

Privacy Notice Employees of AUDI AG sales partners

In this Privacy Notice according to Art. 13, 14 EU-GDPR we are informing you about the automated, electronic processing of your personal data by AUDI AG, Auto-Union-Straße 1, 85057 Ingolstadt, Deutschland / Germany ("we") in the context of your professional engagement as an employee of an Audi sales partner.

Personal data means any information relating to an identified or identifiable natural person, including, as the case may be, sensitive personal data as defined under the laws of the country where you are located at the relevant time ('data subject'); a data subject is one that 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 the controller for the processing and who can I contact?

The controller for the processing of your personal data is:

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

For matters concerning data protection, you can also consult our **company data protection officer**, using your own language:

AUDI AG, Data Protection Officer, 85045 Ingolstadt, Germany

E-mail: datenschutz@audi.de

If you wish to assert your data protection rights, please use the contact options at

<https://gdpr.audi.com>

There, you will find further information regarding how you can assert your data protection rights. You may also send your request via mail:

- AUDI AG, DSGVO-Betroffenenrechte, 85045 Ingolstadt, Germany

2. Which data do we process for which purposes and from which sources does it originate?

We process personal data which we receive from you within the scope of business relations with an Audi sales partner (Audi partner, Audi service partner, Audi importer or large dealer) at whom you are employed and within the scope of your interaction with us.

The personal data include:

- Private contact and master data
- Professional work and organisational data
- Data on personal circumstances and preferences
- IT usage data
- Recordings

3. Which data do we process for which purposes and which legal bases apply?

We process your personal data in accordance with the provisions of the General Data Protection Regulation ("GDPR") and the German Federal Data Protection Act (Bundesdatenschutzgesetz, "BDSG") and other local law for various purposes..

The processing of your personal data must be based on one of the following legal bases:

- You have given your consent (Art. 6(1)(a) GDPR);
- Processing is necessary for the performance of a contract with you or in order to take steps at your request prior to entering into a contract (Art. 6(1)(b) GDPR);
- Processing is necessary for compliance with a legal obligation under EU law or the law of an EU member state to which we are subject (Art. 6(1)(c) GDPR);
- Processing is necessary in order to protect your vital interests or those of another person (Art. 6(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 us (Art. 6(1)(e) GDPR)
- Processing is necessary for the purposes of the legitimate interests pursued by AUDI AG or by a third party, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data, in particular where the data subject is a child (Article 6(1)(f) GDPR).

If, in exceptional cases, we process special categories of personal data (data revealing racial or 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 person, data concerning health or data concerning a person's sex life or sexual orientation) about you, one of the following legal bases must also apply:

- You have given your explicit consent (Art. 9(2)(a) GDPR);
- The processing is necessary to protect your vital interests or those of another person and the data subject is physically or legally incapable of giving consent (Art. 9(2)(c) GDPR);
- the processing relates to personal data which you have 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 reasons of substantial public interest on the basis of EU law or the law of an EU Member State which is proportionate to the aim pursued, respects the essence of the right to data protection and provides for suitable and specific measures to safeguard your fundamental rights and interests (Art. 9(2)(g) GDPR).

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

Purpose	Legal grounds	Legitimate interest	Categories of data
Contract management (other contracts), in particular business partner management	Balancing of interests, fulfilment of contract, consent	Fulfilment of legal requirements of AUDI dealers, professionalisation of the AUDI brand image and improvement of the experience for customers through qualification of the employees of our trade and business partners; improvement of cooperation with trade and business partners	See paragraph 2
Internal administration	Contract fulfilment, balancing of interests, fulfilment of legal obligations, consent if necessary	- Analysis of sales and order data according to sales channel model, order status - Analysis of requested variants and equipment - Reporting on business parameters, using the VIN if necessary - Implementation of evaluations to manage our business	See paragraph 2

