

Information on the processing of personal data pursuant to Art. 13 and Art. 14 GDPR



Creator: DAPO

Date: 2024/10/06

Introduction

The protection of your personal data is important to us and a special concern. Compliance with the statutory provisions is a matter of course for us. The following information will give you an overview of the processing of your personal data by us and your rights under data protection law.

1) Name and contact details of the person responsible [Art. 13 (1) (a) and Art. 14 (1) (a) GDPR]

Responsible for the processing of your personal data is the:

PWO AG ("PWO")
Industriestrasse 8, 77704 Oberkirch, Germany
+49 7802 84-0, info.de@pwo-group.com

2) Contact details of the Data Protection Officer [Art. 13 (1) (b) and Art. 14 (1) (b) GDPR]

You can reach our Data Protection Officer at:

Data Protection Officer
PWO AG
Industriestrasse 8, 77704 Oberkirch, Germany
+49 7802 84-0, datenschutz@pwo-group.com

3) Purposes and legal bases of the processing [Art. 13 (1) (c) and Art. 14 (1) (c) GDPR]

a) General

Consent [Art. 6 (1) (a) GDPR]:

If you have given us permission to process personal data for certain purposes, the lawfulness of this processing is given on the basis of your consent.

b) Customers

Performance of a contract or implementation of pre-contractual measures [Art. 6 (1) (b) GDPR]:

Processing takes place within the framework of the execution of contracts to which you are a party or at your request for the execution of pre-contractual measures. The purposes of the data processing depend on the respective contractual documents and subject matter of the contract, in this case therefore on the customer (framework) contract existing with you.

c) Suppliers

Performance of a contract or implementation of pre-contractual measures [Art. 6 (1) (b) GDPR]:

Processing takes place within the framework of the implementation of contracts or at your request for the implementation of pre-contractual measures. The purposes of data processing depend on the respective contractual documents and subject matter of the contract and are hereinafter referred to as the supplier contract.

d) Visitors

- Performance of a contract or implementation of pre-contractual measures [Art. 6 (1) (b) GDPR]:

Processing takes place within the framework of the implementation of contracts or at your request for the implementation of pre-contractual measures. The purposes of the data processing depend on the respective contract documents and contractual object and can in this case be present by contracts in the context of outside company management, customer contracts as well as supplier contracts.

- Fulfilment of a legal obligation [Art. 6 (1) (c) GDPR]:

The processing of your personal data is prescribed within the framework of the following legal provisions:

- ✓ regulations on accident operation
- ✓ arrangements for air cargo certification
- ✓ regulations on sanctions list checks

- Establishment, implementation and termination of an employment relationship [§ 26 (1) BDSG]:

Your personal data will be processed to substantiate (e.g., as part of the application process) the performance or termination of your employment with PWO. This processing may also take place on the basis of a collective agreement.

e) Interested Parties

- Performance of a contract or implementation of pre-contractual measures [Art. 6 (1) (b) GDPR]:

Processing takes place within the framework of the implementation of contracts or at your request for the implementation of pre-contractual measures. The purposes of the data processing depend on the respective contract documents and contractual object and can in this case be present by contracts in the context of outside company management, customer contracts as well as supplier contracts.

f) Insurance

- Performance of a contract or implementation of pre-contractual measures [Art. 6 (1) (b) GDPR]:

Processing takes place within the framework of the implementation of contracts or at your request for the implementation of pre-contractual measures. The purposes of the data processing depend on the respective contractual documents and subject matter of the contract and are as follows:

- ✓ Employment contract
- ✓ Insurance contract

- Compliance with a legal obligation [Art. 6 (1) (c) GDPR]:

The processing of your personal data is prescribed within the framework of the following legal norms:

- ✓ German Insurance Contract Act („VVG“)

4) Legitimate interests [Art. 13 (1) (d) and Art. 14 (2) (b) GDPR]

If necessary, we process your data to protect the legitimate interests of us or third parties. Our legitimate interests are in particular:

a) Customers

- ✓ to improve business relationships
- ✓ assertion of legal claims and defence in legal disputes

b) Suppliers

- ✓ to improve business relationships
- ✓ assertion of legal claims and defence in legal disputes

c) Visitors

- ✓ safeguarding the householder's rights
- ✓ ensuring security at our facilities through appropriate measures (e.g. video surveillance, visitor registration, security instructions)
- ✓ protection against vandalism
- ✓ assertion of legal claims
- ✓ defence in legal disputes

d) Interested parties

- ✓ processing for marketing purposes

e) Insurance

- ✓ Interest of third parties (e.g., claims settlement)
- ✓ interest of PWO and its subsidiaries (e.g., compliance with internal regulations, employee insurance)

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5) We process special categories of personal data¹ only if one of the following conditions is met:

a) Based on your consent [Art. 9 (1) (a) GDPR]:

