



BRIGHT MINDS,  
BRIGHT LIGHTS.

## **DATA PRIVACY STATEMENT WEBSITE (INCL. SOCIAL MEDIA, WHISTLEBLOWING, INNOVATION WEBSITE)**

As at: December 2023

**ZKW Group GmbH**, Rottenhauser Straße 8, 3250 Wieselburg, office@zkw-group.com ("ZKW", "we", "us") is the controller within the meaning of the EU General Data Protection Regulation ("GDPR") for the processing of personal data within the scope of the web offer on this website, about which we hereby inform you.

The protection of your personal data is of particular concern to us. We process your data exclusively on the basis of applicable legal provisions, in particular the EU's General Data Protection Regulation (GDPR), the Austrian telecommunications act (TKG 2003), and the Austrian data privacy act (DSG), as amended.

### **1) Getting in touch with us**

If you get in touch with us by e-mail, we will process personal data provided by you to respond to your request to carry out pre-contractual measures. If no contractual relationship with us is intended, processing will take place on the basis of our legitimate interest in processing your enquiry.

### **2) Social media activities**

If you get in touch with us via our social media pages on Facebook, Instagram, Twitter, LinkedIn, Kununu, Xing, YouTube or GoogleMyBusiness, we will process the data provided by you to answer your enquiry for carrying out pre-contractual measures or within the scope of our legitimate interests. We may equally process your data, to the extent it is available on these platforms, for the purpose of internal analyses or for marketing purposes to serve our legitimate interest.

For this purpose, we receive your personal data from the respective operator of the social media platform and also transmit your personal data to them. Insofar as this involves a transfer to countries without an adequacy decision pursuant to Article 45(3) of the GDPR and without appropriate safeguards pursuant to Article 46 of the GDPR, such as the USA in particular, we would like to point out that there is a risk that your data transferred in this way may be subject to access by authorities in these third countries for control and monitoring purposes and that no effective legal remedies are available against this.

### **3) Whistleblowing portal**

Through the whistleblowing portal implemented on our website, we may receive your personal data on the basis of our legitimate interest in solving and preventing criminal offences within our company. The data transmitted to us may include the description of any incident punishable under criminal law, the location where said incident has occurred, the persons or department involved, and other information relating thereto, as well as any data relating to the whistleblower. The data entered will (only) be received by the company concerned (= selected) within the ZKW Group as well as by ZKW Group GmbH (data processing). The unit entrusted with processing any reports is strictly separate from the other corporate units and will exclusively be staffed with employees specifically trained and explicitly responsible for the confidentiality of the data reported. 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.



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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.

### **4) Data transmission to third countries outside the EEA**

Our ZKW companies are also located in third countries outside the European Economic Area (China, Mexico, USA, South Korea), the same applies to LGE and LGC (South Korea). EU standard contractual clauses have been agreed with LGE as well as with ZKW companies and processors outside the EEA. You may request a copy of the appropriate (transmission) guarantees at [datenschutz@zkw-group.com](mailto:datenschutz@zkw-group.com).

### **5) Innovation website**

If you apply on our innovation website "Lighthouse", we process the personal data you provide to carry out pre-contractual measures for the following purposes: internal assessment and examination of your project idea and innovation potential for possible future cooperation, contract administration and processing, ongoing support and information, administration of master data and contract data changes.

For this purpose and within the scope of our legitimate interest, we transmit your personal data to Group companies to be involved (in international projects), authorities or courts to the extent necessary, lawyers, tax consultants and auditors and collection agencies.

Our Group companies are also located in third countries outside the European Economic Area. We will transfer your personal data to these countries if the European Commission confirms an adequate level of data protection or if other appropriate data protection guarantees are in place. ZKW has agreed EU standard contract clauses with ZKW companies outside the EEA. You can find detailed information about this here: [https://eur-lex.europa.eu/eli/dec\\_impl/2021/914/oj](https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj)

You can also request this information at the above contact address.

### **6) Cookies**

Like most websites, we use cookies and similar technologies for a variety of purposes in order to provide our online content in full and to improve the use of our website.