		processes and cost control based on the analysis of sales and order data according to sales channel model, order status, analysis of requested variants and equipment, reporting on business parameters, using the vehicle identification number if necessary Maintaining operations - Compliance with legal and regulatory requirements - Providing benefits and support for employees - Maintaining product quality - Preventing recourse claims - Preparing for and following up on events, improving the organisation for the future	
Legal affairs and compliance	Compliance with a legal obligation, public interest, fulfilment of legal obligations, balancing of interests, fulfilment of contract	- Compliance with legal and regulatory requirements - Verification of compliance with legal provisions, internal company guidelines, rules and standards of AUDI AG, Group companies, employees, business partners and other third parties, - Compliance with legal and regulatory requirements, assertion, exercise or defence of legal claims of AUDI AG or the respective AUDI dealer - Verification of compliance with contractual and legal obligations by AUDI AG, its employees and its sales partners, suppliers, etc., if necessary using the vehicle identification number	See paragraph 2
Customer and prospective customer care, advertising	Consent, balancing of interests, fulfilment of contract (contract to which your request relates, e.g. vehicle purchase contract, delivery, etc.).	Representing AUDI AG and providing information about its activities and products, adapting online services to the changing needs of users, maintaining and improving product quality	See paragraph 2

Please note: If the applicable local law of the country where you are located at the relevant time foresees additional requirements regarding the legal bases, we will comply with such additional requirements and will inform you accordingly. This in particular applies, where such local law requires (express) consent for the processing of your personal data.

Please note your rights to object to the processing of data for the purpose of direct marketing or for personal reasons and your right to withdraw consent (see section "Which rights do you have?" and the section "Information on your right to object").

3.1. Is there an obligation to provide personal data?

As part of our business relationship, you only need to provide the personal data that is required for the execution of the business relationship, or that we are required or permitted to collect by law. Without this data, we may not be able to provide certain services. For example, if you do not provide us with your contact details, we will not be able to contact you regarding a request.

4. Who receives my data?

Due to the size and complexity of data processing by AUDI AG, it is not possible to list each recipient of your personal data individually in this Privacy Notice, which is why generally only categories of recipients are specified.

Within AUDI AG, those entities receive your data that need your data for data processing purposes (e.g. Sales Germany, IT).

Service providers employed by us and working on our behalf (so-called processors), who support data processing on our behalf, also receive data for these purposes. We only use processors in Germany. For example, your email address may be passed on to a service provider so that they can deliver a newsletter you have ordered. Service providers may also be commissioned to provide server capacity. This includes:

- Service providers / suppliers
- Group companies

We will generally share your personal data with third parties only if this is necessary for the performance of the contract, if we or the third party have a legitimate interest in the disclosure, or if you have given your consent, subject to applicable local laws. In addition, data may be shared with third parties (including investigative or security authorities) to the extent we should be required to do so by law or by enforceable regulatory or judicial orders. Third parties to whom we disclose your personal data and who act as data controllers under data protection law include

- Service providers / suppliers
- Insurance companies
- Public authorities
- Legal, economic and financial representatives

5. Is data transferred to a third country?

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

A transfer of data to third countries (i.e. countries that are neither members of the European Union nor of the European Economic Area) may take place, to the extent this is required for the provision of services to you, is required by law, or you have given us your consent (in the absence of any other appropriate safeguarding mechanism under applicable law). **Please note:** Under the applicable local laws of the jurisdiction where

you are located at, a transfer to a third country might be defined as a transfer outside of the territory or country where you are located at the relevant time.

Please note that not all third countries have a level of data protection recognised as adequate by the competent body of the country where you are located at the relevant time (e.g. the European Commission). AUDI AG will only transfer your personal data to third countries to the extent permitted by applicable law. Insofar as AUDI AG relies on appropriate safeguards in accordance with applicable law (e.g. Standard Contractual Clauses or Binding Corporate Rules pursuant to Art. 46(2) GDPR for third country transfers), AUDI AG will take such additional technical and/or organizational measures to the extent necessary to maintain an adequate level of protection of your personal data, as required under applicable laws.

You can obtain a copy from us of the specific applicable or agreed rules to ensure the adequate level of data protection. Please use the information in the Contact section for this purpose.

6. How long will my data be stored?

We store your data as long as your employment relationship with the respective sales partner or your interaction with us continues and it is necessary for you or we have a legitimate interest in the further storage.

In addition, we are subject to various retention and documentation obligations, which result, inter alia, from the German Commercial Code (*Handelsgesetzbuch*, "HGB") and the German Tax Code (*Abgabenordnung*, "AO"). The periods specified therein for retention and documentation are up to ten years. Finally, the storage period is also assessed according to the statutory limitation periods, which can be up to thirty years, for example, according to Sections 195 et seqq. of the German Civil Code (*Bürgerliches Gesetzbuch*, "BGB"), with the regular period of limitation being three years.

