



## Privacy Policy

for business partners and employees of business partners of Porsche AG

In the following, we will inform you about the processing of your personal data in your capacity as business partner or employee of a business partner by Porsche AG as sole controller pursuant to data protection law, or by Porsche AG and other companies of the Volkswagen Group as joint controllers pursuant to data protection law.

This Privacy Policy does not cover the processing of your personal data outside the data processing procedures described below, particularly by other Volkswagen group companies as the sole controller pursuant to data protection law. In this regard, the specific privacy policies made available to you respectively for these data processing procedures by Porsche AG or the other companies of the Volkswagen group shall apply exclusively.

### 1. Who is responsible for the data processing and to whom can I address any concerns?

#### a. Controller

For purposes of processing your personal data,

Dr. Ing. h.c. F. Porsche AG  
Porscheplatz 1  
70435 Stuttgart  
Germany  
Tel: +49 711 911-0

either alone or jointly with other companies of the Volkswagen group, is the controller pursuant to data protection law within the meaning of Article 4(7) of the General Data Protection Regulation of the European Union (Regulation (EU) 2016/679), the "GDPR").

Whether or not any given data processing lies within the sole control of Porsche AG, pursuant to data protection law, or within the joint control of Porsche AG and other companies of the Volkswagen group, pursuant to data protection law, is to be inferred from Sec. 3 below.

Porsche AG and other companies of the Volkswagen group have entered into agreements within the meaning of Article 26 GDPR with regard to their joint controllership. We will communicate the material contents of these to you upon request. To do so, please use the following contacts.

#### b. Contacts for data subjects pursuant to data protection law

### Information



For information about the processing of your personal data within the meaning of Article 15 GDPR, please use the following form:

<https://www.porsche.com/germany/privacy/contact>

If you are in a contractual relationship yourself, as a business partner, with Porsche AG or with another company of the Volkswagen Group, then please select "I am a supplier" on the form. If you are employed at a company which, as a business partner, is in a contractual relationship with Porsche AG or with another company of the Volkswagen Group, then please select "I am a factory or service-agreement employee" on the form. After you have filled out the form, please send us the form at your convenience using the "Send inquiry" field.

#### **Other inquiries**

For the assertion of all other rights as data subject under data protection law, or for any other inquiries as well, please use our contact form and specify your inquiry.

#### **c. Data protection officer**

You can reach the Porsche AG data protection officer at:

Dr. Ing. h.c. F. Porsche AG  
Data Protection Officer  
Porscheplatz 1  
70435 Stuttgart  
Germany  
[datenschutz@porsche.de](mailto:datenschutz@porsche.de)

#### **2. Which data do we process, and from which sources do these data originate?**

We process personal data that we receive within the framework of (i) our business relationship with you as business partner or as employee of a business partner and (ii) of your interaction with us, or data that we record about you in a permissible manner. Such includes, but is not limited to, the use of IT systems (websites, platforms, among others), and means of communication, contact with employees or customer support, information that we receive from your supervisors and colleagues, registration for newsletters, participation in professional training and development programs, participation in programs and events, or the receipt of non-cash benefits.

The relevant personal data include:

**business contact and (work) organization data** (e.g., last name, first name, title, academic degree, gender, address, date and place of birth (for purposes of identification, particularly for applying for use rights for IT systems), nationality (for taking into consideration particular national laws), description of the business for which you are appearing as well as the department and work performed, business email address, telephone number, address);



**private contact data** (e.g., address, email address, telephone number);

**data concerning personal/business relations and features** (e.g., professional designation, tasks, work performed, qualifications, training and continuing education data, data protection policies such as consent declarations for purposes of processing personal data, language skills, work-related performance evaluations);

**photographs** (e.g., factory ID, portrait photo published on the basis of a separate consent),

**health data** (e.g., accidents on factory premises),

**IT use data** (e.g., user ID, user roles and rights, (system) authorizations, log-in times, computer name, IP address, user-specific settings, change documentation, protocol data for the use of the ONE.Konzern business platform (anonymous cookie ID, operating system, web browser, screen resolution, date and time of visit, websites retrieved, referrer URL), etc.);