If you have given us permission to process personal data for certain purposes, the lawfulness of this processing is given on the basis of your consent.

b) For the fulfillment of rights and obligations arising from labor law, social security law and social protection law [Art. 9 (2) (b) GDPR]:

The processing of your personal data is necessary to enable PWO to exercise the rights and comply with the obligations arising from labor law and social security and social protection law.

c) For preventive healthcare [Art. 9 (2) (h) GDPR]:

Your personal data are processed for the purposes of health care, medical diagnosis, health or social care or treatment or for the management of health or social care systems and services.

d) Substantial public interest [Art. 9 (2) (g) GDPR]:

The processing of your data is necessary for reasons of substantial public interest e.g. health data for the containment of highly infectious diseases

e) Public interest in the area of public health [Art. 9 (2) (i) GDPR]:

The processing of your personal data is necessary for reasons of public interest in the area of public health, such as protection against serious cross-border threats to health or to ensure high standards of quality and safety in healthcare.

6) Categories of personal data [Art. 14 (1) (d) GDPR]

We process the following data or data categories from you:

a) *Customers and suppliers*

- ✓ customer/vendor data
- ✓ contract data
- ✓ contact details

b) *Visitors*

- ✓ contact details
- ✓ image and video recordings (affected areas are provided with additional information)
- ✓ health data (if required)

¹ Racial and ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health data, data concerning sex life or sexual orientation

c) Interested parties

- ✓ contact details

d) Insurance

- ✓ contract data
- ✓ personnel data
- ✓ customer data
- ✓ contact details
- ✓ health data

7) Recipients of personal data [Art. 13 (1) (e) and Art. 14 (1) (e) GDPR]

A) Within the PWO-group ...

... those places that need your data within the scope of the so-called "Least Privilege" (allocation of user rights to the smallest possible extent) and the so-called "Need-To-Know-Principle" (knowledge of data only if necessary) are given access to your data. Service providers and vicarious agents employed by us may also receive data for these purposes if they comply with our data protection requirements and instructions.

B) Outside the PWO-group:

a) Customers

With regard to the transfer of data to recipients outside the PWO-group, we may only pass this on if this is necessary, if this is required by law, if you have consented to this, or if contract processors commissioned by us have undertaken to comply with the requirements of the GDPR and the German Data Protection Act ("BDSG"). Under these conditions, recipients of personal data may be, e.g:

- ✓ service providers within the framework of customer relationship management systems
- ✓ commercial credit insurer
- ✓ credit agencies
- ✓ management consultancies

b) Suppliers

Service providers and vicarious agents employed by us may also receive data for these purposes if this is necessary, if this is required by law, if you have consented or if contract processors commissioned by us have undertaken to comply with the requirements of the GDPR and the German Data Protection Act ("BDSG"). Under these conditions, recipients of personal data may be, e.g:

- ✓ communication service provider

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- ✓ credit agencies

c) *Visitors*

Service providers and vicarious agents employed by us may also receive data for these purposes if this is necessary, if this is required by law, if you have consented or if contract processors commissioned by us have undertaken to comply with the requirements of the GDPR and the German Data Protection Act ("BDSG"). Under these conditions, recipients of personal data may be, e.g:

- ✓ plant security service provider
- ✓ corporate security
- ✓ occupational safety
- ✓ public authorities and institutions in the event of a statutory or regulatory obligation

d) *Interested parties*

Service providers and vicarious agents employed by us may also receive data for these purposes if this is necessary, if this is required by law, if you have consented or if contract processors commissioned by us have undertaken to comply with the requirements of the GDPR and the German Data Protection Act ("BDSG"). Under these conditions, recipients of personal data may be, e.g:

- ✓ service provider for the administration of contact data

e) *Insurance*

Service providers and vicarious agents employed by us may also receive data for these purposes if this is necessary, if this is required by law, if you have consented or if contract processors commissioned by us have undertaken to comply with the requirements of the GDPR and the German Data Protection Act ("BDSG"). Under these conditions, recipients of personal data may be, e.g:

- ✓ Human Resources Department PWO
- ✓ Underwriters
- ✓ insurance broker
- ✓ law firms

8) **Transfers to a third country or an international organization [Art. 13 (1) (f) and Art. 14 (1) (f) GDPR]**

Data will only be transferred to countries outside the EU/EEA (so-called third countries) if this is necessary or legally required, if you have given us your consent or in the context of order processing. If service providers are deployed in third countries, the transfer will only take place if the third country has been confirmed by the EU Commission as having an adequate level of data protection or if other appropriate data protection guarantees within the meaning of Art. 44 GDPR (e.g., binding internal company data protection regulations or EU standard contract clauses) are in place.

