



## Miba Privacy Policy for Employees of Business Partners and Interested Parties

Dear Sir or Madam:

As a family-owned company, Miba has assumed responsibility as business partner for 90 years. Compliance with the applicable laws and other external and internal regulations is an integral part and the foundation of our business activities and decisions.

Therefore, Miba takes data protection seriously. In this Privacy Policy, we inform you of our processing activities and thereby comply with the provisions of the General Data Protection Regulation (GDPR).

### **Applicability:**

This Privacy Policy applies to the processing of personal data by Miba AG, Dr.-Mitterbauer-Str. 3, 4663 Laakirchen, Austria, and its subsidiaries with registered offices within the European Union. "Subsidiaries", within the meaning of this Privacy Policy, are all companies in which Miba AG directly or indirectly holds more than 50% of the shares. Miba AG and the aforementioned subsidiaries shall hereinafter each be referred to as a "**Miba company**."

This Privacy Policy is addressed to all employees of business partners and interested parties of Miba companies as well as to those business partners and interested parties that are sole traders. Business partners and interested parties can include but are not limited to: customers, suppliers, sub-suppliers, services providers, cooperation partners, development partners, logistics partners, freight forwarders, sales partners, commercial representatives, consultants, trainers, evaluators, leasing companies, banks, insurance companies, insurance brokers, tax advisors, auditors and attorneys.

**Controller:**

The respective Miba company with its registered office in the European Union, with which you or your employer is in contact or maintains a business relationship, is the controller within the meaning of the GDPR ("Miba"). This means that Miba decides on the purposes and means of processing personal data. An overview of the Miba sites including contact details can be found on our website at <http://www.miba.com/en/company/global-sites/>.

**Categories of Personal Data:**

Miba processes the following categories of data or elements thereof. Please note that not all items on the list must apply to you. The specific data that is processed mainly depends on your field of activity for your employer, your employer's field of activity and the specific relationship with Miba. Please also note that the examples for the categories are not exhaustive.

- **Contact data** (generally company contact data, unless you have provided private contact data): e.g., name, form of address, title, address, telephone number, mobile phone number, e-mail address and other information necessary for addressing based on modern communications technology
- **Company and workplace data:** e.g., company name, occupational function and position, organizational assignment within the company, supervisors, scope of representational authority, assignment to certain buyer or seller groups, business cases or projects you have worked on
- **Individual data:** e.g., language of communication, photo, date of birth (e.g., for patent applications or because it has been provided in a commercial register), nationality (e.g., in official invitations for visa applications), data relating to travel and events (e.g., Miba events attended, flight, transfer and hotel data, if provided or if organized by Miba), role (e.g., customer's or supplier's employee, consultant, visitor, vehicle driver, data subject within the meaning of the GDPR), contact maintenance data (e.g., hobbies, marital status, if you have provided this information), results of checking the sanctions lists, consents you personally have provided
- **Contract data** (for sole traders): e.g., orders, contracts and other agreements between you and Miba, data on customs duties and export controls
- **Financial data:** e.g., shareholding structure, account number (for sole traders), VAT number and Intrastat code (for sole traders), dunning data and blocking indicators (for sole traders, e.g. invoice block, delivery block or stop payment order), bonus and commission data (for sole traders)
- **IT-related data:** e.g., user ID
- **Visit-related data:** e.g., date (planned starting and ending date), place, visitor ID number, photo (for permanent card holders), automobile license plate, date of safety training, access authorizations, name of Miba employee visited
- **Accident data** (for accidents on Miba premises): e.g., time of accident, description of the accident's sequence of events and location, health-related data (e.g., type and seriousness of the injury)
- **Video surveillance data:** e.g., visual data (appearance, behavior), place where the images were recorded (premises, camera location), time the images were recorded (date, time, beginning/end of image recording), role of the data subject (e.g., perpetrator, victim, witness)
- **Data regarding the data subject** (if the data subject's rights under the GDPR are asserted): e.g., category of data subject, nature and content of the request, proof of ID (if necessary), outcome of the request, date of contact and outcome

- **Other personal data** that is necessary to initiate, implement and manage business relationships or that you have voluntarily disclosed or that can be collected from publicly available sources, information databases or credit bureaus

#### **Legal Basis:**

Miba processes your personal data to smoothly fulfill its contractual obligations under the contractual relationship between you or your employer and Miba or to implement pre-contractual measures (Art 6 (1) lit b GDPR), or for the purpose of meeting legal obligations to which Miba is subject (Art 6 (1) lit c GDPR), or to pursue Miba's legitimate interests in processing your data (Art 6 (1) lit f GDPR). Only in exceptional cases, if none of the other aforementioned legal bases is applicable, will Miba ask for your consent to process your personal data (Art 6 (1) lit a GDPR).

