

**VOLKSWAGEN**

SOFTWARE ASSET MANAGEMENT

---

# **Privacy policy for business partners of Volkswagen Software Asset Management GmbH and its employees**

**Responsible:** VW SAM GmbH, data protection coordination  
**Status:** approved  
**Version:** V1.0  
**Date:** 19 September 2023

In this document, we inform you about how your personal data is processed as a business partner or employee of a business partner by Volkswagen Software Asset Management GmbH (VW SAM) as the sole data controller under data protection law.

## 1. Who is responsible for data processing and who can I contact?

The party responsible for the processing of your personal data is:

Volkswagen Software Asset Management GmbH ("VW SAM")  
Berliner Ring 2  
38440 Wolfsburg, Germany,  
entered in the register of companies at Braunschweig District Court under HRB 200198.

## Contact options for data subjects under data protection law

### Information

For information about the processing of your personal data within the meaning of Article 15 GDPR, please contact [sam@volkswagen.de](mailto:sam@volkswagen.de).

### Data protection officer

You can contact the Volkswagen Asset Management GmbH data protection officer as follows:

Berliner Ring 2, 38440 Wolfsburg, Germany  
[konzerndatenschutz@volkswagen.de](mailto:konzerndatenschutz@volkswagen.de)

## 2. What data do we process and what sources does it come from?

We process personal data that we obtain from you with your permission or that we collect about you in a permissible manner as part of our business relationship with you as a business partner or as an employee of a business partner, and as part of your interaction with us. This includes, in particular, the use of IT systems (including web pages and platforms) and communication media, contact with employees, information that we obtain from your supervisors and participation in events, and the receipt of non-cash benefits.

Relevant personal data includes the following:

**Job-related contact and organisation data** (e.g. surname, first name, title, academic degree, gender, address, date and place of birth (for identification purposes, in particular for requesting user rights for IT systems), nationality (in order to take specific national legislation into account),

name of the company that you work for along with the department and occupation, professional email address, phone number, address)

**Private contact details** (e.g. address, email address, phone number),

**Information about private/professional relationships & characteristics** (e.g. professional title, duties, roles, qualifications, training and further education details, data privacy declarations such as declarations of consent for the processing of personal data, language skills, activity-based assessments)

**Photos** (e.g. plant ID card, portrait photo published on the basis of consent obtained separately)

**IT usage data** (e.g. user ID, roles and rights, [system] permissions, login times, computer name, IP address, user-specific settings, change documentation, log data pertaining to use [anonymous cookie ID, operating system, web browser, screen resolution, date and time of visit, web pages accessed, referrer URL] etc.).

In addition to the aforementioned, we may process additional personal data from you that you provide in the course of our interaction or in the course of your contact with our employees, or data that we may collect permissibly from publicly available sources.

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

As a general rule, personal data may be processed on the following legal grounds:

- You have given your consent (Article 6(1)(a) GDPR)
- Processing is necessary for the performance of a contract to which you are a contracting party or to implement pre-contractual measures pursuant to your enquiry (Article 6(1)(b) GDPR)
- Processing is necessary for the performance of a legal obligation under EU law or the law of an EU Member State to which we are subject (Article 6(1)(c) GDPR); these may arise, for example, from customs, tax or registration provisions
- Processing is necessary for the purposes of the legitimate interests pursued by us or a third party, except where such interests are overridden by your interests or rights and freedoms which require protection of personal data (Article 6(1)(f))

The following outlines provide a more specific definition of the legal basis on which – and the purpose for which – the personal data stated under number 2 may be processed:

Purposes of the processing	Examples	Legal basis	Legitimate interest
Contact for the preparation, implementation and termination of a business relationship	<p>General communication, processing of orders and procurement based on contracts (e.g. nomination agreement, framework agreement, order, order form),</p> <p>Enquiries pertaining to current orders (change requests, changes in capacity etc.)</p>	Contract origination, performance of a contract, balancing of interests	Collaboration with business partners, practicable process design as part of the business relationship in which contact persons are available
Execution and handling of procurement processes	Processing orders and procurements on the basis of contracts, reporting, compliance with control and reporting obligations under tax law, accounting, collection of receivables etc.	Compliance with legal obligations, performance of the contract (if you are acting on your own behalf), balancing of interests	Organisation of the processes within the business relationship, compliance with legal and regulatory requirements
IT administration	User administration, unambiguous identification of the user for the secure operation of applications, identification of errors and ensuring system security	Balancing of interests, performance of the contract, compliance with our legal obligations on data security	Guarantee of security and integrity of processes when using our systems, rectification of errors and authorised access
Project organisation and management	Cooperation on projects, exchanging information on projects with other business partners	Performance of the contract, balancing of interests	Collaboration with the business partner

Taxes	Mediation and reporting of monetary benefits from material contributions, legal documentation regarding the receipt of gifts and hospitality	Fulfilling our legal obligations in relation to taxation	
Internal audit	Audit and special tests, internal investigations	Balancing of interests	Checking compliance with contractual and legal obligations
Protection and defence of our rights, disclosure as part of official and judicial measures	Exercise and assertion of rights and claims, disclosure as part of official/judicial measures for the purposes of collecting evidence, criminal prosecution, enforcement of civil claims, processing of requests for data subjects	Fulfilment of legal obligations, balancing of interests	Defence of our rights and compliance with legal and regulatory requirements
Prevention, counteraction and clarification of terrorist financing and assets from dangerous crimes, comparison with European and international anti-terrorism lists		Fulfilment of legal obligations	
Archiving and retention		Fulfilment of legal obligations	
Prevention of money laundering		Compliance with legal and regulatory requirements	

<p>Conducting surveys and marketing campaigns</p>		<p>Balancing of interests, consent</p>	<p>Improving our offers to gain insight into customer needs, opinions, preferences</p>
---	--	--	--

**4. Is it mandatory to make personal data available?**

As part of the business relationship and/or our interaction with you, you only have to make available the personal data that is necessary for the interaction or that we are legally required to collect. If you have to make personal data available to us due to a legal or contractual obligation, we will make you aware of this fact when collecting the data, with reference to the obligation in question. If you do not provide us with the relevant data, certain services may not be provided.