Apart from technically necessary cookies (§ 96 para 3 TKG), we only use cookies when you use our online services on the basis of your prior active and voluntary consent via our cookie banner (Art 6 para 1 lit a DSGVO).

You can find a detailed list of all cookies directly in our cookie banner: When you call up our website, a window appears with brief information about the purposes for which we and third-party providers wish to use cookies. You can generally agree to the use of all cookies for the purposes listed in the cookie banner by clicking on the "Accept all" button. Clicking on "more" will take you to the privacy settings. There you can view more detailed information on the cookies and select whether or not you wish to accept the corresponding cookies, either per category (e.g. "Marketing", "Functional", "External Media") or individually per cookie. Apart from the "essential cookies", you can of course simply deselect all cookies. In the settings, you also have the option of accepting all cookies with one click.

Clicking on the "fingerprint" button



displayed on the website will take you back to the privacy



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settings. In these settings, you can revoke your voluntarily given consent for the future or change your cookie selection at any time. Please note that some functions of the website may be impaired if consent is not granted or revoked for all purposes.

If the settings you have made or the voluntary consent you have given also include providers who transfer data to countries without an adequacy decision pursuant to Article 45 (3) of the GDPR and without suitable guarantees pursuant to Article 46 of the GDPR (such as the USA in particular), your consent pursuant to Article 49 of the GDPR also applies to these countries. There is a risk that your data transmitted in this way may be subject to access by authorities in these third countries for control and monitoring purposes and that no effective legal remedies are available against this.

You can also prevent cookies from being stored by setting your browser software accordingly; please note, however, that in this case you may not be able to use all functions of this website to their full extent. You can also prevent Google from collecting and processing the data relating to your use of the website and generated by the cookie by simply downloading and installing the following browser plug-in by clicking on the following link: <http://tools.google.com/dlpage/gaoptout?hl=de>

### 7) Processor

In some cases, we use service providers (processors) to fulfil our (pre-)contractual obligations and to provide you with our services, as well as for other data processing. These processors process personal data on our behalf to the extent necessary. We use processors in the following areas:


- IT administration, IT service, IT support and IT maintenance
- Contact management and scheduling
- Legal & Compliance (incl. whistleblowing)
- Marketing

### 8) Retention period

Unless the respective retention period is already stated above, the following applies:

For the purpose of processing enquiries (as well as in case of follow-up questions) received through our website or social media pages, we will store the data provided by you for a period of six months. In individual cases (e.g. in case of complaints), we shall keep the personal data for the period during which claims may be asserted against us (statutory period of limitation of 3 or up to 30 years). Personal data of business and innovation partners will be stored by us on the basis of the retention obligations that we are subject to, for at least seven years after performance of the contract, to the extent that claims may be asserted against us (statutory limitation period of 3 or up to 30 years) or until the resolution of any legal disputes during which the data are needed as evidence.

If you applied for a cooperation via our innovation website but received a negative decision, your details (profile and application) will be stored for **6 months** after completion of the review of a cooperation and deleted afterwards.

The retention period of the data processed by cookies can be found in the "Privacy settings" (available by clicking on the "Fingerprint" button)  under the information on the respective cookie.



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Any personal data collected in the course of audits will be stored until preparation of the audit report. However, if such information is still required to conduct any court or administrative proceedings or for any further disciplinary or other official proceedings, the data reported/collected will be stored for as long as and to the extent required for the conduct and conclusion of any such proceedings.

### 9) Your rights:

Basically, you are entitled to access to your personal data, to rectification, erasure, restriction of processing, and to data portability. If the processing is based on your consent, you can revoke this at any time with effect for the future.

**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](mailto:datenschutz@zkw-group.com)) or the data protection authority. In Austria this is the Austrian Data Protection Authority, Barichgasse 40-42, 1030 Vienna. 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](mailto:datenschutz@zkw-group.com)).

### 10) Final provisions

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.

As the Internet evolves, we will continuously adjust these data protection provisions as well. Any changes will be announced on the website in good time. Therefore, you should call up these data protection provisions regularly, in order to bring yourself up to date.