



BRIGHT MINDS,  
BRIGHT LIGHTS.

## **DATA PRIVACY STATEMENT LAWYERS, CONSULTANTS AND OTHER THIRD PARTIES**

As at: September 2020

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.

Our data protection officer is available at [datenschutz@zkw-group.com](mailto: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 the 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 lawyer, external consultant or other third party 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 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.

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

It is in our legitimate interest that you receive information about innovations in the company as well as invitations to various company events. For contacting you by phone or e-mail, we will ask for your consent in advance.



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### **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 transmission**

Any 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 (in particular from a liability and risk perspective, incl. compliance & audit),
- **travel agencies, hotels, restaurants, visa offices** (for the purpose of organising business trips),
- **creditors** as well as other parties involved in any associated legal prosecution,
- **postal services, courier services** and **logistics partners**.

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, data centres, IT operation, hosting and providers of cloud solutions),
- risk management,
- marketing/communications,
- Legal & Compliance (incl. whistleblowing),
- providers of scanning and printing services.



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### **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).

### **Supplier Portal**

If you register via the Supplier Portal, please find the special information about the data processing taking place there in the relevant data privacy declaration provided [here](#).

### **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 our data protection officer 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 our data protection officer (available at: [datenschutz@zkw-group.com](mailto:datenschutz@zkw-group.com)).