**data from permissible surveillance systems** (e.g., video monitoring systems, data from IT security programs (among others, log files with IP addresses, MAC addresses, access controls), data regarding entrance to the factory premises or specially secured spaces);

**vehicle data** (model, brand, license plates);

**information about work equipment and booking plans received** (e.g., mobile telephones, smartphones, tablets, laptops, locker allocation, entrance authorization);

**miscellaneous** – Moreover, we process, as needed, additional personal data about you that you specify within the framework of our interaction, e.g., ID data, data with respect to the use of IT systems or within the framework of your contact with our employees, or such data that we permissibly collect about you from publicly available sources (e.g., the commercial register, credit agencies, Schufa, press, publications).

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

We process your personal data always for a particular purpose, and only to the extent that doing so is necessary to fulfill this purpose.

#### **a. General**

As a general principle, personal data can be processed on the basis of the following legal bases:

- you have issued your consent (Article 6(1)(1)(a) GDPR);
- the processing is necessary to fulfill a contractual agreement to which you are a contracting party, or to perform pre-contractual measures that are effected upon your request (Article 6(1)(1)(b) GDPR);



- the processing is necessary in order to fulfill a legal obligation to which we are subject under EU law or the law of an EU Member State (Article 6(1)(1)(c) GDPR)
- the processing is necessary in order to protect your vital interests or those of another natural person (Article 6(1)(1)(d) GDPR);
- the processing is necessary to discharge a task that is in the public interest or takes place in the course of exercising official authority that has been transferred to us (Article 6(1)(1)(e) (GDPR);
- the processing is necessary to safeguard legitimate interests of ours or of a third party, insofar as your interests or fundamental rights and freedoms requiring the protection of personal data do not take precedence (Article 6(1)(1)(f) GDPR).

Insofar as we process special categories of personal data in the individual case, such can generally take place, in deviation from the details specified above, upon the basis of the following principles:

- you have issued your express consent (Article 9(2)(a) GDPR);
- the processing is necessary for the protection of your vital interests or those of another natural person, and you are not in a position, due to physical or legal reasons, to furnish your consent (Article 9(2)(c) GDPR);
- the processing pertains to personal data that you have clearly made public (Article 9(2)(e) GDPR);
- the processing is necessary to assert, exercise, or defend legal claims (Article 9(2)(f) GDPR);
- the processing is necessary for the purpose of health care provision, for assessing your ability to work, for medical diagnosis, for the provision or for the treatment in the areas of health or social services, or for the administration of systems and services in the areas of health or social services, or on the basis of a contractual agreement that you have entered into with medical professionals, and these data are processed (i) by medical personnel or by other persons who are subject to a corresponding non-disclosure duty or (ii) by persons for whom such personnel or other persons are responsible. (§ 22 para. 1 no. 1 lit. b of the Bundesdatenschutzgesetz (the Federal Data Protection Act, the "BDSG").

'Special categories of personal data' are (i) personal data from which racial and ethnic origin, political opinions, religious or philosophical convictions, or labor union membership emerge, as well as (ii) the processing of genetic data, biometric data for the purpose of unique identification of a natural person, health data, or data concerning the sex life or sexual orientation of a natural person.

The following overviews specify the legal bases upon which and for what purpose the personal data set forth under Sec. 2 are processed. The data processing procedures under lit. b lie within the sole controllership of Porsche AG pursuant to data protection law. The data processing procedures under lit. c are effected in the joint controllership of Porsche AG and additional companies



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of the Volkswagen group, pursuant to data protection law.



