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## DATA PRIVACY STATEMENT SUPPLIER PORTAL / group-wide ZKW supplier database

As at: February 2020

By way of this information on data protection, we inform you about the processing of personal data of **suppliers or interested parties and contractual partners registered via the Supplier Portal** (hereinafter referred to as "suppliers") of

- **ZKW Group GmbH** (Rottenhauser Str. 8, 3250 Wieselburg)
- **ZKW Lichtsysteme GmbH** (Scheibbser Str. 17, 3250 Wieselburg)
- **ZKW Elektronik GmbH** (Samuel Morse-Strasse 18, 2700 Wr. Neustadt)
- **ZKW Slovakia s.r.o.** (Bedzianska Cesta 679/375, SK-95631 Krusovce)
- **ZKW Mexico S.A. DE C.V.** ZKW Mexico Servicios S.A. DE C.V. (Avenida Mineral de Penafiel No. 1 Parque Industrial Santa Fe IV, Puerto Interior, C.P. 36275 Silao, Gto.),
- **ZKW Lighting Systems (Dalian) Co Ltd.** (Tie Shan Dong San Road, No. 51, CN-116600 Dalian Development Area)
- **ZKW Lighting Systems USA, Inc.** (100 West Big Beaver Rd. Suite 300, Troy MI 48084, USA)
- **ZKW Lighting Systems Korea Co. Ltd.** (802 Ho, E-dong, 30 Songdomirae-ro, Yeonsu-gu, Incheon, Republic of Korea, 21990)
- **KES kabelove a elevtricke Systemy, spol s.r.o.** (Popinecka 983/30, CZ-739 32 Vratimov)

You can reach all controllers directly through our data protection officer at [datenschutz@zkw-group.com](mailto:datenschutz@zkw-group.com).  
You can reach Controller ZKW Slovakia s.r.o. at [zodpovednaosoba@zkw.sk](mailto:zodpovednaosoba@zkw.sk)

Protecting our personal data is of special importance to us. We process your data exclusively on the basis of applicable legal provisions, in particular the General Data Protection Regulation of the EU (GDPR), the Austrian telecommunications act (TKG 2003), and the respectively applicable data protection legislation of the member states.

### Group-wide ZKW supplier database (joint responsibility)

Upon registration at our **Supplier Portal**, we will process the personal data provided by you for the purpose of contract performance and to carry out pre-contractual measures for the following purposes: processing of quotations and requests, management and execution of contracts, current customer care and provision of information, management of master data and changes to contract information. The conclusion and performance of a contract with us are only possible if we process your personal data.



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Your personal master data and contact details (name, university degree, function/role, professional e-mail addresses, professional telephone number, bank details) will be stored in a group-wide supplier database for the purpose of organising procurement across companies. This is meant to ensure that you can be considered as a supplier and contacted by purchasers throughout the entire ZKW Group, and that your data can be processed for the purpose of contract management. Accordingly, with respect to the processing of said personal data, all of the ZKW companies stated above are joint controllers within the meaning of Art. 26 GDPR.

Therefore, these companies have concluded an agreement under Art. 26 GDPR that delimitates the different duties and responsibilities under data protection law among all the parties involved. This joint processing of personal data will be effected on the basis of legitimate interests of the controllers regarding the establishment of a group-wide purchasing organisation/supplier database. While each controller is responsible themselves for (i) meeting the duties to provide information under Art. 13 and 14 GDPR, (ii) keeping a processing register, (iii) cooperating with the local supervisory authorities, (iv) notifying data subjects in case of any data protection incidents involving a high level of risk, and (v) appointing a data protection officer, the remaining duties under the GDPR were assigned to ZKW Group GmbH; this concerns, in particular, the management of the below-stated rights of data subjects, ensuring appropriate technical and organisational measures, the meticulous handling of data protection incidents, as well as the control of any processors.

