



Data Protection Notice for Business Partners and Employees of Business Partners of AUDI AG

In this Notice we inform you about the processing of your personal data as a business partner or employee of a business partner by Audi AG as the entity solely responsible under data protection laws or AUDI AG and its group companies as the entity jointly responsible under data protection laws.

This Data Protection Notice does not cover the processing of your data outside the data processing operations described below, in particular through other group companies of the Volkswagen Group as the solely responsible entity under data protection laws. In this regard, the special data protection notices provided to you in each case for these data processing operations on the part of the group companies will apply.

Personal data means any information relating to an identified or identifiable natural person. An identifiable natural person is one who 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 responsible for data processing and whom can I contact?

1.1 The controller

The entity responsible for the processing of your personal data (the controller) is:

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

For the data processing described below, AUDI AG is the controller **solely or jointly with the group companies** under data protection laws within the meaning of art. 4 number 7 of the General Data Protection Regulation of the European Union (Directive (EU) 2016/679 – “**GDPR**”). **Section 3 below** indicates whether data processing falls within the sole controllership of AUDI AG or the joint controllership of AUDI AG and the group companies.

1.2 Data Protection Officer

For data protection matters, you can also contact our data protection officer:

AUDI AG, Data Protection Officer (Datenschutzbeauftragter), 85045 Ingolstadt, Germany

Email: datenschutz@audi.de

1.3 Rights of data subjects and contact

If you want to assert your **data protection rights**, please use the contact option at

<https://gdpr.audi.com/>

You will find further information there on how you can assert your data protection rights. You can also contact us by mail at the following address:

AUDI AG, Central Contact Office (DSGVO-Betroffenenrechte), 85045 Ingolstadt, Germany

If you have general questions about this data protection notice or the processing of your personal data by AUDI AG, please use the following contact option:

dsgvo-beschaffung@audi.de

2. What data do we process and what sources do such data come from?

We process personal data which we receive from you within the scope of our business relationship with you as a business partner or as an employee of a business partner and your interaction with us or that we lawfully collect about you. This includes in particular the use of IT systems (e.g. websites, platforms) and communication means, contact with employees or customer support, information that we receive from your supervisors and colleagues, registration for newsletters, participation in continuing and further education, participation in events, or the receipt of non-cash benefits.

The relevant personal data include:

Professional contact and (work) organization data (e.g., last name, first name, name of the company that you represent as well as department and activity, business email address, telephone number, mailing address),

Private contact data (e.g., mailing address, email address, telephone number),

Data about personal/professional circumstances and features (e.g., date and place of birth (for identification, in particular when requesting usage rights for IT systems), citizenship (to factor in special national legislation), gender, title, academic degree, professional designation, tasks, activities, qualifications, training and continued education data, data protection notices such as declarations of consent to process personal data, language capabilities, work-related evaluations),

Special category: Photo (e.g., work ID, portrait photo published based on separate consent (internal social media platform Audi mynet, etc.)),

Health data (e.g., accidents on work premises),

IT usage data (e.g., user ID, roles and rights, (system) authorizations, login times, computer name, IP address, user-specific settings, change documentation etc.),

Data from lawful surveillance systems (e.g., video surveillance systems, data from IT security programs (including log files with IP addresses, MAC addresses, entry controls), entry data to the work premises or specially secured areas),

Vehicle data (model, brand, license plate number),

Information about work equipment and allocation plans received (e.g., mobile phones, smartphones, tablets, laptops, locker assignment, entry authorization).

Test data: If you work for us as a test driver during product development and/or quality assurance and we provide you with a test vehicle, we will process your personal data in connection with use of the vehicle (e.g. driving and operating behaviour, position and movement data, video and audio data). We will notify you about the specific data processing in the consent form or in specific data protection notifications.

Other: We may also process any further personal data of yours that you provide during our interaction, e.g. identification data, data regarding the use of IT systems or concerning your contact with our employees, or data that we lawfully collect about you from public sources (e.g., commercial register, credit agencies, Schufa, press, publications).

3. For what purposes do we process your data and on which legal basis?

We process your personal data in all cases for a specified purpose and only to the extent necessary to fulfil this purpose.