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b. Processing in the sole controllership of Porsche AG

Purpose	Examples	Legal basis	Legitimate interest when balancing interests
<b>Contact for purposes of preparation, conducting, and ending a business relationship between Porsche AG and the business partner for which you work or, as applicable, contact with you personally outside the processes set forth under lit. c</b>	<p>general communications</p> <p>processing orders and procurements on the basis of contractual agreements (e.g., nomination agreement, master agreement, orders)</p> <p>inquiries concerning ongoing orders (change requests, capacity changes, etc.)</p> <p>appointment organization, event and participant management</p> <p>billing between Porsche AG and the business partner, billing of premises for performing services, billing of outlays or expenses</p> <p>contact person for the business relationship, business areas, specialized areas, projects, and cooperation between the business partners</p>	<p>contract</p> <p>initiation and performance (insofar as you become active in your own name),</p> <p>balancing of interests</p>	<p>cooperation with business partners, practicable configuration of processes within the business relationship whereby contact persons are available, controlling and billing of contractual services</p>
<b>Conducting and transacting procurement processes of Porsche AG as well as in-house processing for conducting the business relationship outside the processes set forth under lit. c</b>	<p>processing orders and procurements on the basis of contractual agreements (e.g., nomination agreement, master agreement, orders)</p> <p>reporting system and reporting Administration</p> <p>fulfilling monitoring and reporting duties under tax law, archiving of data</p> <p>bookkeeping, collection of receivables</p>	<p>fulfilling statutory obligations, contract performance (insofar as you become active in your own name) as well as balancing of interests</p>	<p>configuration of the processes within the business relationship, meeting statutory and official guidelines</p>



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<b>Preparation and management of entry authorizations to the works premises, spaces, buildings; security of the works premises of Porsche AG</b>	preparation of factory IDs and entry authorizations identification of visitors and parties authorized to enter visitor management, issuance of visitor tags issuance of entrance and/or parking authorizations at the works for visitors' vehicles video surveillance of the works premises	contract performance (insofar as you become active in your own name), balancing of interests	safeguarding our business and trade secrets, safeguarding our right to determine who shall be allowed or denied access (Hausrecht), control of entry rights to our buildings and properties
<b>IT administration outside the processes set forth under lit. c</b>	user administration (allocation of accesses, IT support, system access, administration of authorization) verification of changes of information in applications unique identification of the user for the secure operation of applications investigation of disruptions, and guaranteeing system security, including discovery and tracking of impermissible attempts to access and impermissible access to our webserver	balancing of interests or contract performance (insofar as you become active in your own name), fulfillment of our legal obligations in the area of data security	guaranteeing the security and integrity of the processes within the framework of the use of our systems, elimination of disruptions, and discovery and tracking of unauthorized entry or attempts at unauthorized entry
<b>Project organization and management</b>	collaboration on projects exchange with other business partners for project purposes	contract performance (insofar as you become active in your own name), balancing of interests	cooperation with business partner
<b>Taxes</b>	determination and reporting of cash-value gains from non-cash benefits legal documentation with regard to recipients of catering and gifts	fulfillment of our legal obligation with regard to taxes	
<b>Food service</b>	cashless payment complaints credit balances factory ID	contract performance (catering contracts or payment function of factory ID)	



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<b>Health protection</b>	medical care in the event of occupational accidents or accidents while commuting, or accidents on the works premises medical care (acute care, medical emergency, occupational accident, occupational medical exams and care, ambulances, medical advice, functional diagnoses, case history, laboratory analysis)	consent, medical care, medical diagnosis, protection of vital interests, § 22 para. 1 no. 1 lit. b BDSG	
<b>Revision</b>	Reviews and special reviews in-house investigations	balancing of interests	review of compliance with contractual and statutory duties of Porsche AG, of the business partner, and of employees
<b>Safeguarding and defending our rights, or disclosure within the framework of official/judicial measures</b>	exercising and asserting rights and claims disclosure within the framework of official/judicial measures for purposes of collecting evidence, prosecution, and enforcement of civil-law claims processing claims of data subjects under GDPR, to the extent that these concern data processing under our sole responsibility	fulfillment of statutory obligations, balancing of interests	asserting and defending our rights, and meeting statutory and official guidelines
<b>Preventing, fighting, and clearing up cases of terrorism financing and criminal acts that compromise company assets, alignment with European and international anti-terror lists</b>	alignment with anti-terror lists	fulfilment of statutory obligations, balancing of interests	meeting statutory and official guidelines
<b>Storage and archiving</b>	archiving on the basis of storage duties pursuant to tax and commercial law	fulfilling statutory obligations, balancing of interests	meeting statutory and official guidelines, in-house directives, and industry standards
<b>Prevention of fraud and money laundering</b>		meeting statutory and official guidelines	





