

Japanese Privacy Notice Business Partners and Employees of Business Partners of AUDI AG

In this Privacy Notice according to Art. 13, 14 GDPR we are informing you about the automated, electronic processing of your personal data by AUDI AG, Auto-Union-Straße 1, 85057 Ingolstadt, Deutschland / Germany ("we") as a business partner or employee of a business partner.

Personal data means any information relating to an identified or identifiable natural person, including, as the case may be, sensitive personal data as defined under the laws of the country where you are located at the relevant time ('data subject'); a data subject is one that can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. **Processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

1. Who is the controller for the processing?

The controller for the processing of your personal data is:

AUDI AG, Auto-Union-Straße 1, 85057 Ingolstadt, Germany.

Tax identification number/Registration number: DE811115368; HRB Nr./Commercial Register No.: HR B 1

For further details on AUDI AG, including representatives, please see our legal notice <https://www.audi.com/en/legal-notice/>

2. Who can I contact?

If you wish to assert your data protection rights, please use the contact options at

<https://data-subject-rights.audi.com/>

There, you will find further information regarding how you can assert your data protection rights. You may also send your request

- via mail: AUDI AG, DSGVO-Betroffenenrechte, 85045 Ingolstadt, Germany

We take data subject rights very seriously and will respond to any request that you might have as soon as possible. If you have any general questions about this privacy notice or the processing of your personal data by AUDI, please use the following contact option:

e-mail: dsgvo-beschaffung@audi.de.

3. Contact details of the data protection officer

For matters concerning data protection, you can also consult our company data protection officer, using your own language:

AUDI AG, Data Protection Officer, 85045 Ingolstadt, Germany

- E-Mail: datenschutz@audi.de
- Telephone number: +49841 890

- Office address of the company data protection officer: AUDI AG, Data Protection Officer, Auto-Union-Straße 1, 85057 Ingolstadt, Germany

4. Which rights do I have?

All the below described rights concerning the personal data and the processing thereof may be subject to limitations, according to the applicable EU and/ or national laws. Depending on your jurisdiction, as the data subject, you may be entitled to the following data protection rights. **Please note:** Your data protection rights under the local laws of the country where you are located at the relevant time may differ from the rights described below.

As a data subject, you are generally entitled to the following data protection rights:

Access: You have the right to request information about the data stored about you at AUDI AG and the scope of the data processing and disclosure carried out by AUDI AG and to receive a copy of the personal data stored about you.

Rectification: You have the right to obtain without undue delay the rectification of inaccurate personal data concerning you as well as the completion of incomplete personal data stored concerning you at AUDI AG.

Erasure: You have the right to obtain the erasure of the personal data concerning you stored at AUDI AG without undue delay if the statutory requirements are met.

This may be the case, in particular, if

- Your personal data are no longer necessary in relation to the purposes for which they were collected;
- The sole legal ground for the processing was your consent and you have withdrawn it;
- You have objected to the processing based on the legal ground of balancing of interests on grounds relating to your particular situation and we cannot prove that there are overriding legitimate grounds for the processing;
- Your personal data have been unlawfully processed; or
- Your personal data have to be erased for compliance with a legal obligation.

If we have shared your data with third parties, we will inform them about the erasure, insofar as required by law.

Please note that your right to erasure is subject to restrictions. For example, we are not required or allowed to delete data that we are still obligated to retain due to statutory retention periods. Similarly, data that we need for the establishment, exercise or defence of legal claims are excluded from your right of erasure.

Restriction of processing: You have the right to obtain, under certain conditions, restriction of processing (i.e. the marking of stored personal data in order to restrict their future processing). The requirements are, in particular:

- The accuracy of your personal data is contested by you and AUDI AG must verify the accuracy of your personal data;
- The processing is unlawful, but you oppose the erasure of the personal data and instead request the restriction of the use of the personal data;
- AUDI AG no longer needs your personal data for the purposes of processing, but you require the data for the establishment, exercise or defence of legal claims;
- You have objected to the processing and the verification is pending whether the legitimate grounds of AUDI AG override yours.