The legitimate interest of Miba is normally to ensure smooth business operations and to conclude and implement contracts with you or your employer. Miba makes a case-by-case assessment to ensure that there is a legitimate interest for the processing of personal data.

Miba will process special categories of personal data, so-called sensitive data, only in exceptional cases (e.g., health-related data for accidents on Miba's premises). In these cases, the processing is either based on your consent (Art 9 (2) lit a GDPR) or it is necessary to establish, maintain or defend against legal claims (Art 9 (2) lit f GDPR).

#### **Purposes:**

Your personal data is processed for the following general purposes. The specific data that is processed mainly depends on your field of activity for your employer, your employer's field of activity and the specific relationship with Miba. Please also note that the examples for the categories are not exhaustive.

- **Development of technologies and products:** processing to generate ideas and innovations, enter into and implement cooperations, handle and protect inventions and patents and apply for and handle funding
- **Production:** processing to manufacture products and ensure compliance with specifications and guidelines; to manufacture and maintain the necessary tools (tool making) and purchase and maintain systems and machines needed for production (industrial engineering), if necessary
- **Purchasing:** processing to initiate business with suppliers and continue operations for the purpose of supplying the organization with raw materials, consumables and supplies as well as materials, services and advice
- **Customer support and sales:** processing to initiate business with customers for Miba's range of products and services
- **Corporate communications:** processing of information for the purpose of informing business partners, interested parties, employees, former employees, and the public. Based on your consent, we may contact you in this context for advertising purposes – also via e-mail (e.g., via newsletter) or phone – to inform you about the Miba group and its products and services, to contact you on special occasions (such as anniversaries or holidays such as Christmas) and to invite you to events that we believe might be of interest to you.
- **Event management:** processing to organize and handle Miba events and organize Miba employee participation in external events (e.g., conferences, trade shows)

- **Supply Chain Management:** processing to fulfill supply agreements with customers and suppliers and implement logistics processes along the supply chain
- **Quality management:** processing to manage, handle and document complaints
- **Environment, Health and Safety (EHS) management:** processing to operate environment, health and safety management systems and sustainably manage all aspects in the areas of environment, health and safety
- **Project management and continuous improvement process:** processing to collect, evaluate and implement improvement ideas, measures and projects, to the extent that you or your employer collaborate(s) with Miba in this area
- **IT service management:** processing to manage, plan, handle, trace and invoice for requests to the IT Department (projects, service requests, malfunctions), to the extent that you or your employer collaborate(s) with Miba in this area
- **Security management:** management of the admission system, e.g., identity card production and issuance, and control of admission authorizations) and video surveillance at the Miba location
- **Accounting:** processing for the purpose of making disbursements
- Processing for the purpose of **creating balance sheets and preparing annual financial statements** for the individual companies and the group
- **Treasury management:** processing in connection with financial investments, financing and credit insurance
- **Legal counseling:** processing in connection with legal counseling by the in-house Legal & Compliance and Tax Departments and by external legal advisors (e.g., for contract drafting or review, auditing, defending against or enforcing legal claims, settling legal disputes)
- **Legal contract management:** processing to administer a digital contract database
- **Compliance Management System:** processing to operate a group-wide Compliance Management System (CMS) to ensure and document compliance with laws
- **Internal audit:** processing to ensure the reliability and integrity of financial and business information, secure assets and comply with laws, regulations, directives, procedures and contracts
- **Personnel management:** processing for the purposes of payroll accounting and compliance with recording, disclosure and reporting requirements, to the extent that you or your employer collaborate(s) with Miba in this area
- **Personnel development:** processing to determine the appropriate educational and training measures and to further develop skills in a targeted manner, to the extent that you or your employer collaborate(s) with Miba in this area
- **Identification, attraction and hiring of employees,** to the extent that you or your employer collaborate(s) with Miba in this area
- **Administrative activities:** processing to entertain (during visits to Miba), manage business trips (bookings and visa applications), and administer company credit cards

All these processing activities can also include electronically and non-electronically prepared and archived text documents in these matters (such as correspondence, protocols, presentations).

