

DATA PRIVACY STATEMENT

WEBSITE (INCL. SOCIAL MEDIA, WHISTLEBLOWING, INNOVATION WEBSITE)

As at: May 2024

ZKW Group GmbH, Rottenhauser Straße 8, 3250 Wieselburg, office@zkw-group.com ("ZKW", "we", "us") is the controller within the meaning of the EU General Data Protection Regulation ("GDPR") for the processing of personal data within the scope of the web offer on this website, about which we hereby inform you.

The protection of your personal data is of particular concern to us. We process your data exclusively on the basis of applicable legal provisions, in particular the EU's General Data Protection Regulation (GDPR), the Austrian telecommunications act (TKG 2003), and the Austrian data privacy act (DSG), as amended.

1) Getting in touch with us

If you get in touch with us by e-mail, we will process personal data provided by you to respond to your request to carry out pre-contractual measures. If no contractual relationship with us is intended, processing will take place on the basis of our legitimate interest in processing your enquiry.

2) Social media activities

If you get in touch with us via our social media pages on Facebook, Instagram, Twitter, LinkedIn, Kununu, Xing, YouTube or GoogleMyBusiness, we will process the data provided by you to answer your enquiry for carrying out pre-contractual measures or within the scope of our legitimate interests. We may equally process your data, to the extent it is available on these platforms, for the purpose of internal analyses or for marketing purposes to serve our legitimate interest.

For this purpose, we receive your personal data from the respective operator of the social media platform and also transmit your personal data to them. Insofar as this involves a transfer to countries without an adequacy decision pursuant to Article 45 (3) of the GDPR and without appropriate safeguards pursuant to Article 46 of the GDPR, we would like to point out that there is a risk that your data transferred in this way may be subject to access by authorities in these third countries for control and monitoring purposes and that no effective legal remedies are available against this.

3) Whistleblowing portal

Through the whistleblowing portal implemented on our website, we may receive your personal data on the basis of our legitimate interest in solving and preventing criminal offences within our company. The data transmitted to us may include the description of any incident punishable under criminal law, the location where said incident has occurred, the persons or department involved, and other information relating thereto, as well as any data relating to the whistleblower. The data entered will (only) be received by the company concerned (= selected) within the ZKW Group as well as by ZKW Group GmbH (data processing). The unit entrusted with processing any reports is strictly separate from the other corporate units and will exclusively be staffed with employees specifically trained and explicitly responsible for the confidentiality of the data reported. 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.

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

5) Innovation website

If you apply on our innovation website "Lighthouse", we process the personal data you provide to carry out pre-contractual measures for the following purposes: internal assessment and examination of your project idea and innovation potential for possible future cooperation, contract administration and processing, ongoing support and information, administration of master data and contract data changes.

For this purpose and within the scope of our legitimate interest, we transmit your personal data to Group companies to be involved (in international projects), authorities or courts to the extent necessary, lawyers, tax consultants and auditors and collection agencies.

Our Group companies are also located in third countries outside the European Economic Area. We will transfer your personal data to these countries if the European Commission confirms an adequate level of data protection or if other appropriate data protection guarantees are in place. ZKW has agreed EU standard contract clauses with ZKW companies outside the EEA. You can find detailed information about this here: https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj.


You can also request this information at the above contact address.

6) Cookies

Like most websites, we use cookies and similar technologies for a variety of purposes in order to provide our online content in full and to improve the use of our website.

Apart from technically necessary cookies (§ 96 para 3 TKG), we only use cookies when you use our online services on the basis of your prior active and voluntary consent via our cookie banner (Art 6 para 1 lit a DSGVO).

You can find a detailed list of all cookies directly in our cookie banner: When you call up our website, a window appears with brief information about the purposes for which we and third-party providers wish to use cookies. You can generally agree to the use of all cookies for the purposes listed in the cookie banner by clicking on the "Accept all" button. Clicking on "more" will take you to the privacy settings. There you can view more detailed information on the cookies and select whether or not you wish to accept the corresponding cookies, either per category (e.g. "Marketing", "Functional", "External Media") or individually per cookie. Apart from the "essential cookies", you can of course simply deselect all cookies. In the settings, you also have the option of accepting all cookies with one click.