9) Storage period [Art. 13 (2) (a) and Art. 14 (2) (a) GDPR]

We process and store your personal data for as long as it is necessary to fulfil the purpose. If the personal data is no longer required, your personal data will be deleted regularly, unless this is contrary to statutory storage obligations. Beyond that:

a) *Customers*

Your data will be stored for the duration of the contractual relationship and beyond for at least 1 year, unless this deletion is contrary to statutory storage obligations.

b) *Suppliers*

Your data will be stored for a period of at least 10 years, unless this deletion is contrary to statutory storage obligations.

c) *Visitors*

Personal data that PWO requires for possible legal prosecution, will be stored for a period of 3 years from the time of your visit, in certain cases up to 30 years, unless this deletion is contrary to legal storage obligations. In addition, your image and film data will be deleted after the expiry of 72 hours at the latest, unless your data is required due to a concrete incident to preserve evidence.

d) *Interested parties*

If the data is no longer required or if you object to data processing, your data will be deleted regularly after 6 months, unless this deletion is contrary to statutory storage obligations.

e) *Insurance*

If the data is no longer required, your data will be deleted regularly, unless this deletion is contrary to statutory storage obligations.

10) Rights of the data subject [Art. 13 (2) (b) and Art. 14 (2) (c) GDPR]

With regard to the processing of your personal data, you as a data subject are entitled to the following rights pursuant to Art. 15 et seq. GDPR:

- a. You can request information as to whether we process your personal data. If this is the case, you have the right to be informed about this personal data as well as about further information related to the processing (Art. 15 GDPR). Please note that this right of access may be restricted or excluded in certain cases.
- b. In the event that personal data about you is (no longer) accurate or incomplete, you may request that this data be corrected or, if necessary, completed (Art. 16 GDPR).
- c. If the legal requirements are met, you may request that your personal data be deleted (Art. 17 GDPR) or that the processing of such data be restricted (Art. 18 GDPR). However, the right to deletion pursuant to Art. 17 (1) and (2) GDPR does not exist if, among other things, the processing of personal data is necessary to fulfil a legal obligation (Art. 17 (3) (b) Variant 1 GDPR) or to assert, exercise or defend legal claims (Art. 17 (3) (e) GDPR).

- d. For reasons arising from your particular situation, you may also object to the processing of your personal data by us at any time (Art. 21 GDPR). If the legal requirements are met, we will no longer process your personal data.

11) Right of withdrawal in case of consent [Art. 13 (2) (c) and Art. 14 (2) (d) GDPR]

You have the right to revoke your consent at any time. The revocation only takes effect for the future; this means that the revocation does not affect the legality of the processing carried out on the basis of the consent up to the revocation.

12) Right of appeal to a supervisory authority [Art. 13 (2) (d) and Art. 14 (2) (e) GDPR]

You have the right to complain to a supervisory authority within the meaning of Art. 51 GDPR about the processing of your personal data. The competent supervisory authority is:

Landesbeauftragte für den Datenschutz und die Informationsfreiheit
Königstrasse 10 a, 70173 Stuttgart, Germany

Phone: +49 711 615541-0

Fax: +49 711 615541-15

email: poststelle@lfdi.bwl.de

Internet: www.baden-wuerttemberg.datenschutz.de/online-beschwerde/

13) Sources [Art. 14 (2) (f) GDPR]

a) Customers

We have received your data from you and partly from publicly accessible sources, such as VDA, automotive industry supplier manual.

b) Suppliers

We have received your data from you and partly via companies commissioned by us such as SupplyOn or commercial credit insurance companies such as Euler Hermes. We also receive data from publicly accessible sources such as the Internet (certificates, etc.).

c) Visitors

In principle, we receive your data from you and, if necessary, within the framework of video surveillance of the factory fencing and factory entrances as well as the factory premises.

d) Interested parties

We have received your data from you.

e) Insurance

We have received your data from you. We also receive your data from the following sources:

- ✓ insurer (by contract in the event of damage, etc.)

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✓ Human Resources Department PWO (e.g., SAP)

14) Obligation to make available [Art. 13 (2) (e) GDPR]

As part of entering into a contract, you must provide the personal information necessary to establish, perform and terminate the contract and the obligations arising therefrom or which PWO is required by law to collect. Without such data, no contract will be concluded with PWO.

15) Automated decision making and profiling [Art. 13 (2) (f) and Art. 14 (2) (g) GDPR]

Automated decision making is exclusively machine-made decision making without assessment of a natural person. In principle, we do not use automated decision-making pursuant to Art. 22 GDPR. Should we use this in individual cases, we will inform you of this separately if this is required by law and if necessary obtain your prior consent.

"Profiling" means any automated processing of personal data intended to analyze or predict the performance, economic situation, health, personal preferences, interests, reliability, conduct, whereabouts or movements of a natural person. PWO does not use profiling. Should we use this in individual cases, we will inform you of this separately if this is required by law and, if necessary, obtain your prior consent.
