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## DATA PRIVACY STATEMENT FOR CUSTOMERS, SUPPLIERS AND OTHER THIRD PARTIES

April 2024

By way of this information on data protection, we inform you about the processing of your personal data by **ZKW Automotive Engineering s.r.o.**, Okružní 1300/19, Nová Ulice, 779 00

and the companies affiliated with it (a list of all companies can be found here: <https://zkw-group.com/home/unternehmen/standorte-kennzahlen/>) (collectively "ZKW") who are the controllers of your personal data.

If you have any questions regarding your personal data, please contact us at [datenschutz@zkw-group.com](mailto:datenschutz@zkw-group.com).

The respective ZKW company ("ZKW, "we" or "us" in brief) is responsible for ensuring adequate protection of any personal data provided to us. As a general rule, and if not explicitly provided for herein, personal data will be processed by the ZKW company that the contractual relationship was established with.

We shall process any personal data on the basis of our existing contractual relationship, applicable legal provisions, or based on our legitimate interest. Personal data will always be processed in accordance with the requirements of the applicable legislation, in particular the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (GDPR), the Act No. 110/2019 Coll., on Personal Data Processing and all other relevant legislation.

### Processing of personal data of customers and suppliers not registered in the Supplier Portal

#### Contract management

We shall process your data within the scope of the contract concluded between you and ZKW, for the billing of fees and compliance with obligations to record any services performed, including computer-assisted preparation and archiving of text files (e.g. correspondence) in these matters. Accordingly, this is done for the purpose of contract performance (or, with respect to contact persons in companies, based on legitimate interests).

#### Performance evaluation

We also process your data within the scope of the business relationship for the purpose of assessing your performance, in order to facilitate comparisons with other market participants, always with a view to procuring the most competent and most efficient service for ZKW. Hence, this is done on the basis of legitimate interests of ZKW. Prior to your data being processed for any other purposes than those described in this document, you will be informed separately.

### Processing of suppliers' personal data

#### Group-wide ZKW supplier database (joint controllership of ZKW Group companies)

If you register via our Supplier Portal, upon your registration we will process the personal data provided by



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you for the purpose of contract performance and to carry out pre-contractual measures for the following purposes: processing of quotations and requests, management and execution of contracts, current customer care and provision of information, management of master data and changes to contract information. The conclusion and performance of a contract with us are only possible if we process your personal data.

Your personal master data and contact details (name, university degree, function/role, professional e-mail addresses, professional telephone number, bank details) will be stored in a group-wide supplier database for the purpose of organising procurement across companies. This is meant to ensure that you can be considered as a supplier and contacted by purchasers throughout the entire ZKW Group, and that your data can be processed for the purpose of contract management. Accordingly, with respect to the processing of said personal data, all of the ZKW companies stated above are joint controllers within the meaning of Art. 26 GDPR.

Therefore, these companies have concluded an agreement under Art. 26 GDPR that delimitates the different duties and responsibilities under data protection law among all the parties involved. This joint processing of personal data will be effected on the basis of legitimate interests of the controllers regarding the establishment of a group-wide purchasing organisation/supplier database. While each controller is responsible themselves for (i) meeting the duties to provide information under Art. 13 and 14 GDPR, (ii) keeping a processing register, (iii) cooperating with the local supervisory authorities, (iv) notifying data subjects in case of any data protection incidents involving a high level of risk, and (v) appointing a data protection officer, the remaining duties under the GDPR were assigned to ZKW Group GmbH; this concerns, in particular, the management of the below-stated rights of data subjects, ensuring appropriate technical and organisational measures, the meticulous handling of data protection incidents, as well as the control of any processors.

Therefore, ZKW Group GmbH ([datenschutz@zkw-group.com](mailto:datenschutz@zkw-group.com)) is a point of first contact for each supplier and all data subjects in matters concerning data protection legislation in the context of this Supplier Portal.

Your data will be stored until termination of your work for us or any other joint controller mentioned herein for contact purposes. If no contract is awarded, the data shall be stored until you delete your profile – after all, the Supplier Portal serves the purpose of presenting your company within the ZKW Group, among others.

Until erasure of your data from the Supplier Portal, you will be visible for us and any other of the joint controllers stated herein for the purpose of getting in touch with you/for contract management. If a supplier relationship exists, the data required for that purpose will be stored during the statutory retention periods, and will subsequently be deleted.

