination and performance of a contract, compliance with our legal obligations on data security</p> <p>Guarantee of security and integrity of processes when using our systems, rectification of errors and exposure and tracking of unauthorised access and/or access attempts</p>

The list of participating Group companies is available to view and download here:

[List of Group companies](#)

4. Is it mandatory to make personal data available?

In the context of the business relationship and/or our interactions with you, you only have to provide the personal data that is necessary for those interactions or that we are required by law to collect. If you have to make personal data available to us due to a legal or contractual obligation, we will make

you aware of this fact when collecting the data, with reference to the obligation in question. If you do not provide us with the relevant data, certain services may not be provided.

5. Who will receive my data?

Within Volkswagen AG and the Group companies, those bodies receive your data that need it for their work (e.g. Sales Germany, IT).

Service providers we commission that act on our behalf (known as processors) may also receive data for these purposes. These service providers include:

- Group companies of the Volkswagen Group that provide services (e.g. IT services)
- Printing service providers
- Media service providers and shipping agencies
- Archiving service providers
- Hosting service providers
- IT service providers (e.g. support, maintenance)
- Development service providers that are acting on our behalf
- Event service providers
- Logistics/warehouse companies
- Consulting service providers

In addition, we may pass on your personal data to the extent necessary to achieve the aforementioned purposes to the following categories of recipients who act as data controllers in the sense of data protection law:

- Other Group companies within the scope of the data processing operations for which they are joint controllers as described in Clause 3, as well as customers, other business partners (e.g. development partners, consulting service providers, lawyers, tax consultants, auditors) and suppliers of the Group companies with whom you interact in the course of the professional activities or business activities you conduct with us
- Universities
- Insurance providers
- Authorities within the scope of their responsibility (e.g. tax offices, police, public authorities, social security bodies)
- Courts
- Other third parties insofar as you instruct us to pass on data or give your consent.

6. Is data transferred to third countries?

As a rule, we do not transfer your data to third countries (countries that are members of neither the European Union nor the European Economic Area).

As part of the data processing operations described in Clause 3 for which Volkswagen AG and other Group companies are joint controllers, we will also transfer your data within the Group to recipients outside the European Union or the European Economic Area. In individual cases, our processors will also process personal data in countries outside the European Union or European Economic Area.

Data is only transferred to third countries if a sufficient level of data protection in the third country is ensured pursuant to the adequacy decision by the European Commission or appropriate safeguards can be provided (such as data protection contracts using the standard data protection clauses of the European Commission) to ensure the appropriate protection of your personal data. Within the framework of the agreements between Volkswagen AG and the Group companies relating to joint control within the meaning of Article 26 GDPR, an appropriate, uniform data protection level is guaranteed by the European Commission's standard data protection clauses. The agreements with processors also regularly provide for the conclusion of standard data protection clauses of the European Commission to ensure an adequate level of data protection. A copy of these safeguards will be provided on request. Please use the contact information provided earlier if you wish to request this.

7. How long will my data be stored?

We store your personal data as long as this is necessary for the purpose for which we have collected it. This means that we regularly store your data for the duration of our business relationship with you, or with the business partner for whom you work, or for your interaction with us.

In addition, we are subject to various retention and documentation obligations resulting from legislation including the German Commercial Code (HGB) and the German Fiscal Code (AO). The retention and documentation period specified in the said legislation is up to ten years. Irrespective of the purpose for which we collected your data, we store it to the extent necessary to satisfy these retention and documentation obligations. Ultimately, the storage period is also based on the statutory limitation periods, which may be up to 30 years pursuant to Sections 195 ff. of the German Civil Code (BGB), for example; the standard limitation period is three years.

In certain circumstances, your data must also be kept for a longer period, e.g. in relation to a legal hold or litigation hold (i.e. a prohibition of data deletion for the duration of the legal proceedings) that is ordered in connection with an official or legal case.

8. What rights do I have?

As a data subject, you are entitled to the following data protection rights within the framework of the statutory provisions:

Access: You have the right to request access to the data stored concerning you and the scope of data processing and transfer carried out, and to receive a copy of the personal data stored concerning you.

Rectification: You have the right to request that stored personal data concerning you that is incorrect or incomplete be rectified or completed.

Erasure:

You have the right to demand the erasure of personal data stored concerning you if the legal requirements are met. In particular, this is the case if

- your personal data is no longer required for the purposes for which it was collected;
- you have withdrawn your consent, which was the sole legal basis for processing;
- for personal reasons, you have objected to processing whereby the legal basis is balancing of interests, and we are not able to demonstrate that there are overriding compelling reasons for processing;
- your personal data has been processed unlawfully;
- your personal data must be erased to comply with legal requirements;

If we have passed on your data to third parties, we will inform them of the erasure, to the extent that this is required by law. Please note that your right of erasure is subject to restrictions. For example, we must not and may not erase any data that we have to retain due to statutory retention periods. Furthermore, data that we require for the assertion, exercise or defence of legal claims is also excluded from your right to erasure.

Restriction of processing:

Under certain conditions, you have the right to request that processing is restricted (e.g. by marking stored personal data with the aim of limiting its processing in the future). These conditions are:

- You dispute the accuracy of the personal data and we need to verify the accuracy of the personal data;
- The processing is unlawful, but you oppose the erasure of the personal data and instead request restriction of the use of the personal data;
- We no longer require your personal data for the purposes of processing, but you need the data for the assertion, exercise or defence of legal claims;
- You have objected to the processing and it has not yet been ascertained whether our legitimate grounds outweigh yours.

In the event of restriction of processing, the data will be flagged accordingly and – apart from being stored – will only be processed with your consent or for the assertion, exercise or defence of legal claims, or to protect the rights of another natural or legal person or

for reasons of substantial public interest of the EU or an EU member state.

Data portability:

If we process the personal data that you have provided to us automatically based on your consent or a contract with you, you have the right to receive the data in a structured, commonly used and machine-readable format and to transmit this data to another data controller without impediment by us. You also have the right to have the personal data transmitted directly from us to another data controller, insofar as this is technically feasible and insofar as this does not affect the rights and freedom of other persons.

Revocation of consent:

If you have given your consent to the processing of your personal data, you can revoke this at any time. Please note that the revocation is only effective for the future. Any data that was processed prior to the withdrawal of consent is unaffected.

Complaints:

In addition, you have a right to lodge a complaint with a data protection authority if you believe that the processing of your personal data is being performed unlawfully. The right to lodge a complaint exists without prejudice to any other regulatory or judicial legal remedy. The address of the data protection supervisory authority responsible for Volkswagen AG is:

The Data Protection Officer for the State of Lower Saxony
Prinzenstraße 5
30159 Hanover, Germany

Information on your right to object

Right to object for personal reasons

You have the right to submit an objection to the processing of your personal data for reasons relating to your specific circumstances. The prerequisite for this is that the data is being processed in the public interest or on the basis of balancing of interests. The same applies to profiling.

In the event of an objection, we will no longer process your personal data. unless:

- we can provide compelling and legitimate reasons for processing the data that override your interests, rights and freedoms, or
- your personal data is being used to assert, exercise or defend legal claims.

If we are processing your personal data on the basis of balancing of interests, we are working on the fundamental assumption that we can provide compelling and legitimate reasons that permit us to process the data despite your objection; however, we will of course assess every individual case.

Exercising your right to object

You may submit an objection in any format; where possible, it should be submitted to the contact details provided in this Privacy Policy.