



BRIGHT MINDS,
BRIGHT LIGHTS.

DATA PRIVACY STATEMENT LAWYERS, CONSULTANTS AND OTHER THIRD PARTIES

As at: October 2023

By way of this information on data protection, we inform you about the processing of your personal data by the following ZKW companies:

- **ZKW Group GmbH**, Rottenhauser Str. 8, 3250 Wieselburg (office@zkw-group.com),
- **ZKW Lichtsysteme GmbH**, Scheibbs Str. 17, 3250 Wieselburg (office@zkw.at),
as well as
- **ZKW Holding GmbH**, Rottenhauser Str. 8, 3250 Wieselburg (office@zkw-holding.com).

If you have any questions regarding your personal data, please contact us at datenschutz@zkw-group.com.

The respective ZKW company ("ZKW, "we" or "us" in brief) is responsible for ensuring adequate protection of your personal data. As a general rule, your personal data (in particular names and contact details) will be processed by the ZKW company that the contractual relationship was established with.

We shall process your data exclusively on the basis of applicable legal provisions, in particular the EU's General Data Protection Regulation (GDPR), the Austrian data privacy act (DSG), as amended, and all other relevant legislation.

Contract management

We shall process your data within the scope of the contract concluded between you as a lawyer, external consultant or other third party 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.

Data processing for the purposes of system administration and IT-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.

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



BRIGHT MINDS, BRIGHT LIGHTS.

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).

ZKW newsletter and invitations to company events

It is in our legitimate interest that you receive information about innovations in the company as well as invitations to various company events. For contacting you by phone or e-mail, we will ask for your consent in advance.

Enforcement, execution 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

Via the whistleblowing portal on our website, we may receive your personal data in order to investigate and prevent criminal offences in our company.

Within the scope of application of the HSchG, the processing of personal data contained in whistleblowing reports is carried out for the purposes stated in the HSchG on the basis of Art. 6 para. 1 lit c GDPR or Art. 9 para. 2 lit g GDPR in conjunction with § 8 para. 5 HSchG. Outside the scope of the HSchG, personal data is processed on the basis of our legitimate interest (Art 6 (1) (f) GDPR).

The categories of data transmitted to us may include the description of an incident relevant under criminal law, the location where the incident occurred, persons involved, department and other information related to it as well as data on the whistleblower. The unit entrusted with the processing of reports is strictly separate from the rest of the group and exclusively employs persons that have received special training and are explicitly responsible for the confidentiality of the data reported. We only store the personal data thus accumulated for as long as we need it to fulfil the purposes outlined and our legal obligations. Pursuant to Section 8 (11) of the HSchG, personal data must be kept for 5 years after it was last processed or transmitted, and beyond that for as long as is necessary to conduct administrative or judicial proceedings that have already been initiated or an investigation pursuant to the StPO. Log data on processing operations actually carried out, such as, in particular, changes, queries and transmissions, shall be kept for 3 years from the last time they were processed or transmitted, in accordance with section 8 (12) of the HSchG, after the retention obligation pursuant to section 8 (11) of the HSchG has expired.

The technical operation of the whistleblowing portal is carried out by the ZKW companies in a joint manner. Pursuant to Article 8 (4) 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.

Within the scope of application of the HSchG, the data subject's rights may be restricted in accordance with § 8 para 9 HSchG.

Information can also be submitted to an external reporting office. The Federal Office for the Prevention of and



BRIGHT MINDS, BRIGHT LIGHTS.

Fight against Corruption (BAK) is such a general external office. Please always use the ZKW internal whistleblowing portal first! Only contact external bodies if processing via the internal portal is not possible, not appropriate or not reasonable!

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.

Data transmission

Any 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),
- 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 Group GmbH**, 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,
- order management (order processing incl. delivery and dispatch of goods),
- IT service providers, IT administration (incl. support, software and maintenance, IT-Security, data



BRIGHT MINDS, BRIGHT LIGHTS.

- 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. EU standard contractual clauses have been agreed with LGE as well as with ZKW companies and processors outside the EEA.

Retention period

The personal data will be [stored] until termination of the relevant (consultancy) agreement and beyond that, in any case for another seven years based on statutory retention 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 30 years).

Supplier Portal

If you register via the Supplier Portal, please find the special information about the data processing taking place there in the relevant data privacy declaration provided [here](#).

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) or the data protection authority. In Austria this is the Austrian Data Protection Authority, Barichgasse 40-42, 1030 Vienna. 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 us (datenschutz@zkw-group.com).