

# Privacy Policy – electronic Nomination Agreement (eNA-BPA)

## A: Controller

Thank you for visiting the electronic Nomination Agreement (hereinafter referred to as eNA-BPA) operated by Volkswagen AG, Berliner Ring 2, 38440 Wolfsburg, Germany, vw@volkswagen.de, entered in the register of companies of Braunschweig District Court under HRB 100484 (“Volkswagen AG”). In the following, we will provide information on how Volkswagen AG processes the personal data which is collected when you use the eNA-BPA.

The following data processing activities in eNA-BPA are carried out under the joint control of the Group companies. 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 on request. To make such a request, please use the contact options listed in the “Contact persons” section. A list of Group companies that are parties to the agreement on the joint control in the Procurement division can be found [here](#).

## B: Processing of your personal data

### I. Nature, scope, legal basis, purposes and duration of the data processing

We process your personal data in eNA-BPA in order to support the purchasing process in the form of a contract and to minimize IT security risks.

#### a. Support in the purchasing process

In eNA-BPA we process your personal data for the reason of:

- operating purchasing activities between Volkswagen AG and its Group members or partner companies (supplier, partner company, other business partners)
- having an contact for the conclusion of a contract between a Volkswagen Group Company and a business partner
- identifying users to guarantee the secure operation of the application

Therefore we collect the following personal data from you:

- UserID
- Last name
- First name
- Business address data (company name, address, DUNS number, country code)
- Business email address
- Business telephone number
- Preferred language

If you are an employee of a Group company, the following data is also processed:

- Department

In addition to the existence of already granted access rights for the ONE.Portal, the access rights for the system eNA-BPA are specifically checked for the employees of group companies/employees of companies/third parties. The corresponding access right has been created for you by your administrator.

The processing of your personal data as part of the data processing activities specified above takes place on the basis of the following legal bases:

- If you are acting on your own behalf, Article 6 (1) (1) (b) GDPR forms the legal basis for this data processing.
- If you are acting as an employee of a Group company or as an employee of a company/third party, an overriding legitimate interest in accordance with Article 6 (1) (1) (f) GDPR forms the legal basis for this data processing.

The legitimate interests of Volkswagen AG are as follows:

We process the personal data to ensure your unique identification and to support the purchasing process in the form of a contract. The proof of an activity (e.g. the proof of a contract processing) can only be made correctly with a clear identification. In this case, we will process your data for the purposes of business communication.

We store your personal data as long as this is necessary for the purpose for which we have collected it. In other words, we regularly store your personal data for the duration of our business relationship with you or the company/third party of which you are an employee.

If your administrator do not delete any data in between, we will delete your personal data after 50 years automatically.

#### b. IT security

If you access and use eNA-BPA, we will only process the following log data from you only to the extent necessary for the purpose of IT security:

- Login and logout times
- UserID
- Access rights
- User actions

The processing of your personal data as part of the data processing activities specified above takes place on the basis of the following legal base:

- If you are acting on your own behalf or as an employee of a Group company or as an employee of a company/third party, an overriding legitimate interest in accordance with Article 6 (1) (1) (f) GDPR forms the legal basis for this data processing.

The legitimate interest of Volkswagen AG is as follows:

Log data is processed in order to ensure the confidentiality, integrity and availability of the personal data. The aim is to prevent potential security risks.

Personal data collected in this context is stored when you access the system and deleted after 28 days (or after maximum 6 months for Chinese personal data).

### c. Transfer to connected IT systems

As part of e-commerce, your personal data processed in eNA-BPA will be transferred to connected IT systems. Here, your personal data will be processed for permission-based access to the respective IT systems and for business communication. For detailed information, please refer to the privacy policies of the respective IT systems.

The processing of your personal data as part of the data processing activities specified above takes place on the basis of the following legal bases:

- If you are acting on your own behalf, Article 6 (1) (1) (b) GDPR forms the legal basis for this data processing.
- If you are acting as an employee of a Group company or as an employee of a company/third party, an overriding legitimate interest in accordance with Article 6 (1) (1) (f) GDPR forms the legal basis for this data processing.

The legitimate interest of Volkswagen AG is as follows:

Processing takes place in order to guarantee permission-based access to systems and to enable business communication for suppliers, partner company employees, other business partners and Group employees.

Please refer to the privacy policies of the respective IT systems for the storage periods of the transferred data.

## II. Recipients of your personal data

We transfer your personal data to Volkswagen Group companies (known as processors) used and commissioned by us to provide services (e.g. IT services).