In the event of a restriction of the processing, the data will be marked accordingly and will be – except for their storage – only processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the EU or of a EU Member State or of the country where you are located at the relevant time, in each case only to the extent permitted under applicable data protection laws.

Please note that the restriction of the processing of your personal data may be also employed as an alternative to the erasure of your personal data, where permitted by applicable law.

Data portability:

To the extent that we automatically process your personal data provided to us based on your consent or a contract with you (including your employment contract), you have the right to receive the data in a structured, commonly used and machine-readable format and to transfer those data to another controller without hindrance from AUDI AG. You also have the right to have the personal data transferred directly from AUDI AG to another controller where technically feasible and provided that this does not adversely affect the rights and freedoms of others.

Objection:

If we process your personal data on the basis of legitimate interests or in the public interest, you have the right to object to the processing of your data on personal grounds. In addition, you have an unrestricted right to object if we process your data for our direct marketing. Please see our separate note in the "Information on your right to object" section.

Withdrawal of consent:

If you have given consent to the processing of your personal data, you may withdraw it at any time. Please note that the withdrawal shall only be effective for the future. Processing that occurred before the withdrawal shall not be affected.

Complaint:

In addition, you have the right to lodge a complaint with a data protection supervisory authority if you believe that the processing of your personal data is unlawful. The right to lodge a complaint is without prejudice to any other administrative or judicial remedy. The address of the data protection supervisory authority responsible for AUDI AG is:

Bayerisches Landesamt für Datenschutzaufsicht

Promenade 18
91522 Ansbach

Deutschland / Germany

You also have the right to lodge a complaint with the Japanese authority, PPC as below:

Personal Information Protection Commission, Government of Japan (PPC),
Kasumigaseki Common Gate West Tower 32nd Floor, 3-2-1, Kasumigaseki,
Chiyoda-ku, Tokyo, 100-0013, Japan
Telephone number:: [+81-3-6457-9680](tel:+81364579680)

However, you can also lodge a complaint with any other data protection supervisory authority competent for you within or outside the EU, in particular with the one in the Member state of your habitual residence, place of work or place of the alleged infringement. Please find hereinafter a link where you can find all contact details of the national authorities in all member states: https://edpb.europa.eu/about-edpb/board/members_en.

See Appendix 1 "Additional rights of data subjects and further specific information" for further specific information.

Information on your right to object

Right to object on grounds relating to your particular situation

You have the right to object to the processing of your personal data on grounds relating to your particular situation. The prerequisite for this is that the data processing takes place in the public interest or on the basis of balancing of interests. This also applies for any profiling.

Insofar as we base the processing of your personal data on balancing of interests, we generally assume that we can demonstrate compelling legitimate grounds, but we will, of course, examine each individual case.

In the event of an objection, we will no longer process your personal data, unless,

- we can demonstrate compelling legitimate grounds for the processing of such data which override your interests, rights and freedoms or
- your personal data are used for the establishment, exercise or defence of legal claims.

Objection to the processing of your data for our direct marketing purposes

Where we process your personal data for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for such marketing; this also applies to profiling to the extent that it is related to such direct marketing. If you object to the processing for direct marketing purposes, we will no longer process your personal data for such purposes, which includes profiling to the extent that it is related to such direct marketing.

If you object to processing for direct marketing purposes, we will no longer process your personal data for these purposes.

Objection to the processing of your data for product improvement and general customer analysis

As part of the legitimate interests, we grant you a separate right of objection with regard to the processing of your personal data for product improvement and general customer analysis.

If you object to the processing for the purpose of product improvement and/or general customer analysis, we will no longer process your personal data for these purposes. Purely statistical evaluations of aggregated or otherwise anonymous data remain unaffected by this.

Exercise of the right to object

The objection can be exercised in any form and should preferably be addressed to the contact details listed in this privacy notice.

5. Which data do we process?

We process personal data which we receive from you within the scope of our business relationship with you as a business partner or employee of a business partner.