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<b>Statistical evaluations for the purpose of corporate taxation, cost recording and controlling</b>	reporting economic key performance indicators	balancing of interests	evaluations for the purpose of directing business processes and costs control
<b>Conducting surveys and campaigns</b>	conducting surveys, marketing campaigns, market analyses, contests, competitions, and similar activities	balancing of interests, consent, contract performance	
<b>Trial, development, and further development of our products, quality assurance, product improvement</b>	processing data concerning the use of trial/test vehicle (e.g., driving and operating behavior, position and movement data, video and audio data) for the activity as trial/test driver within the framework of product development and/or quality assurance and with acceptance runs	balancing of interests, consent	trial, development, and further development of our products, quality assurance, product improvement
<b>Recording podcasts for information and training purposes</b>	Recording, editing, storing, publishing and playing sound and/or image/video recordings for information and training purposes	consent, contract performance, balancing of interests	Information and training for employees

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**c. Processing in the joint controllership of Porsche AG and companies of the Volkswagen group**

We process your personal data that are stored in the ONE.Konzern business platform of the Volkswagen group. Information concerning the processing of your personal data in connection with the ONE.Konzern business platform within the framework of joint controllership between Porsche AG and other companies of the Volkswagen group, as well as the list of invested companies in the group, with details about their corresponding contacts (also concerning the respective data protection officers) can be reviewed and downloaded by you over the ONE.Konzern business platform:

[http://www.vwgroupsupply.com/one-kbp-public/de/kbp\\_public/rechtliches\\_4/legal\\_information/privacy\\_policy/privacy\\_policy\\_1.html](http://www.vwgroupsupply.com/one-kbp-public/de/kbp_public/rechtliches_4/legal_information/privacy_policy/privacy_policy_1.html)

<b>Purpose</b>	<b>Examples</b>	<b>Legal basis</b>	<b>Legitimate interest when balancing interests</b>
<b>Establishing contact for the purpose of preparation, conducting, and ending of a business relationship between Porsche AG or a company of the group and the business partner, or, as applicable, with you in the course of procurement processes configured group-wide</b>	general communications processing orders and procurements on the basis of contractual agreements (e.g., master agreement, orders) inquiries concerning ongoing orders (change requests, changes to capacity, etc.)	contract initiation and performance (insofar as you become active in your own name), balancing of interests	cooperative ventures with business partners, practicable configuration of processes within the business relationship, whereby contacts are available, controlling and billing of contractual performances



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<b>Carrying out and processing procurement processes if Porsche AG as well as in-house processes for carrying out the business relationship in the course of procurement processes configured group-wide</b>	processing orders and procurements on the basis of contractual agreements (e.g., master agreement, orders) reporting system and reporting Administration fulfilling control and reporting duties pursuant to tax law, archiving of data bookkeeping, collection of receivables	fulfillment of statutory duties, contract performance (insofar as you become active in your own name), as well as balancing of interests	configuration of the processes within the business relationship and creation of group-wide synergies, meeting statutory and official guidelines
<b>IT administration outside the framework of the procurement process configured group-wide</b>	user administration (allocation of access, IT support, system access, authorization administration verification of changes of information in applications unique identification of the user for the secure operation of applications investigation of disruptions, and guaranteeing system security, including discovery and tracking of impermissible attempts to access and impermissible access to our webserver	balancing of interests or contract performance (insofar as you become active in your own name), fulfillment of our legal obligations in the area of data security	guaranteeing the security and integrity of the processes within the framework of the use of our systems, elimination of disruptions, and discovery and tracking of unauthorized entry or attempts at unauthorized entry

#### 4. Is there a duty to furnish personal data?

Within the scope of the business relationship or of our interaction with you, you have to furnish only those personal data which are necessary for the interaction or which we have a statutory obligation to collect. Insofar as you have to furnish us personal data due to a statutory or contractual duty, with respect to the collection of the data we shall advise you of such, with reference to the respective duty. If you do not make the respective data available to us, then it is possible that certain performances, as the case may be, may not be rendered.