3.1 General information

We process your personal data based on one of the following legal bases:

- You have given your consent (Art. 6 (1) (1) (a) GDPR);
- Processing is necessary to perform a contract with you, or in order to take steps your request prior to entering into a contract (Art. 6 (1) (1) (b) GDPR);
- Processing is necessary for compliance with a legal obligation under EU law or under a Member State law to which AUDI AG is subject (Art. 6 (1) (1) (c) GDPR);
- Processing is necessary to protect your vital interests or the vital interests of another person (Art. 6 (1) (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 AUDI AG (Art. 6 (1) (1) (e) GDPR);
- Processing is necessary for the purposes of the legitimate interests pursued by the Audi AG or of a third party, except where these interests are overridden by your interests or fundamental rights and freedoms which require protection of personal

data (Art. 6 (1) (1) (f) GDPR).

To the extent that we, in exceptional cases, process **special categories of personal data** about you, then one of the following legal bases must also apply, notwithstanding the above statements:

- You have given explicit consent (Art. 9 (2) (a) GDPR);
- Processing is necessary to protect your vital interests or those of another person where the relevant person is physically or legally incapable for giving consent (Art. 9 (2) (c) GDPR);
- Processing relates to personal data which you 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 public health, to determine work capability, for medical diagnostics, supply or treatment in healthcare or social work, or to administer systems and services in the healthcare and social work field, on the basis of a contract that you have concluded with a member of a healthcare profession, and these data are processed by medical staff or other persons subject to confidentiality, or under their responsibility (Section 22 (1) no. 1 (b) BDSG (German Data Protection Act)).

Special categories of personal data are personal data that revealed the racial and 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 natural person, health data, or data about sexuality or sexual orientation of a natural person.

The **following overviews** provide details on the legal basis used for processing the personal data named under Section 2 and for which purposes. The data processing operations under **Section 1** fall within the sole controllership of AUDI AG. The data processing operations under **Section 2** fall within the joint controllership of AUDI AG and other group companies.

3.2 Data processing within the sole controllership of AUDI AG

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

Purpose	Examples	Legal basis	Legitimate interest for balancing of interests
Initiating contact to prepare for, perform, and end a business relationship between AUDI AG and the business partner for which you work or possibly with you yourself	<p>General communication</p> <p>Processing orders and procurements based on contracts (e.g. nomination agreement, framework agreement, order)</p> <p>Inquiries about current orders (change requests, capacity changes, etc.)</p> <p>Appointment organization, event/participant management</p> <p>Invoicing between AUDI AG and business partners, invoicing of service periods or invoicing of expenses or costs</p> <p>Contact person for the business relationship, business divisions, specialty divisions, projects, collaboration between the business partners</p> <p>Collaboration as part of the business relationship, projects</p> <p>Use of Audi mynet (if you have received access authorization)</p>	<p>Contract initiation and execution (if you work for yourself), balancing of interests</p>	<p>Collaboration with business partners, feasible structure of processes within the business relationship, with contact persons being available, controlling and invoicing of the contractual services</p>
Execution and processing of procurement processes within AUDI AG or between AUDI AG and its group companies as well as internal processes for conducting the business relationship	<p>Processing of orders and procurements based on contracts (e.g. nomination agreement, framework agreement, order)</p> <p>Reporting</p> <p>Administration</p> <p>Satisfying tax law review and filing duties, archiving of data</p> <p>Bookkeeping, receivables collection</p>	<p>Fulfilling statutory obligations, contract performance (if you work for yourself) and balancing of interests</p>	<p>Structuring processes within the business relationship, fulfilment of statutory and regulatory requirements</p>
Query of GDPR relevant contact persons	<p>Data protection officer</p> <p>Persons authorized to issue instructions</p> <p>Persons authorized to receive instructions</p>	<p>Fulfilling statutory obligations, balancing of interests</p>	<p>Collaboration with business partners, feasible structure of (GDPR) processes within the business relationship, fulfilment of statutory and regulatory requirements</p>