The personal data include:

- Private contact and master data
- Professional work and organisational data
- IT usage data
- Recordings
- Vehicle master data and identification
- Vehicle usage data (vehicle usage and operating data)
- Location data
- Particularly sensitive personal data

6. For which purposes do we process data and which legal bases apply?

We process your personal data in accordance with the provisions of the General Data Protection Regulation ("GDPR") and the German Federal Data Protection Act (Bundesdatenschutzgesetz, "BDSG") and other applicable local laws for various purposes.

The processing of your personal data must be based on one of the following legal bases:

- You have given your consent (Art. 6(1)(a) GDPR);
- Processing is necessary for the performance of a contract with you or in order to take steps at your request prior to entering into a contract (Art. 6(1)(b) GDPR);
- Processing is necessary for compliance with a legal obligation under EU law or the law of an EU member state to which we are subject (Art. 6(1)(c) GDPR);
- Processing is necessary in order to protect your vital interests or those of another person (Art. 6(1)(d) GDPR);

- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us (Art. 6(1)(e) GDPR)
- Processing is necessary for the purposes of the legitimate interests pursued by AUDI AG or by a third party, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data, in particular where the data subject is a child (Article 6(1)(f) GDPR).

If, in exceptional cases, we process special categories of personal data (data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, as well as the processing of genetic data, biometric data for the purpose of uniquely identifying a person, data concerning health or data concerning a person's sex life or sexual orientation) about you, one of the following legal bases must also apply:

- You have given your explicit consent (Art. 9(2)(a) GDPR);
- The processing is necessary to protect your vital interests or those of another person and the data subject is physically or legally incapable of giving consent (Art. 9(2)(c) GDPR);
- the processing relates to personal data which you have manifestly made public (Art. 9(2)(e) GDPR)
- processing is necessary for the establishment, exercise or defence of legal claims (Art. 9(2)(f) GDPR)
- processing is necessary for reasons of substantial public interest on the basis of EU law or the law of an EU Member State which is proportionate to the aim pursued, respects the essence of the right to data protection and provides for suitable and specific measures to safeguard your fundamental rights and interests (Art. 9(2)(g) GDPR).

Following on from the above, we process your personal data on the basis of the following legal bases for the following purposes:

Purpose	Legal grounds	Legitimate interest	Categories of data
Supplier management including supplier analysis and evaluation	Balancing of interests	Systematic management of relationships with suppliers, identification and evaluation of potential suppliers, supplier coaching and improvement of supplier relationships.	Professional work and organisational data; IT usage data; Legal transactions / contract data
Order placement, external and internal projects, including construction management	Balancing of interests	Maintaining operations and improving production	Professional work and organisational data; IT usage data; Legal transactions / contract data
Contract management (other contracts), in particular business partner management	Balancing of interests, fulfilment of contract, consent	Fulfilment of legal requirements of AUDI dealers, professionalisation of the AUDI brand image and improvement of the experience for customers through qualification of the employees of our trade and business partners; improvement of cooperation with trade and business partners	Professional work and organisational data; IT usage data
Operational safety and emergency management, owner's or	Fulfilment of legal obligations, balancing of interests, consent	Maintaining plant safety, access control, accident prevention	Professional work and organisational data; IT usage data; Recordings

tenant's right to undisturbed possession of premises and to keep out trespassers			
IT security	Balancing of interests	Protection of the IT infrastructure against accidental or wilful damage, recovery of data after data loss to maintain the IT infrastructure	Professional work and organisational data; IT usage data
Operation and administration of and/or support for internally used IT systems	Balancing of interests	Protection of the IT infrastructure against accidental or wilful interference, maintenance of IT systems and security	Professional work and organisational data; IT usage data
Legal affairs and compliance	Compliance with a legal obligation, public interest, fulfilment of legal obligations, balancing of interests, fulfilment of contract	<ul style="list-style-type: none"> - Compliance with legal and regulatory requirements - Verification of compliance with legal provisions, internal company guidelines, rules and standards of AUDI AG, Group companies, employees, business partners and other third parties, - Compliance with legal and regulatory requirements, assertion, exercise or defence of legal claims of AUDI AG or the respective AUDI dealer - Verification of compliance with contractual and legal obligations by AUDI AG, its employees and its sales partners, suppliers, etc., if necessary using the vehicle identification number 	Professional work and organisational data; IT usage data; Recordings; Legal transactions / contract data; Particularly sensitive personal data
Customer enquiries and customer complaints	Contract fulfilment (e.g. service contract, vehicle purchase contract or contract for special equipment) and consent, balancing of interests	Control of product quality and prevention of product damage, preventive complaint management	Professional work and organisational data; IT usage data; Recordings

Please note: If the applicable local law of the country where you are located at the relevant time foresees additional requirements regarding the legal bases, we will comply with such additional requirements and will inform you accordingly. This in particular applies, where such local law requires (express) consent for the processing of your personal data.

