



BRIGHT MINDS,
BRIGHT LIGHTS.

DATA PRIVACY STATEMENT CUSTOMERS

As at: October 2023

By way of this information on data protection, we inform you about the processing of your personal data by **ZKW México S.A. de C.V.**, Parque Industrial Santa Fe IV Puerto Interior, Avenida Mineral de Peñafiel No. 1, CP. 36275 Silao, Gto.

If you have any questions regarding your personal data, please contact us at datenschutz@zkw-group.com.

The respective ZKW company ("ZKW, "we" or "us" in brief) is responsible for ensuring adequate protection of your personal data. As a general rule, your personal data (in particular names and contact details) will be processed by the ZKW company that the contractual relationship was established with.

We shall process your data exclusively on the basis of applicable legal provisions, in particular Federal Law On Protection Of Personal Data Held By Private Parties, and all other relevant legislation.

Contract management

We shall process your data within the scope of the contract concluded between you as a customer and ZKW, for the billing of fees and compliance with obligations to record any services performed, including computer-assisted preparation and archiving of text files (e.g. correspondence) in these matters. Accordingly, this is done for the purpose of contract performance (or, with respect to contact persons in companies, based on legitimate interests).

Performance evaluation

We also process your data within the scope of the business relationship for the purpose of assessing your performance, in order to facilitate comparisons with other market participants, always with a view to procuring the most competent and most efficient service for ZKW. Hence, this is done on the basis of legitimate interests of ZKW. Prior to your data being processed for any other purposes than those described in this document, you will be informed separately.

Data processing for the purposes of system administration and IT-security

Due to operational necessity, to applicable statutory data security provisions, as well as for reasons of information security, your personal data will be processed within the scope of our legitimate interests and the legal requirements applicable to the administration and security of the system. For instance, this comprises computer-assisted preparation and archiving of text files (e.g. correspondence). Without such data processing, the system cannot be operated securely.

If access to ZKW (internal) systems is necessary for the fulfilment of the contract, the following also applies: Based on our legitimate interest, an automated check of log files is carried out for the purpose of detecting weak points or suspicious behaviour in ZKW-internal IT systems or ensuring the functionality of ZKW-internal systems. If suspicious behaviour is detected (e.g. misuse of IT services), alarms are triggered which are subsequently examined by external analysts (contract processors). In order to be able to carry out historical analyses, the contents of the log files are stored for a maximum of 365 days (or they must be deleted by external analysts after 7 days at the latest).

ZKW newsletter and invitations to company events



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It is our legitimate interest for you to receive information about any news regarding the company, about new products and also invitations to various business events (also electronically).

Assertion, exercise or defence of legal claims

If a legal dispute occurs during an active contractual relationship or after its termination, the data reasonably required for the litigation will be transferred to legal representatives and courts on the basis of our legitimate interest in establishing, exercising or defending any legal claims.

Audits

Due to the risk of liability and observance of the required reasonable care, at our company, audits will be performed by the controllers themselves, the shareholders or independent external auditors.

Data processing for the investigation of whistleblowing reports / compliance cases

In order to resolve whistleblowing reports and in the event of (suspected) compliance violations, it may be necessary to inspect professional communications (e.g. E-Mails) and data on company devices of ZKW employees for reasons of overriding operational interest. Third-party data may therefore also be affected by the inspection. This will only be done in individual cases in exceptional situations where there is a concrete, strong suspicion and to an extent that is limited to what is necessary. 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.

Corporate transactions

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.

Data transmission

The data relevant in individual cases may be transmitted to the following recipients:

- **banks** entrusted with payments,
- **legal representatives** and **courts** (also in third countries without adequate data protection, if applicable): if a legal dispute occurs during an active contractual relationship or after its termination, the data reasonably required for the litigation will be transferred to legal representatives and courts on the basis of our legitimate interest in establishing, exercising or defending any legal claims,
- **auditors** and **certified public accountants** (also in third countries without adequate data protection, if applicable); due to the risk of liability and observance of the required reasonable care, at our company, audits will be performed by the controller themselves or by independent external auditors (legitimate interest),
- based on our legitimate interests, data will also be passed on to **customers, suppliers** and **interested parties** (if applicable, also in third countries without adequate data protection) for the purpose of establishing contact,
- **ZKW Group GmbH**, for the purpose of proper performance of rights and obligations as shareholders



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(in particular from a liability and risk perspective, incl. compliance & audit),

- **travel agencies, hotels, restaurants, visa offices** (for the purpose of organizing business trips),
- **creditors** as well as other parties involved in any associated legal prosecution,
- **postal services, courier services and logistics partners,**
- in **compliance matters** (esp. whistleblowing reports): Law enforcement, administrative authorities.

We work with **processors (service providers)** in the following areas – partly also within the group of companies – and will transmit to them your personal data to the extent required for service provision:

- travel management and organization,
- visitor management,
- video surveillance,
- insurance management (incl. loss adjustment),
- contact management and scheduling,
- corporate security/building and information security,
- financial matters (controlling/accounting/planning),
- customer and supplier management incl. order processing incl. delivery and dispatch of goods,
- order management (order processing incl. delivery and dispatch of goods),
- IT service providers, IT administration (incl. support, software and maintenance, IT-Security, data centers, IT operation, hosting and providers of cloud solutions),
- risk management,
- marketing/communications,
- Legal & Compliance (incl. whistleblowing),
- providers of scanning and printing services.

Retention period

The personal data will be stored until termination of the relevant (consultancy) agreement and beyond that, in any case for another seven years based on statutory retention periods, or for as long as legal claims are asserted vis-à-vis ZKW under the contract (statutory period of limitation of 3 or up to 30 years).

Your rights

Basically, you are entitled to access to your personal data, to rectification, erasure, restriction of processing, and to data portability. If processing is based on your consent, you may revoke such consent, e.g. by e-mail, at any time with effect for the future.

As a data subject, you may object to the use of your data at any time, if data processing serves any direct marketing purposes (e.g. transmission of newsletters).

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 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).