Creating and managing entry authorization to the work premises, offices, buildings, security of the work premises	<p>Creating factory IDs and entry authorization</p> <p>Identifying visitors and those authorized for entry</p> <p>Visitor administration, issuing visitor passes</p> <p>Issuing drive-in and/or parking pass at the factory for visitor vehicles</p> <p>Video surveillance of the work premises</p>	<p>Contract performance (if you work for yourself), balancing of interests</p>	<p>Protecting our business and trade secrets, protecting our house rules, checking entry authorization to our buildings and properties</p>
IT Administration	<p>User administration (assignment of access, IT support, system access, authorization administration)</p> <p>Processing of password resets</p> <p>Proof of changes to information in applications</p> <p>Clear identification of the user for secure operation of applications</p> <p>Determination of disruptions and guaranteeing system security including uncovering and tracking impermissible access attempts and access to our web servers</p>	<p>Balancing of interests or contract performance (if you work for yourself), fulfilment of our legal obligations in the area of data security</p>	<p>Identification of the person in connection with the allocation of authorisations, the unambiguous identification of the user for the access to IT-Systems for guaranteeing the security and integrity of processes in connection with use of the Audi systems, troubleshooting and uncovering and tracking impermissible access or access attempts, abuse and unauthorized access</p>
Project organisation and management	<p>Collaboration on projects</p> <p>Exchange about projects with other business partners</p>	<p>Contract performance (if you work for yourself), balancing of interests</p>	<p>Collaboration with the business partner</p>
Taxes	<p>Determining and reporting cash-equivalent advantages from non-cash benefits</p> <p>Legal documentation regarding recipients of hospitality and gifts</p>	<p>Fulfilment of our legal obligation concerning taxes</p>	
Gastronomy	<p>Cashless payment</p> <p>Complaint Card balance Factory IDs</p>	<p>Contractual performance (hospitality contract or payment function of the factory ID)</p>	
Health protection	<p>Medical care for occupational and commuting accidents or accidents on work premises</p> <p>Medical care (acute medicine, emergency call, workplace accident, occupational medicine examinations and care, outpatient, medical consulting, function diagnostics, anamnesis lab analytics)</p>	<p>Consent, healthcare, medical diagnostics, protection of vital interests, Section 22 (1) no. 1 (b) BDSG</p>	

Internal Audit	Internal audit and special audits Internal investigations	Balancing of interests	Reviewing compliance with contractual and statutory duties of AUDI AG, the business partner, the employees
Protecting and defending our rights and disclosure related to official/court actions	Exercising and asserting rights and claims Disclosure related to official/court actions for purposes of collecting evidence, criminal prosecution, and enforcement of civil law claims Processing data subject inquiries under GDPR Disclosure in the context of official /court actions in connection with securities trading	Fulfilling statutory obligations, Balancing of interests	Asserting and defending our rights and fulfilling statutory and official requirements
Prevention, combating and clarification of the financing of terrorism and crimes that pose a threat to property, comparisons with European and international anti-terror lists	Comparison with anti-terror lists	Fulfilling statutory obligations, Balancing of interests	Fulfilling statutory and official requirements
Retention and archiving	Archiving based on storage obligations set forth under tax and commercial law	Fulfilling statutory obligations, Balancing of interests	Fulfilling statutory and official requirements, internal guidelines and industry standards
Prevention of fraud and money laundering Fraud and money laundering		Fulfilling statutory and official requirements	
Compliance Audits	Compliance audits and documentation of compliance requests and compliance with legal requirements	Balancing of interests	Audit of compliance with legal requirements, internal guidelines of AUDI AG
Statistical evaluations regarding company control, Cost recording and controlling	Reporting on business management metrics	Balancing of interests	Evaluations for controlling our business processes and cost control

Conducting surveys and campaigns	Conducting surveys, marketing campaigns, market analyses, lotteries, competitions, and similar operations	Balancing of interests, consent	
Testing, developing, refining our products, quality assurance, product improvement	Test drives, approval drives, research and development, quality assurance	Research (Section 27 BDSG) Balancing of interests Consent	Testing, developing, refining our products, quality assurance, product improvement
Qualification	Offering, carrying out and administration of (digital) qualification measures	Execution of the contract	

3.3 Data processing within the joint controllership of AUDI AG and group companies of the Volkswagen Group

We also process your personal data stored in the ONE.Konzern Business Platform of Volkswagen AG. Information about processing your personal data in connection with the ONE.Konzern Business Platform and the related data processing connected with joint responsibility between AUDI AG and the group companies of the Volkswagen Group as well as the list of participating group companies can be viewed and downloaded at the ONE.Konzern Business Platform.

- ONE.Konzern Business Plattform (Home)
<http://www.vwgroupsupply.com>
- Privacy Policy ONE.Konzern Business Plattform
https://www.vwgroupsupply.com/one-kbp-pub/en/kbp_public/rechtliches_4/privacy_policy/privacy_policy_1.html
- Privacy policy of Group companies
https://www.vwgroupsupply.com/one-kbp-pub/en/kbp_public/rechtliches_4/legal_information/datenschutzerklaerungen_von_konzernunternehmen_3/basicpage_for_general_pages_html_9.html
- List of participating group companies
https://www.vwgroupsupply.com/one-kbp-pub/media/kbp_public/documents_2/rechtliches_3/liste_der_konzerngesellschaften_1/Liste_der_Konzerngesellschaften.pdf