Therefore, ZKW Group GmbH ([datenschutz@zkw-group.com](mailto:datenschutz@zkw-group.com)) is a point of first contact for each supplier and all data subjects in matters concerning data protection legislation in the context of this Supplier Portal.

Your data will be stored until termination of your work for us or any other joint controller mentioned herein for contact purposes. If no contract is awarded, the data shall be stored until you delete your profile – after all, the Supplier Portal serves the purpose of presenting your company within the ZKW Group, among others.

Until erasure of your data from the Supplier Portal, you will be visible for us and any other of the joint controllers stated herein for the purpose of getting in touch with you/for contract management. If a supplier relationship exists, the data required for that purpose will be stored during the statutory retention periods, and will subsequently be deleted.

### **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



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performed by the controllers themselves, the shareholders or independent external auditors.

### **Data processing for the purposes of system administration and security**

Due to operational necessity, to applicable statutory data security provisions, as well as for reasons of information security, a set of 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.

### **ZKW newsletter and invitations to company events**

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

### **Data transmission**

Any data relevant in individual cases shall be transmitted to the following recipients for the above- or below-stated purposes:

- **ZKW companies** (list and purposes – see above),
- **contractual partners** (in particular customers, suppliers, cooperation and development partners, consultants, service providers) and **interested parties**, for the purpose of business cooperation (contract performance and/or legitimate interest),
- **banks** entrusted with payments,
- **tax consultants and certified public accountants**, for the purpose of proper financial accounting and book-keeping,
- **insurance companies and insurance brokers**, in particular for the purpose of loss adjustment, as well as reviewing any contractually agreed insurance cover or in the event of companies being included in any ZKW group insurance scheme,
- **lawyers, notaries, courts, authorities, insolvency administrators and liquidators**, for the purpose of exercising, asserting or defending any legal claims,
- **customs and fiscal authorities** for the purpose of handling official formalities (contract performance or legitimate interest),
- **ZKW Holding GmbH, LG Electronics and LG Corporation (“LG”)**, for the purpose of proper performance of rights and obligations as shareholders (in particular from a liability and risk perspective, incl. compliance & audit),
- **independent external auditors** (audits),
- **postal services, courier services and logistics partners**

We have **processors** in the following areas:

- travel management and organisation
- Visitor management
- Video surveillance
- Insurance management (incl. loss adjustment)



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- 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)
- Risk management
- Management of industrial property rights (e.g. patent applications)
- IT management (incl. support, software and maintenance, providers of data centres and cloud solutions)
- Marketing/communications (incl. dispatch of the ZKW newsletter as well as of invitations to company events, in particularly also by electronic means)
- Legal & Compliance (including whistleblowing)
- Providers of scanning and printing services

### **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). Due to the international orientation of the ZKW Group, the same may apply to other recipients. If necessary, we will transmit your personal data to recipients outside the EEA, provided that the European Commission confirms an adequate level of data protection or if other appropriate data privacy guarantees exist.

You may request a copy of the appropriate (transmission) guarantees at [zodpovednaosoba@zkw.sk](mailto:zodpovednaosoba@zkw.sk) EU standard contractual clauses have been agreed with LGE as well as with ZKW companies and processors outside the EEA.

### **Retention period**

Personal data of contractual partners as well as those that you indicate on our Supplier Portal 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 no contracts were concluded with you, we shall store your data until you delete your profile, but in any case no longer than for a period of five years after your registration.

### **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.



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**As a data subject, you may object to the use of your data at any time, if data processing serves any direct marketing purposes.**

**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 our data protection officer or the competent data protection authority. In Slovakia this is the Office for personal data protection of the Slovak republic. Prior to filing a complaint with the competent data protection authority or when exercising your rights or in case of any other questions, please get in touch with our data protection officer (available at: [zodpovednaosoba@zkw.sk](mailto:zodpovednaosoba@zkw.sk)).

### **Final provisions**

As our supplier database 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.