

## **Information on data protection in the whistleblowing system of Volkswagen AG**

In the following we would like to inform you about the collection, processing and use of personal data within the framework of the Whistleblowing System when you have given a Hint by e-mail, telephone call, letter or personal appearance at Group Compliance Volkswagen AG. Therefore, please read this data protection notice very much carefully before you make a report.

### **I. Purpose of the Whistleblowing System and of the data processing**

The Whistleblowing System serves to receive and process hints about (presumed) legal or severe internal regulatory violations against the Volkswagen Group on a safe and confidential way.

The processing of personal data within the framework of the Whistleblowing System is based on the legitimate interest of Volkswagen AG in the detection and prevention of grievances and the averting of damages and liability risks for the Volkswagen Group (Art. 6 para. 1 lit. f DSGVO in conjunction with §§ 30, 130 OWiG). In addition, the German Corporate Governance Code requires in point 4.1.3. the establishment of a Whistleblowing System to provide employees and third parties with the appropriate opportunity to give protected indications of legal violations in the company.

If a notification received concerns an employee of Volkswagen AG, the processing also serves for the prevention of criminal offences or other legal violations that are related to the employment relationship (§ 26 para. 1 BDSG).

The processing of your identification data takes place on the basis of a given consent (Art. 6 para. 1 lit. a DSGVO), which is given by the fact that the hint can be given anonymously. The revocation of consent can usually only be expressed within one month after receipt of the notification, since Volkswagen AG in certain cases pursuant to Art. 14 para. 3 lit. a DSGVO is obliged to inform within one month the accused person about the allegations made and investigations carried out against him. This includes the storage, the nature of the data, the purpose of the processing, the identity of the responsible and – as far as legally necessary – the notifying person, so that a termination of the data processing or deletion of identification data is no longer possible. The revocation period may be shortened, e.g. if the type of notification requires the immediate activation of an authority or a court; because as soon as a disclosure to the Authority or the court has taken place, the identification data are located both in the procedural files of Volkswagen AG as well as of the authority or the court.

### **II. Processing of your personal data**

The use of the Whistleblowing System is on a voluntary basis. We collect the following personal data and information when you submit a notification:

- your name, provided that you disclose your identity,
- your contact details, if you provide them to us,
- the fact that you have made a notification through the Whistleblowing System,
- whether you are employed by the Volkswagen Group and
- if necessary, names of persons and other personal data of the persons, which are mentioned in the notification.

The data submitted to the Whistleblowing System is encrypted and stored multi-level password-protected, so that access is limited to a very narrow circle of expressly authorized employees of Group Compliance of Volkswagen AG.

The employees check the reported facts and, if necessary, conduct a further case-related clarification of the facts; the data is always treated confidential. However, when knowingly posting false notification, with the aim to discredit a person however, confidentiality cannot be guaranteed.

In certain cases, Volkswagen AG has an obligation under data protection law to inform the accused person of the allegations against him. This is required by law if it is objectively established that the provision of information to the accused person can no longer affect the investigation. Thereby, your identity as Whistleblower will not be disclosed – as far as legally possible – and in addition, it is ensured that no conclusions about your identity are possible.

In the context of the processing of notifications or of an investigation, it may be necessary to transfer information to other employees of Volkswagen AG or employees of its subsidiaries, e.g. if the case has references to transactions in such subsidiaries. If necessary for the investigation, a transmission to subsidiaries of the Volkswagen Group in a country outside the European Union or the European Economic Area may take place, on the basis of appropriate data protection guarantees for the persons affected. Please note that not in all third countries a data protection level recognised by the European Commission as appropriate exists. For data transfers to third countries where no adequate level of data protection exists, we ensure before the transfer that the recipient either has an adequate level of data protection (e.g. adequacy decision of the EU Commission or agreement of so-called EU standard contractual clauses of the European Union with the recipient) or an explicit consent of our users is available. We always make sure that the relevant data protection regulations are complied with when passing on information. In the event of a legal obligation or data protection law necessity for the investigation, law enforcement authorities, antitrust authorities, other administrative authorities, courts and international law and Accounting firms commissioned by the Volkswagen Group will come – as further possible recipient categories – into question. For any person who has access to the data, confidentiality is mandatory.

Personal data will be kept for as long as the investigation and final assessment require, and as long as a legitimate interest of the company or a statutory requirement exist. Thereafter, this data is deleted in accordance with the legal requirements. The duration of storage depends in particular on the seriousness of the suspicion and the reported possible regulatory violation.

### **III. Your rights**

According to European data protection law, you and the persons named in the hint have the right to information, correction, deletion, restriction of processing and in certain cases the right to data transmission.

In addition, for reasons arising from your particular situation, you can oppose to the processing of your personal data, provided that the data processing takes place in public interest or on the basis of a balance of interests. The objection can be made informally and should, if possible, be addressed to the contacts listed in this Data protection notice.

If the right to object is claimed, we will immediately check to what extent the stored data, in particular for the processing of a hint, are still necessary.

Data that is no longer needed will be deleted immediately.

You can also revoke your consent at any time. Please note in this context the information under "I. Purpose of the whistleblowing system and Data processing".

You also have the right to lodge a complaint with a competent supervisory authority, e.g.

State Commissioner for Data Protection Lower Saxony

Prinzenstrasse 5

30159 Hanover, Germany

<https://www.lfd.niedersachsen.de/>

#### **IV. Your contact persons**

Find the contact persons for the exercise of your rights and further information on the following website

<https://datenschutz.volkswagen.de>

or receive information about your contact persons from

[infodatenenschutz@volkswagen.de](mailto:infodatenenschutz@volkswagen.de).

Our data protection officer is your contact person for data protection-related concerns:

Data Protection Officer of Volkswagen AG

Berliner Ring 2

38440 Wolfsburg, Germany

[datenschutz@volkswagen.de](mailto:datenschutz@volkswagen.de)