Clicking on the "fingerprint" button  displayed on the website will take you back to the privacy settings. In these settings, you can revoke your voluntarily given consent for the future or change your cookie selection at any time. Please note that some functions of the website may be impaired if consent is not granted or revoked for all purposes.

If the settings you have made or the voluntary consent you have given also include providers who transfer data to countries without an adequacy decision pursuant to Article 45 (3) of the GDPR and without suitable guarantees pursuant to Article 46 of the GDPR (such as the USA in particular), your consent pursuant to Article 49 of the GDPR also applies to these countries. There is a risk that your data transmitted in this way may be subject to access by authorities in these third countries for control and monitoring purposes and that

no effective legal remedies are available against this.

You can also prevent cookies from being stored by setting your browser software accordingly; please note, however, that in this case you may not be able to use all functions of this website to their full extent. You can also prevent Google from collecting and processing the data relating to your use of the website and generated by the cookie by simply downloading and installing the following browser plug-in by clicking on the following link: <http://tools.google.com/dlpage/gaoptout?hl=de>

7) Processor

In some cases, we use service providers (processors) to fulfil our (pre-)contractual obligations and to provide you with our services, as well as for other data processing. These processors process personal data on our behalf to the extent necessary. We use processors in the following areas:

- IT administration, IT service, IT support and IT maintenance
- Contact management and scheduling
- Legal & Compliance (incl. whistleblowing)
- Marketing

We may also disclose personal data when required by law, subpoena, or other legal process or enforceable governmental request; to establish, exercise, or defend any legal claims; to investigate, take action, or prevent illegal activities, fraud, or potential threats to safety.

ZKW does not sell personal data.


8) Retention period

Unless the respective retention period is already stated above, the following applies:

For the purpose of processing enquiries (as well as in case of follow-up questions) received through our website or social media pages, we will store the data provided by you for a period of six months. In individual cases (e.g. in case of complaints), we shall keep the personal data for the period during which claims may be asserted against us (statutory period of limitation of 3 or up to 30 years).

Personal data of business and innovation partners will be stored by us on the basis of the retention obligations that we are subject to, for at least seven years after performance of the contract, to the extent that claims may be asserted against us (statutory limitation period of 3 or up to 30 years) or until the resolution of any legal disputes during which the data are needed as evidence.

If you applied for a cooperation via our innovation website but received a negative decision, your details (profile and application) will be stored for **6 months** after completion of the review of a cooperation and deleted afterwards.

The retention period of the data processed by cookies can be found in the "Privacy settings" (available by clicking on the "Fingerprint" button)  under the information on the respective cookie.

Any personal data collected in the course of audits will be stored until preparation of the audit report. However, if such information is still required to conduct any court or administrative proceedings or for any further disciplinary or other official proceedings, the data reported/collected will be stored for as long as and to the extent required for the conduct and conclusion of any such proceedings.

9) Your rights:

Basically, you are entitled to access to your personal data, to rectification, erasure, restriction of processing, and to data portability. If the processing is based on your consent, you can revoke this at any time with effect

for the future.

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 competent data protection authority. 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).

10) California Residents: Your Rights

California residents (“you” or “your” for purposes of this section) have specific rights regarding your personal information (“personal information” or “PI”) under the California Consumer Privacy Act (CCPA). This section describes your CCPA rights and explains how to exercise them. Please note that the CCPA does not apply to certain information and our processing of those categories of information is not addressed below.

Categories of Personal Information Collected, Disclosed, or Sold in the Last Twelve (12) Months

You have the right to know the categories of personal information ZKW has collected, disclosed, or sold about its customers, suppliers, website visitors, job applicants and third parties within the last twelve (12) months. The chart below offers a comprehensive overview of the types of personal information we collect, with whom it is shared, and for what purposes.