#### 5. Who receives my data?

Within Porsche AG, your data are received by those departments which require such data within the scope of their work.

In addition, service providers employed by us and working on our behalf (so-called commissioned processors) shall be able to receive data for these purposes. Such shall include, but not be limited to:

- companies of the Volkswagen group that render services (e.g., IT services)
- companies of the Porsche group,



- print service providers,
- media service providers and shipping service providers,
- archiving service providers,
- hosting service providers,
- IT services service providers (e.g., support, maintenance),
- development service providers, who become active on our behalf,
- event service providers,
- logistics/warehousing companies,
- consulting services providers.

Moreover, we share your personal data with the following categories of persons, as applicable, who act as controllers, to the extent that such is necessary to attain the above-described purposes:

- companies of the Volkswagen group, particularly in the course of the data processing procedures described under Sec. 3 and in joint controllership,
- companies of the Porsche group,
- customers,
- business partners (e.g., development partners, consulting service providers, attorneys, tax advisors, auditors),
- suppliers,
- institutions of higher education,
- authorities, in the course of their competency (e.g., the Department of Taxation and Finance (Finanzamt), police, prosecutor's office, social insurance carriers),
- courts,
- other third parties, to the extent that you instruct us to share the data or that you issue your consent.

## **6. Are data transferred to a third country?**

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

In the course of the processing procedures described under Sec. 3, in the joint controllership of Porsche AG and of additional companies of the Volkswagen group, we additionally transfer your data within the Volkswagen group to recipients outside the European Union or the European Economic Area. In individual cases, our commissioned processors also process personal data in countries outside the European Union or the European Economic Area.

There are also exceptions if you are employed at a business partner having its seat in a third country or if an event takes place in third countries. In addition, some of our IT service providers or other business partners, customers, or suppliers can also be located in third countries. In individual cases, personal data can also be shared with authorities and courts in third countries.

Please note that a level of data protection that is acknowledged as adequate by the European Commission does not exist in all third countries. The transfer into third countries shall occur in this event only to the extent that a sufficient data protection



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level in the third country is ensured in accordance with an adequacy decision (Angemessenheitsbeschluss) of the European Commission or suitable guarantees (e.g., data protection agreements using standard contractual clauses of the European Commission) can be warranted for an adequate protection of your personal data. Within the framework of the agreements between Porsche AG and the other companies of the Volkswagen group for the purpose of joint controllership within the meaning of Article 26 GDPR, an adequate, unified level of data protection is warranted by standard contractual clauses of the European Commission. The agreements with commissioned processors generally also provide, as a rule, for entering into standard contractual clauses of the European Commission for the purposes of an adequate level of data protection. A copy of these guarantees will be furnished upon request. To do so, please use the above-mentioned contact information.

#### **7. How long are my data stored?**

We store your personal data as long as doing so is necessary for the purpose for which we collected your data. In other words, as a rule we store your data in any event for the term of our business relationship with you or the business party for which you are working or with your interaction with us.

Moreover, we are subject to various retention and documentation duties that come out of the Handelsgesetzbuch (the Commercial Code, the "HGB") and the Abgabenordnung (the Fiscal Code, the "AO"), among others. The periods prescribed therein for retention or documentation are up to ten (10) years. Independently from the purpose for which we have collected your data, we shall store these data to the extent that such is necessary to fulfill these retention and documentation duties. Finally, the term of storage is also determined in accordance with statutory limitation periods, which, e.g., under §§ 195 et seqq. of the Bürgerliches Gesetzbuch (the Civil Code, the "BGB") can be up to thirty (30) years, whereby the usual limitation period is three (3) years.

Under certain circumstances, your data also have to be retained longer, e.g., if, in connection with an official or court proceeding, a so-called legal hold or litigation hold is mandated (i.e., a prohibition against erasure of data for the term of the proceedings).

#### **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 demand access to the data about you stored at Porsche AG and the scope of the data processing and sharing performed by Porsche AG, and to receive a copy of the stored personal data about you.