### **Common Provisions**

#### **ZKW newsletter and invitations to company events**

If you do not object such processing we are entitled to send you as our business partner information about any news regarding the company, about new products and also invitations to various business events (also electronically).

#### **Data processing for the purposes of system administration and security**

Due to operational necessity, to applicable statutory data security provisions, as well as for reasons of information security, your personal data will be processed within the scope of our legitimate interests and the legal requirements applicable to the administration and security of the system. For instance, this comprises computer-assisted preparation and archiving of text files (e.g. correspondence). Without such data processing, the system cannot be operated securely.



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If access to ZKW (internal) systems is necessary for the fulfilment of the contract, the following also applies: Based on our legitimate interest, an automated check of log files is carried out for the purpose of detecting weak points or suspicious behaviour in ZKW-internal IT systems or ensuring the functionality of ZKW-internal systems. If suspicious behaviour is detected (e.g. misuse of IT services), alarms are triggered which are subsequently examined by external analysts (contract processors). In order to be able to carry out historical analyses, the contents of the log files are stored for a maximum of 365 days (or they must be deleted by external analysts after 7 days at the latest).

### **Assertion, exercise or defence of legal claims**

If a legal dispute occurs during an active contractual relationship or after its termination, the data reasonably required for the litigation will be transferred to legal representatives and courts on the basis of our legitimate interest in establishing, exercising or defending any legal claims.

### **Audits**

Due to the risk of liability and observance of the required reasonable care, at our company, audits will be performed by the controllers themselves, the shareholders or independent external auditors.

### **Data processing for the investigation of whistleblowing reports / compliance cases**

In order to resolve whistleblowing reports and in the event of (suspected) compliance violations, it may be necessary to inspect professional communications (e.g. E-Mails) and data on company devices of ZKW employees for reasons of overriding operational interest. Third-party data may therefore also be affected by the inspection. This will only be done in individual cases in exceptional situations where there is a concrete, strong suspicion and to an extent that is limited to what is necessary. We only store the personal data that is obtained in the process for as long as we need it to fulfil the purposes outlined and our legal obligations.

The technical operation of the whistleblowing portal is carried out by the ZKW companies in a joint manner. Pursuant to Article 8 (4) of the austrian HSchG, a joint responsibility within the meaning of Article 4 (7) in conjunction with Article 26 GDPR therefore applies.

Accordingly, an agreement pursuant to Art. 26 of the GDPR was concluded between the companies, which defines the different obligations and responsibilities under data protection law between all parties involved. This joint processing of personal data relates to the joint technical operation of the whistleblowing portal.

### **Corporate transactions**

Your data may also be disclosed or transferred to interested parties and buyers in the event of (i) a due diligence process or (ii) a corporate transaction or restructuring. This is done in compliance with strict confidentiality rules and in the case of the due diligence process to a very limited extent due to our legitimate interests. In this context, in the role of the buyer, we may also receive data from third parties in a (contractual) relationship with the transferring company and process it in our systems. Depending on the type of data, we rely on the same legal bases, in particular in order to take preparatory actions for the takeover of the contractual relationships and then to continue these.

### **Video surveillance**

In order to safeguard our legitimate interests in the preventive protection of persons or property on private properties and for the fulfilment of TISAX requirements (in particular for monitoring security zones), ZKW operates separately identified video surveillance in each case. In individual cases, this data may be transmitted to insurance companies, lawyers, injured parties, courts and authorities for evidence purposes and for the assertion, exercise or defence of legal claims.

Personal data from video surveillance is generally deleted after 72 hours. Longer storage takes place for specific reasons or justified suspicion for the realisation of the underlying protection or preservation of



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evidence purposes and is logged separately.

### Visitor management

In the context of visitor management, the name of visitors, the time of their arrival and departure and their photo are processed. This is done on the basis of legitimate interest in order to be able to trace which persons have been on our premises and when. This information is stored for a period of 1 year and then deleted.