Purpose	Examples	Legal basis	Legitimate interest for balancing of interests
Initiating contact to prepare for, perform, and end a business relationship between Volkswagen AG or a group company and the business partner for which you work or possibly with you yourself in connection with groupwide procurement processes	General communication Processing orders and procurements based on contracts (e.g. framework agreement, order) Inquiries about current orders (change requests, capacity changes, etc.)	Contract initiation and execution (if you work for yourself), balancing of interests	Collaboration with business partners, feasible structure of processes within the business relationship, with contact persons being available, controlling and invoicing of the contractual services

Execution and processing of procurement processes of Volkswagen AG and internal processes for conducting the business relationship in connection with groupwide procurement processes	Processing of orders and procurements based on contracts (e.g. nomination agreement, framework agreement, order) Reporting Administration Satisfying tax law review and filing duties, archiving of data Bookkeeping, receivables collection	Fulfilling statutory obligations, contract performance (if you work for yourself) and balancing of interests	Structuring processes within the business relationship and creation of groupwide synergies, fulfilment of statutory and regulatory requirements
IT Administration outside of groupwide procurement processes	User administration (assignment of access, IT support, system access, authorization administration) Proof of changes to information in applications Clear identification of the user for secure operation of applications Determination of disruptions and guaranteeing system security including uncovering and tracking impermissible access attempts and access to our web servers	Balancing of interests or contract performance (if you work for yourself), fulfilment of our legal obligations in the area of data security	Guaranteeing the security and integrity of processes in connection with use of the Audi systems, troubleshooting and uncovering and tracking impermissible access or access attempts

4. Is there an obligation to provide personal data?

In the context of our business relationship or interaction, you need to provide only the personal data that is required for the interaction or that we are required to collect by law. If you are required to provide us with personal data due to statutory or contractual duty, then we will refer to the particular duty when collecting the data. If you do not provide us with the data, it may not be possible to provide certain services.

5. Who receives my data?

Within AUDI AG, those departments will receive your data that need it in connection with their work (e.g., distribution in Germany, IT).

Service providers employed by us and working on our behalf (so-called processors) can also receive data for these purposes. This includes:

- group companies in the Volkswagen Group that render services (e.g., IT services) for AUDI AG (e.g. VW AG)
- printing service providers
- media service providers and shipping service providers
- archiving service providers
- hosting providers
- IT service providers (e.g. support, maintenance)
- development service providers that work on our behalf
- event providers
- logistics/warehousing companies
- consulting service providers.

In addition, we may share your personal data with the following recipients or categories of recipients who act as controllers to the extent required to satisfy the aforementioned purposes:

- other group companies in connection with the data processing operations described in section 3 within joint responsibility as well as customers, other business partners (e.g. development partners, consulting service providers, law firms, tax consultant firms, auditing companies) and suppliers of AUDI AG with whom you interact in connection with your professional work or your business work
- institutions of higher education
- group companies of AUDI AG
- group companies of Volkswagen AG in connection with initiating and performing contracts (especially order and finance processes)
- external advisors of AUDI AG (e.g. law firms, tax consultant firms, auditing companies)
- insurance companies

- officials within their jurisdiction (e.g. tax office, police, public prosecutor's office, social security agencies)
- courts
- other third parties to the extent that you instruct us to share data or grant your consent.

6. Is data transmitted to a third country?

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

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.

Please note that not all third countries have a data protection level recognized as adequate by the European Commission. AUDI AG will only transfer your personal data to third countries to the extent permitted by Art. 44 – 49 GDPR. Insofar as AUDI AG relies on appropriate safeguards in accordance with Article 46 (2) GDPR for third country transfers (e.g. Standard Contractual Clauses or Binding Corporate Rules), AUDI AG will take additional technical and/or organizational measures to the extent necessary to maintain an adequate level of protection of your personal data. In connection with agreements between AUDI AG and the group companies for joint controllership within the meaning of Art. 26 GDPR, a reasonable, uniform data protection level is guaranteed by standard data protection clauses of the European Commission. The agreements with the processors likewise routinely provide for standard data protection clauses of the European Commission to guarantee a reasonable data protection level. We will provide you with a copy of these guarantees upon request. Please use the contact information provided above.