**Rectification:** You have the right to demand the rectification of incorrect personal data as well as the completion of incomplete personal data concerning you that are stored at Porsche AG.

**Erasure:** You have the right to demand the erasure of personal data about you stored at Porsche AG, if the statutory prerequisites are present.  
Such cases shall include, but not be limited to, if



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- your personal data are no longer needed for the purposes for which they were collected;
- the legal basis for the process was exclusively your consent, and you have withdrawn your consent;
- you have objected to processing on the basis of the legal basis of balancing of interests, and we can verify that there are compelling, overriding reasons for processing;
- your personal data were unlawfully processed, or
- your personal data have to be erased in order to meet legal requirements.

If we have shared your data with third parties, then we will inform these parties about the erasure, to the extent that such is prescribed by law.

Please note that your right to erasure is subject to restrictions. For example, we do not have to or may not erase data that we have to still further retain due to statutory retention periods. Also, data that we require for the purpose of asserting, exercising, or defending legal claims are generally excepted from your right to erasure.

**Restriction of processing:** You have the right to demand, under certain prerequisites, the restriction of processing (i.e., the marking of stored personal data with the aim of limiting their processing in the future). These prerequisites are:

- the accuracy of the personal data is disputed by you and we have to review the accuracy of the personal data;
- the processing is unlawful, but you refuse the erasure of the personal data and demand the restriction of the use of the personal data instead;
- we no longer require your personal data for the purposes of the processing, but you require the data for the purpose of asserting, exercising, or defending legal claims;
- you have objected to the processing and it still has not been determined whether our legitimate reasons override yours.

In the event of restriction of processing, the data shall be commensurately marked and – apart from their storage – shall be processed only with your consent or (i) for the purpose of asserting, exercising, or defending legal claims or (ii) for the purpose of protecting the rights of another natural or legal person or (iii) for reasons of important public interest of the EU or of an EU Member State.

**Data portability:** To the extent that we process data that you have provided in an automated manner on the basis of your consent or on the basis of a contractual agreement with you, you have the right to receive the data in a structured, commonly used, and machine-readable format and to transmit these data to another controller without hindrance. In addition, you have the right to have the personal data transferred directly from us to another controller, to the extent that such is technically feasible and insofar as the rights and freedoms of other persons are not negatively affected.



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**Objection:** If we process your personal data on the basis of legitimate interests or in the public interest, then you have the right to object to the processing of your data for personal reasons. Moreover, you have an absolute right to object, if we process your data for our direct advertising. Please note our separate advisory in the section "Information about your right to object."

**Withdrawal of consent:** Insofar as you have issued consent to the processing of your personal data, you can withdraw it at any time. Please note that the withdrawal is effective only prospectively. Any data processing that took place prior to the withdrawal shall not be affected by it.

**Complaint:** Moreover, there is a right to lodge a complaint with a data protection supervisory authority, if you are of the view that the processing of your personal data is not taking place in a lawful manner. The right to lodge a complaint shall exist notwithstanding any other administrative or judicial legal remedy. The address of the data protection supervisory authority responsible for Porsche AG is:

**Die Landesbeauftragte für den Datenschutz Baden-Württemberg**

(The Baden-Wuerttemberg state official for data protection)

Koenigstrasse 10 a

70173 Stuttgart

Germany

**Information about your right to object**

**Right to object for personal reasons**

You have the right to lodge an objection against the processing of your personal data for reasons arising from your particular situation. The prerequisite to do so is that the data processing is taking place in the public interest or on the basis of a balancing of interests. Such also applies to profiling.

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

- we can substantiate compelling, protection-worthy reasons for the processing of these data, which reasons override your interests, rights, and freedoms, or
- your personal data serve the assertion, exercise, or defense of legal claims.

To the extent that we underpin the processing of your personal data on a balancing of interests, we shall generally proceed from the assumption that we can substantiate compelling, protection-worth reasons that allow us the data processing despite your objection, but we will review each individual case.

**Exercise of the right to object**

The object can be made without using any particular form, and preferably ought to be made to the contacts listed in this data protection notice.