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Category	Examples	Collected	Source	Purpose of Collection	Third Parties to Whom Disclosed
A. Identifiers.	A real name, postal address, unique personal identifier, online identifier, IP address, email address, account name, telephone number.	YES	Customers, third parties	<p>To provide our products and services.</p> <p>To process customer payments.</p> <p>To communicate with customers and prospective customers.</p> <p>To process submissions made via our whistleblowing portal.</p> <p>To analyze and improve our marketing efforts.</p> <p>To maintain and improve our information security and the operation of our website.</p>	<p>IT service providers.</p> <p>Marketing service providers.</p> <p>Logistics service providers.</p> <p>Banking and payment service providers.</p>
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, bank account number, credit card number, or any other financial information.	YES	Customers, third parties	<p>To provide our products and services.</p> <p>To process customer payments.</p> <p>To communicate with customers and prospective customers.</p> <p>To process submissions made via our whistleblowing portal.</p> <p>To analyze and improve our marketing efforts.</p> <p>To maintain and improve our information security and the operation of our</p>	<p>IT service providers.</p> <p>Marketing service providers.</p> <p>Logistics service providers.</p> <p>Banking and payment service providers.</p>



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C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, national origin, citizenship.	YES	Customers, third parties	To provide our products and services. To process customer payments. To communicate with customers and prospective customers. To analyze and improve our marketing efforts.	IT service providers. Marketing service providers. Logistics service providers. Banking and payment service providers.
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES	Customers, third parties	To provide our products and services. To process customer payments. To communicate with customers and prospective customers. To analyze and improve our marketing efforts.	IT service providers. Marketing service providers. Logistics service providers. Banking and payment service providers.
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO			



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F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's	YES	Consumers, third party data analytics providers	To improve our website and marketing efforts. Fraud prevention	Third party marketing service provider.
	interaction with a website, application, or advertisement.				
G. Geolocation data.	Physical location or movements.	NO			
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO			
I. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO			
J. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO			



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Right to Know About Personal Information Collected, Disclosed, or Sold

You have the right to request that ZKW disclose certain information to you about our collection, use, disclosure and sale of your personal information over the past twelve (12) months. Once we receive and confirm your request, to the extent you have requested them, we will disclose to you:

- The categories of personal information we collected about you;
- The categories of sources from which the personal information was collected;
- Our business or commercial purpose for collecting that personal information;
- The categories of third parties with whom we shared that personal information, if any;
- The specific pieces of personal information we have collected about you (also called a data portability request); and/or
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
 - Disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained; and
 - Sales, identifying the personal information categories that each category of recipient purchased. **ZKW does not sell personal information.**

Right to Request Deletion of Personal Information

You have the right to request that ZKW delete any of the personal information that we have collected from you and maintain, subject to certain exceptions. Once we receive and confirm your request, we will either delete, de-identify, or aggregate your personal information, unless not doing so is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the personal information, take actions reasonably anticipated within the context of our business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the our deletion of the information is likely to render impossible or seriously impair the achievement of such research, if the you have previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Your Rights to Know and Deletion

To exercise your rights, please submit a request by email to datenschutz@zkw-group.com. In order to



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submit a request, you must provide unique identification information that matches information we hold (e.g., name, billing information or transaction number).

Only you, or someone legally authorized to act on your behalf (i.e., your authorized agent), may make a request related to your personal information. ZKW may require an agent to provide verification that they are acting on your behalf when they submit a request related to your personal information.

Non-Discrimination

ZKW will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you services;
- Charge you different prices or rates for services, including through granting discounts or other benefits, or imposing penalties;
- Provide you a different level or quality of services; or
- Suggest that you may receive a different price or rate for services or a different level or quality of Services.

11) Data Security

We take reasonable measures that we believe are appropriate to protect your information from loss, misuse, alteration or destruction. We will ask any agents and service providers to whom we may transfer your information to take comparable steps to protect that security.

12) Final provisions

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.

As the Internet evolves, we will continuously adjust these data protection provisions as well. Any changes will be announced on the website in good time. Therefore, you should call up these data protection provisions regularly, in order to bring yourself up to date.