7. How long will my data be stored?

We store your data as long as necessary for the purpose for which we have collected the data. 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 requirements pursuant to, *inter alia*, the German Commercial Code (*Handelsgesetzbuch* - "HGB") and the Tax Code (*Abgabenordnung* - "AO"). The retention and documentation periods specified therein last up to ten years. Independent of the purpose for which we have collected your data, we store the data to the extent needed to fulfil these retention and documentation duties. Finally, the storage period is also governed by statute of limitations periods, which can be up to thirty years, for example, pursuant to sections 195 *et seq.* of the German Civil Code (*Bürgerliches Gesetzbuch* - "BGB"), whereby the general limitations period is three years.

Under certain circumstances, your data may need to be kept longer, e.g. if a legal hold or litigation hold (i.e. a ban on deleting data for the duration of the proceedings) is ordered in connection with official or judicial proceedings.

8. What rights do I have?

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

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| Access: | You have the right to request access to personal data related to you and stored at AUDI AG and about the scope of data processing and data transfer performed by AUDI AG and to obtain a copy of your stored personal data. |
| Rectification: | With respect to your personal data stored at AUDI AG, you have the right to demand the immediate rectification of incorrect personal data and you have the right to have incomplete personal data completed. |
| Erasure: | You have the right to demand the immediate deletion or erasure of your personal data stored by AUDI AG, if the legal requirements are satisfied.
This is the case, in particular, if <ul style="list-style-type: none"> – your personal data is no longer needed for the purposes for which it was collected; – the sole legal basis for processing such data was your consent, and you have withdrawn such |

- consent;
- you have objected to processing on the legal grounds relating to your particular situation, and we cannot prove that there are overriding legitimate grounds for processing;
- your personal data were processed unlawfully; or
- your personal data must be erased in order to comply with legal requirements.

If we have transmitted your data to third parties, we will inform them about the erasure to the extent required by law.

Please note that your right to erasure is subject to certain limitations. For example, we may not and/or must not erase data that we are still required to retain due to statutory retention obligations. In addition, your right of erasure does not extend to data that we need in order to assert, exercise or defend against legal claims.

- Restriction to the Processing:** Under certain conditions, you have the right to request that processing be limited (i.e., the marking of stored personal data with the aim of limiting its processing in the future). The requirements are:
- The accuracy of your personal data is contested by you and AUDI AG must verify the accuracy of the personal data;
 - the processing is unlawful, but you oppose the erasure of the personal data and request the restriction of their use instead;
 - AUDI AG no longer needs the personal data for the purposes of processing, but you require the data to establish, exercise or defend your legal claims.
 - you have objected to processing pending the verification of whether the legitimate grounds of AUDI AG override your legitimate grounds.

Where processing has been restricted, such data will be marked accordingly and, with the exception of storage, will be processed only 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 the EU or an EU Member State.

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

- Right to Object:** If we process your personal data on grounds of legitimate interests or in the public interest, then you have the right to object to the processing of your personal data on grounds relating to your particular situation. In addition, you have an unrestricted right to object if we process your data for our direct marketing purposes. Please see our separate note in the section titled “Information about your right to object”.

In certain situations, in the context of a balancing of interests, we will grant you an additional unrestricted right to object. We will likewise notify you in the section “Information about your right to object”.

- Withdrawal of Consent:** If you have given consent to the processing of your personal data, then you can withdraw such consent at any time. Please note that the withdrawal applies prospectively only. Processing that occurred before the withdrawal of consent is unaffected.

- Complaint:** Furthermore, you have a right to file a complaint with a data protection authority [*Datenschutzaufsichtsbehörde*], if you believe that the processing of your personal data is unlawful. The right to file a complaint is without prejudice to any other administrative or judicial remedies. The address of the data protection supervisory authority responsible for AUDI AG is:

Bayerisches Landesamt für Datenschutzaufsicht
 Promenade 18
 91522 Ansbach
 Germany

Information about Your Right to Object

Right to Object for Personal Reasons

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 a balancing of interests. This applies also to profiling.

Insofar as we base the processing of your personal data on a balancing of interests, we generally assume that we can demonstrate compelling legitimate grounds but 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 [*zwingende schutzwürdige Gründe*] for the processing of these data that override your interests, rights and freedoms, or
- your personal data serves the establishment, exercise or defence of legal claims.

Objection to the Processing of your Data for our Direct Marketing Purposes

If we process your personal data for the purpose of direct advertising, you have the right at any time to object to the processing of your personal data for the purpose of such advertising; this also applies to profiling insofar as it is connected with such direct advertising.

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

Objection Against the Processing of your Personal Data for Product Improvement and General Customer Analysis

As part of the balancing of 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 purposes 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 of Objection

The objection can be made without form and should preferably be made to the contact data listed in this data protection notice.