### Data transmission

The data relevant in individual cases may be transmitted to the following recipients:

- **banks** entrusted with payments,
- **legal representatives** and **courts** (also in third countries without adequate data protection, if applicable): if a legal dispute occurs during an active contractual relationship or after its termination, the data reasonably required for the litigation will be transferred to legal representatives and courts on the basis of our legitimate interest in establishing, exercising or defending any legal claims,
- **auditors** and **certified public accountants** (also in third countries without adequate data protection, if applicable); due to the risk of liability and observance of the required reasonable care, at our company, audits will be performed by the controller themselves or by independent external auditors (legitimate interest),
- **insurance companies and insurance brokers**, in particular for the purpose of loss adjustment, as well as reviewing any contractually agreed insurance cover or in the event of companies being included in any ZKW group insurance scheme,
- **lawyers, notaries, courts, authorities, insolvency administrators and liquidators**, for the purpose of exercising, asserting or defending any legal claims,
- **customs and fiscal authorities** for the purpose of handling official formalities (contract performance or legitimate interest),
- based on our legitimate interests, data will also be passed on to **customers, suppliers and interested parties** (if applicable, also in third countries without adequate data protection) for the purpose of establishing contact,
- **ZKW Holding GmbH, LG Electronics and LG Corporation ("LG")**, for the purpose of proper performance of rights and obligations as shareholders (in particular from a liability and risk perspective, incl. compliance & audit),
- **travel agencies, hotels, restaurants, visa offices** (for the purpose of organising business trips),
- **creditors** as well as other parties involved in any associated legal prosecution,
- **postal services, courier services and logistics partners**,
- in **compliance matters** (esp. whistleblowing reports): Law enforcement-, administrative authorities.

We work with **processors (service providers)** in the following areas – partly also within the group of companies – and will transmit to them your personal data to the extent required for service provision:

- travel management and organisation,
- visitor management,
- video surveillance,
- insurance management (incl. loss adjustment),
- contact management and scheduling,
- corporate security/building and information security,
- financial matters (controlling/accounting/planning),
- customer and supplier management incl. order processing incl. delivery and dispatch of goods,



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- order management (order processing incl. delivery and dispatch of goods),
- IT service providers, IT administration (incl. support, software and maintenance, IT-security, data centres, IT operation, hosting and providers of cloud solutions),
- risk management,
- marketing/communications,
- Legal & Compliance (incl. whistleblowing),
- providers of scanning and printing services.

### **Data transmission to third countries outside the EEA**

Our ZKW companies are also located in third countries outside the European Economic Area (China, Mexico, USA, South Korea), the same applies to LGE and LGC (South Korea). Due to the international orientation of the ZKW Group, the same may apply to other recipients. If necessary, we will transmit your personal data to recipients outside the EEA, provided that the European Commission confirms an adequate level of data protection or if other appropriate data privacy guarantees exist.

You may request a copy of the appropriate (transmission) guarantees at [datenschutz@zkw-group.com](mailto:datenschutz@zkw-group.com). EU standard contractual clauses have been agreed with LGE as well as with ZKW companies and processors outside the EEA.

### **Retention period**

If not stipulated otherwise herein the personal data will be processed until termination of the relevant contract or agreement and beyond that generally for another three years based on statutory limitation periods, or for as long as legal claims are asserted vis-à-vis ZKW under the contract (statutory period of limitation of 3 or up to 10 years).

Personal data that you indicate on our Supplier Portal will be stored by us for at least three years after performance of the contract, to the extent that claims may be asserted against us (statutory limitation period of 3 or up to 10 years) or until the resolution of any legal disputes during which the data are needed as evidence. If no contracts were concluded with you, we shall store your data until you delete your profile, but in any case no longer than for a period of five years after your registration.

### **Your rights**

Basically, you are entitled to access to your personal data, to rectification, erasure, restriction of processing, and to data portability. If processing is based on your consent, you may revoke such consent, e.g. by e-mail, at any time with effect for the future.

**As a data subject, you may object to the use of your data at any time, if data processing serves any direct marketing purposes (e.g. transmission of newsletters).**

**You also have the right to object at any time, if relevant reasons arise in this respect from your particular situation.**

If you believe that the processing of your personal data is in violation of data protection legislation or that your data protection rights have been infringed in any other way, you may lodge a complaint with us (available at: [datenschutz@zkw-group.com](mailto:datenschutz@zkw-group.com)) or the data protection authority. In the Czech Republic this is the Office for the Protection of Personal Data, Pplk. Sochora 27, 170 00 Praha 7. Prior to filing a complaint with the Data Protection Authority or when exercising your rights or in case of any other questions, please get in touch with



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