**5. Who will receive my data?**

Within VW SAM and the Group companies, your data is provided only to those that require it as part of your employment. Furthermore, service providers contracted by us and that act on our behalf may receive this data for these purposes. These service providers include:

- Group companies of the Volkswagen Group that provide services
- Printing service providers
- Media service providers, shipping service providers
- Archiving service providers
- Hosting service providers
- IT service providers (e.g. support, maintenance)
- Development service providers that are acting on our behalf
- Event service providers
- Logistics/warehouse companies
- Consulting service providers

In addition, we may pass on your personal data to the extent necessary to achieve the aforementioned purposes to the following categories of recipients who act as data controllers in the sense of data protection law.

- Other Group companies with which we process data under our joint responsibility
- Universities
- Public authorities
- Courts

**6. Is data transferred to third countries?**

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

In individual cases, our processors will also process personal data in countries outside the EU or European Economic Area. In any case, data is only transferred to third countries if a sufficient level of data protection in the third country is ensured pursuant to an adequacy resolution by the European Commission, or if appropriate guarantees can be provided to ensure the appropriate protection of your personal data. The agreements with processors regularly provide for the conclusion of standard data protection clauses of the European Commission to ensure an adequate level of data protection.

## 7. How long will my data be stored?

We will store your personal data as long as this is necessary for the purpose for which we have collected it. This means that we regularly store your data for the duration of our business relationship with you, or with the business partner for whom you work, or for your interaction with us. In addition, we are subject to various retention and documentation obligations resulting from legislation including the German Commercial Code and the German Fiscal Code. The retention and documentation period specified in the said legislation is up to ten years. Irrespective of the purpose for which we collected your data, we store it to the extent necessary to satisfy these retention and documentation obligations. Ultimately, the retention period also depends on statutory limitation periods, which can, for example, be up to 30 years according to sections 195 ff. of the German Civil Code. In certain circumstances, we may need to retain your data even longer if, for example, this is required by a regulatory or judicial process.

## 8. What rights do I have?

As a data subject, you are entitled to the following data protection rights within the framework of the statutory provisions:

### **Access:**

You have the right to request access to the data stored concerning you and the scope of data processing and transfer carried out, and to receive a copy of the personal data stored concerning you.

### **Rectification:**

You have the right to request that stored personal data concerning you that is incorrect or incomplete be rectified or completed.

### **Erasure:**

You have the right to demand the erasure of personal data stored concerning you if the legal requirements are met. This includes in particular:

- If your personal data is no longer required for the purposes for which it was collected
- You have withdrawn your consent, which was the sole legal basis for processing
- For personal reasons, you have objected to processing whereby the legal basis is balancing of interests, and we are not able to demonstrate that there are overriding compelling reasons for processing
- Your personal data has been processed unlawfully
- Your personal data must be erased to comply with legal requirements

If we have passed on your data to third parties, we will inform them of the erasure, to the extent that this is required by law. Please note that your right of erasure is subject to restrictions. For example, we must not and may not erase any data that we have to retain due to statutory retention periods. Furthermore, data that we require for the assertion, exercise or defence of legal claims is also excluded from your right to erasure.

**Restriction of processing:**

You have the right, under certain conditions, to request the restriction of processing. These conditions are:

- You dispute the accuracy of the personal data and we need to verify the accuracy of the personal data
- The processing is unlawful, but you oppose the erasure of the personal data and instead request restriction of the use of the personal data
- We no longer require your personal data for the purposes of processing, but you need the data for the assertion, exercise or defence of legal claims
- You have objected to the processing and it has not yet been ascertained whether our legitimate grounds outweigh yours

In the event of restriction of processing, the data will be flagged accordingly and – apart from being stored – will only be processed with your consent or for the assertion, exercise or defence of legal claims, or to protect the rights of another natural or legal person or for reasons of substantial public interest of the EU or an EU Member State.

**Data portability:**

If we process the personal data that you have provided to us automatically based on your consent or a contract with you, you have the right to receive the data in a structured, commonly used and machine-readable format and to transmit this data to another data controller without impediment by us. You also have the right to have the personal data transmitted directly from us to another data controller, insofar as this is technically feasible and insofar as this does not affect the rights and freedom of other persons.

**Revocation of consent:**



If you have given your consent to the processing of your personal data, you can revoke this at any time. Please note that the revocation is only effective for the future. Any data that was processed prior to the withdrawal of consent is unaffected.

You can assert your rights by contacting [sam@volkswagen.de](mailto:sam@volkswagen.de).

**Complaint:**

In addition, you have a right to lodge a complaint with a data protection authority if you believe that the processing of your personal data is being performed unlawfully. The right to lodge a complaint exists without prejudice to any other regulatory or judicial legal remedy. The address of the data protection supervisory authority responsible for VW SAM is:

**The Data Protection Officer for the State of Lower Saxony**

Prinzenstraße 5  
30159 Hanover, Germany

**Right to object**

You have the right to object to the processing of your data if processing is based on an overriding interest or your data is used for direct marketing purposes. An objection is admissible if processing is performed in the public interest or in the exercise of official authority, or if it is performed for a legitimate interest of VW SAM or of a third party. If you object to the processing of your data, please notify us of the grounds 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.