Under certain circumstances, your data may also need to be retained for a longer period of time, such as when a so-called *legal hold* or *litigation hold* (i.e. a prohibition of data deletion for the duration of the proceedings) is ordered in connection with administrative or judicial proceedings.

We may also be subject to retention and documentation obligations in line with the local legislation of your country.

7. Which rights do I have?

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

Access: You have the right to request information about the data stored about you at AUDI AG and the scope of the data processing and disclosure carried out by AUDI AG and to receive a copy of the personal data stored about you.

Rectification: You have the right to obtain without undue delay the rectification of inaccurate personal data concerning you as well as the completion of incomplete personal data stored concerning you at AUDI AG.

Erasure: You have the right to obtain the erasure of the personal data concerning you stored at AUDI AG without undue delay if the statutory requirements are met.

This may be the case, in particular, if

- Your personal data are no longer necessary in relation to the purposes for which they were collected;
- The sole legal ground for the processing was your consent and you have withdrawn it;

- You have objected to the processing based on the legal ground of balancing of interests on grounds relating to your particular situation and we cannot prove that there are overriding legitimate grounds for the processing;
- Your personal data have been unlawfully processed; or
- Your personal data have to be erased for compliance with a legal obligation.

If we have shared your data with third parties, we will inform them about the erasure, insofar as required by law.

Please note that your right to erasure is subject to restrictions. For example, we are not required or allowed to delete data that we are still obligated to retain due to statutory retention periods. Similarly, data that we need for the establishment, exercise or defence of legal claims are excluded from your right of erasure.

Restriction of processing:

You have the right to obtain, under certain conditions, restriction of processing (i.e. the marking of stored personal data in order to restrict their future processing). The requirements are, in particular:

- The accuracy of your personal data is contested by you and AUDI AG must verify the accuracy of your personal data;
- The processing is unlawful, but you oppose the erasure of the personal data and instead request the restriction of the use of the personal data;
- AUDI AG no longer needs your personal data for the purposes of processing, but you require the data for the establishment, exercise or defence of legal claims;
- You have objected to the processing and the verification is pending whether the legitimate grounds of AUDI AG override yours.

In the event of a restriction of the processing, the data will be marked accordingly and will be – except for their storage – only processed 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 of the EU or of a EU Member State or of the country where you are located at the relevant time, in each case only to the extent permitted under applicable data protection laws.

Please note that the restriction of the processing of your personal data may be also employed as an alternative to the erasure of your personal data, where permitted by applicable law.

Data portability:

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

Objection:

If we process your personal data on the basis of legitimate interests or in the public interest, you have the right to object to the processing of your data on

personal grounds. In addition, you have an unrestricted right to object if we process your data for our direct marketing. Please see our separate note in the "Information on your right to object" section.

Withdrawal of consent: If you have given consent to the processing of your personal data, you may withdraw it at any time. Please note that the withdrawal shall only be effective for the future. Processing that occurred before the withdrawal shall not be affected.

Complaint: In addition, you have the right to lodge a complaint with a data protection supervisory authority if you believe that the processing of your personal data is unlawful. The right to lodge a complaint is without prejudice to any other administrative or judicial remedy. The address of the data protection supervisory authority responsible for AUDI AG is:

Bayerisches Landesamt für Datenschutzaufsicht

Promenade 18

91522 Ansbach

Deutschland / Germany

7.1. Information on your right to object

Right to object on grounds relating to your particular situation

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 balancing of interests. This also applies for any profiling.

Insofar as we base the processing of your personal data on balancing of interests, we generally assume that we can demonstrate compelling legitimate grounds, but we 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 for the processing of such data which override your interests, rights and freedoms or
- your personal data are used for the establishment, exercise or defence of legal claims.

Objection to the processing of your data for our direct marketing purposes

Where we process your personal data for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for such marketing; this also applies to profiling to the extent that it is related to such direct marketing. If you object to the processing for direct marketing purposes, we will no longer process your personal data for such purposes, which includes profiling to the extent that it is related to such direct marketing.

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

Objection to the processing of your data for product improvement and general customer analysis

As part of the legitimate 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 the purpose 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 to object

The objection can be exercised in any form and should preferably be addressed to the contact details listed in this privacy notice.