Please note your rights to object to the processing of data for the purpose of direct marketing or for personal reasons and your right to withdraw consent (see Sec. 4 "Which rights do you have?" and the "Information on your right to object").

7. Is there an obligation to provide personal data?

As part of our business relationship or interaction, you only need to provide the personal data that is required for the interaction, or that we are required to collect by law. Without this data, we will generally have to refuse to enter into the contract or to execute the order, or will be unable to perform an existing contract and possibly have to terminate it.

If we are asking you for your consent to the processing of your personal data, such consent will always be voluntary. However, if you do not give your consent, we might not be able to provide a particular service, if the relevant service cannot be provided without such data.

8. Who receives my data?

8.1. Data processing under the joint responsibility of AUDI AG and Volkswagen Group Companies

We also process such personal data of yours that is stored in the ONE.Konzern Group Business Platform of the Volkswagen AG. Personal data processed in conjunction with the ONE.Konzern Group Business Platform is subject to joint responsibility by AUDI AG and affiliated Volkswagen Group companies (hereinafter referred to as "**Volkswagen Group Companies**"). Consequently, these entities may have access to your personal data. For more information on the processing of your personal data in connection with the ONE.Konzern Group Business Platform and related data processing within the framework of joint responsibility between AUDI AG and the Volkswagen Group Companies please refer to the following links. The links also provide you with information about the Volkswagen Group Companies and third-party providers involved in the provision of the ONE.Konzern Group Business Platform, including potential third country transfers as mentioned under Sec. 9 below:

ONE.Konzern Business Plattform (Startseite): <http://www.vwgroupsupply.com>

- Data Protection Information of ONE.Konzern Business Plattform
https://www.vwgroupsupply.com/one-kbp-pub/en/kbp_public/rechtliches_4/privacy_policy/privacy_policy_1.html
- Data Protection Information of the Volkswagen Group Brands and Companies
https://www.vwgroupsupply.com/one-kbp-pub/en/kbp_public/rechtliches_4/service/datenschutzerklaerungen_von_konzernunternehmen/basicpage_for_general_pages_html_9.html
- List of enclosed Volkswagen Group Companies
https://www.vwgroupsupply.com/one-kbp-pub/media/kbp_public/documents_2/rechtliches_3/liste_der_konzerngesellschaften_1/Liste_der_Konzerngesellschaften.pdf

8.2 Data processing under the sole responsibility of AUDI AG

Within AUDI AG, those teams receive your data that need it in connection with their work (e.g. Technical Development, IT).

Service providers which are used and act on behalf of us and that do not process data for any of their own purposes (so called “processors”), may receive data for the purposes mentioned above. We utilise processors of the following categories for the provision of specific services, who support us in the execution of our business processes. Specifically, this includes entities affiliated with us (hereinafter referred to as “**Group Companies**”).

In addition, data may be shared with public authorities, and public corporations, and interest groups, including security authorities, to the extent we should be required to do so by law or by enforceable regulatory or judicial orders. We will generally share your personal data with third parties only if this is necessary for the performance of the contract, if we or the third party have a legitimate interest in the disclosure, or if you have given your consent, subject to applicable local laws. Third parties to whom we disclose your personal data for the purposes mentioned above and who act as data controllers under data protection law include

- Insurance companies
- Legal, economic and financial representatives

9. Is data transferred to a third country?

We process your data in Germany. As a rule, we do not transfer your data to other countries or third countries (countries that are neither members of the European Union nor the European Economic Area) or to international organisations.