It is necessary to process your personal data to fulfill the aforementioned purposes. The possible consequences of failing to provide this personal data include – depending on the data category – inability to fulfill the listed purposes in conformity with law and contract, inability to ensure smooth business

operations, inability to engage in pre-contractual activities and inability to conclude and implement our contract with you or your employer.

**Sources:**

The personal data we process mainly comes from you. It can also come from your colleagues, supervisors, the Personnel Department, third parties to whom you have referred us to obtain personal data and, if necessary, publicly available sources. Some data may also be generated by Miba's IT systems (e.g., user names).

**Recipients:**

To fulfill a processing purpose, it may be necessary, in a particular case, to transmit relevant data to other companies in the Miba Group or to third parties, who may be outside of the EU/EEA. Possible recipients may be:

- competent authorities, offices, institutions and courts (e.g. tax authorities, security authorities, labor inspectorate, patent office);
- banks;
- bodies for the representation of interests;
- legal representatives, patent attorneys, tax advisors, auditors;
- customers, suppliers, sub-suppliers, interested parties and other contract partners and business partners of Miba (e.g., experts, evaluators, consultants, research facilities, universities, freight forwarders, and insurance brokers), which are or will be involved in providing goods or services;
- funding bodies;
- classification companies, certification authorities and auditors;
- insurance companies;
- operators of the company canteen.

Personal data is also provided to processors (e.g., IT service providers) to the extent necessary to fulfill the purposes of the processing. These can be third parties or other companies in the Miba Group.

If it is necessary to transmit relevant data to recipients outside the EU/EEA in a particular case in order to fulfill the purpose of the processing, an adequate level of protection is generally demonstrated by the existence of an adequacy decision from the European Commission, by the use of inter-company or external agreements based on standard EU data protection clauses (in accordance with Art 46 (2) lit c and d GDPR) or by the existence of one of the exceptions provided in the GDPR for specific cases (in accordance with Art 49 (1) GDPR, e.g., if the data transfer is necessary to implement the contract between you and Miba). You can obtain a copy of the applicable appropriate or suitable safeguards by contacting us at [compliance@miba.com](mailto:compliance@miba.com).

**Storage Period:**

Your personal data will be retained for as long as necessary to fulfill the aforementioned purposes, for as long as a statutory retention period requires and for as long as legal claims can be asserted by or against Miba (within the applicable statutory limitation periods).

**Your Rights:**

In general, you have a right of access as well as a right to rectification, erasure, restriction, data portability and objection. However, please note that Miba is not always required to fulfill a request for erasure, restriction or data portability or to comply with an objection. This must be determined case-by-case based on Miba's statutory obligations and any applicable exceptions. If we (also) process your data to contact you for advertising purposes, you have the right to object to such processing for direct marketing purposes at any time. If processing is based on your consent, you have the right to revoke your consent at any time. Your revocation of consent will not affect the lawfulness of any processing that has occurred based on your consent prior to its revocation.

If you believe that the processing of your personal data violates data protection law or that your data protection law rights have been otherwise violated, please contact your Miba contact person or the Miba Compliance Team ([compliance@miba.com](mailto:compliance@miba.com)), so that we can provide a remedy. However, you also have the right to file a complaint with a data protection supervisory authority in the EU, particularly where you reside or work or where the alleged violation occurred.

**Additional Information:**

We hope that this Privacy Policy has clarified the purposes for which Miba processes your personal data. If you have other questions regarding data protection matters or wish to assert your aforementioned rights, please contact the Miba Compliance Team ([compliance@miba.com](mailto:compliance@miba.com)).

This Miba Privacy Policy for Employees of Business Partners and Interested Parties may be adapted from time to time to reflect current conditions.

Miba, May 2018