The following Group companies support us in data processing:

- Volkswagen Group Services GmbH, Wolfsburg
- Volkswagen Servicios de Administración de Personal, S.A. de C.V., Puebla
- Škoda Auto Volkswagen India Private Limited, Pune
- Volkswagen Group IT Solutions GmbH, Wolfsburg

We have concluded a processing contract with each of our processors that includes corresponding EU standard contractual clauses for the transfer of personal data to processors in third countries (as a suitable safeguard for data processing in non-European countries). You can access these EU standard contractual clauses at [EUR-Lex - 32021D0914 - DE - EUR-Lex \(europa.eu\)](#).

Furthermore, we transfer your personal data to other Group companies who work with us as data controllers within the scope of their professional/ business activities insofar as this is necessary to perform the data processing activities described above. This takes place as part of the joint control.

## III. Data transfer to third countries

When using eNA-BPA, your personal data is also transferred to Volkswagen Group companies outside the European Union or the European Economic Area.

Group companies in third countries only participate in eNA-BPA insofar as 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 (e.g. 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 on joint control within the meaning of Article 26 GDPR, an appropriate, uniform data protection level is guaranteed through the standard data protection clauses of the European Commission. A copy of these safeguards will be provided on request. To make such a request, please use the contact options listed in the “Contact persons” section.

## C: Cookies

When you visit eNA-BPA, cookies, i.e. small files with configuration information, are stored on your end device. These are only the cookies that are technically required to ensure the functionality of the system.

Processing of the function cookies is necessary to enable you to visit the website (see Article 6 (1) (b) GDPR).

Further information can be found in the [eNA BPA B2B Cookie Guidelines](#).

## D: Your rights

You may exercise the following rights vis-à-vis Volkswagen AG at any time, free of charge. Please see sections E and F for further information about exercising your rights.

**Right of access/information:** You are entitled to receive information (Article 15 GDPR) from us relating to the processing of your personal data.

**Right to rectification:** You have the right to request that we rectify (Article 16 GDPR) any inaccurate or incomplete personal data that concerns you.

**Right to erasure:** You have the right to have your data erased if the conditions set out in Article 17 of the GDPR are met. According to this, you can demand, for example, that your data is erased if it is no longer necessary for the purposes for which it was collected. In addition, you can demand erasure if we process your data on the basis of your consent and you withdraw this consent.

**Right to restriction of processing:** You have the right to ask for a restriction of the processing of your data if the conditions set out in Article 18 of the GDPR are met. This is the case, for example, if you dispute the accuracy of your data. You can demand restriction of processing for the period during which the data is being checked.

**Right to object:** If processing is based on an overriding legitimate interest, you have the right to object to the processing of your data. If you object to the processing of your data, please notify us of the reasons for your objection. Furthermore, you have the right to object to data processing for the purposes of direct marketing. This also applies to profiling where this is connected to direct marketing.

**Right to data portability:** You have the right to receive your data in a structured, commonly used and machine-readable format and transfer the data to another data processor, provided that data processing is based on consent or contract fulfilment and that automated processing methods are used.

**Right to withdraw consent:** Where data processing is based on consent, you have the right to withdraw your consent to data processing, with future effect, at any time free of charge.

**Right of complaint:** You also have the right to lodge a complaint about our processing of your data with a supervisory authority (such as the Data Protection Commissioner for the State of Lower Saxony [Landesbeauftragte für den Datenschutz Niedersachsen]).

## **E: Contact persons for providing information**

You can easily contact us at any time for information about your personal data using the following web form. You can easily view documents relating to you (e.g. a copy of your personal data) online in the download portal.

[Go to the web form](#)

[Download portal login for data subjects](#)

## **GDPR support**

Office for data subject rights for suppliers, partner company employees and Group employees

Service hours

Monday to Friday from 8:00 to 16:00 (CET)

Contact

Tel.: +49 5361 - 9 - 46290

[datenschutz@VWGroupSupply.com](mailto:datenschutz@VWGroupSupply.com)

## **F: Contact persons**

### **Contact persons for exercising your rights**

The contact persons for exercising your rights and further information can be found on the following website <https://datenschutz.volkswagen.de>.

### **Data protection officer**

Our data protection officer is your contact person for matters relating to data protection:

Data Protection Officer, Volkswagen AG  
Berliner Ring 2, 38440 Wolfsburg, Germany  
[dataprivacy@volkswagen.de](mailto:dataprivacy@volkswagen.de)

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