A transfer of data to third countries (i.e. countries that are neither members of the European Union nor of the European Economic Area) may take place, to the extent this is required for the provision of services to you, is required by law, or you have given us your consent (in the absence of any other appropriate safeguarding mechanism under applicable law). **Please note:** Under the applicable local laws of the jurisdiction where you are located at, a transfer to a third country might be defined as a transfer outside of the territory or country where you are located at the relevant time.

Please note that not all third countries have a level of data protection recognised as adequate by the competent body of the country where you are located at the relevant time (e.g. the European Commission). AUDI AG will only transfer your personal data to third countries to the extent permitted by applicable law. Insofar as AUDI AG relies on appropriate safeguards in accordance with applicable law (e.g. Standard Contractual Clauses or Binding Corporate Rules pursuant to Art. 46(2) GDPR for third country transfers), AUDI AG will take such additional technical and/or organizational measures to the extent necessary to maintain an adequate level of protection of your personal data, as required under applicable laws.

With regard to use of the ONE.Konzern Business Platform and in connection with groupwide processes, we also transmit your data to Volkswagen AG Group Companies outside the European Union or the European Economic Area. You will receive information about the companies that receive access to your data on the ONE.Konzern Business Platform, on the platform. Our contract-based processors in certain cases also process personal data in countries outside the European Union or the European Economic Area.

Exceptions may also arise if you are employed by a business partner with headquarters in a third country or an event takes place in third countries. In addition, some of our IT service providers or other business partners, customers, or suppliers may be located in third countries. In certain cases, personal data may also be shared with officials and courts in third countries.

You can obtain a copy from us of the specific applicable or agreed rules to ensure the adequate level of data protection. Please use the information in the Contact section for this purpose.

Your data will be transferred to the following recipients in a third country: Volkswagen Group Companies, who may request services from you. List of enclosed Volkswagen Group Companies: https://www.vwgroupsupply.com/one-kbp-pub/media/kbp_public/documents_2/rechtliches_3/liste_der_konzerngesellschaften_1/Liste_der_Konzerngesellschaften.pdf:

10. How long will my data be stored?

We store your data as long as it is necessary for the purpose for which we have collected the data or we have a legitimate interest in the further storage. In other words, we routinely process and store your personal data for the duration of our business relationship with you or the business partner for which you work or your interaction with us.

In addition, we are subject to various retention and documentation obligations, which result, inter alia, from the German Commercial Code (*Handelsgesetzbuch*, “HGB”) and the German Tax Code (*Abgabenordnung*, “AO”). The periods specified therein for retention and documentation are up to ten years. Finally, the storage period is also assessed according to the statutory limitation periods, which can be up to thirty years, for example, according to Sections 195 et seqq. of the German Civil Code (*Bürgerliches Gesetzbuch*, “BGB”), with the regular period of limitation being three years.

Under certain circumstances, your data may also need to be retained for a longer period of time, such as when a so-called *legal hold* or *litigation hold* (i.e. a prohibition of data deletion for the duration of the proceedings) is ordered in connection with administrative or judicial proceedings.

We may also be subject to retention and documentation obligations in line with the local legislation of your country.

11. What practices and procedures are implemented to secure my data?

We have implemented and maintain at all times encompassing technical and organisational measures (**TOMs**) to protect your data in accordance with the high standards of the GDPR and the standards required under other applicable local laws of the jurisdiction you may be located at. This includes, but is not limited to, pseudonymisation and encryption, measures to ensure the ongoing confidentiality, integrity and availability of your data (including the ability to restore data in case of an incident). We are regularly reviewing our TOMs and apply enhancements where needed to keep your data safe and to comply with applicable laws. We have put in place appropriate procedures to deal with any personal data breach (i.e. a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed) and will notify you as the data subject and relevant supervisory authority when we are legally required to do so.

12. Updates of this privacy notice

We might update this privacy notice from time to time by making available updates to this privacy notice on our website.

Annex 1 – Additional data subject rights and further country-specific information

You have the right to

- request information on purpose of use;
- request information on security control measures;
- request access;
- request correction, addition or deletion;
- request discontinuance of use or erasure; and
- request explanations on data processing.