



# Privacy notice for the whistle-blower system

## 1 Personal data

As a rule, it is possible to use the whistle-blower system – as far as legally permissible – without having to provide personal data. However, you may choose to provide your personal data as part of the whistle-blower process on a voluntary basis; this includes, but is not limited to, your identity, first and last name(s), country of residence, telephone number and/or e-mail address.

As a rule, we do not request or process any special categories of personal data, e.g. information on racial and/or ethnic origin, religious and/or ideological convictions, trade union membership or sexual orientation. However, you have the option to disclose these special categories of personal data on a voluntary basis in the blank text fields in the registration form.

The information you provide may also contain personal data relating to the third parties to whom you refer in your report. The individuals in question will be given the opportunity to comment on the information provided. In such cases, we will inform the individuals in question about the notification. Your confidentiality is respected in this case too, because – as far as legally possible – no information about your identity will be given to the individual in question and the information you provide will be used in such a way that your anonymity is not compromised.

## 2 Purpose and legal basis for processing

The whistle-blower system allows you to contact us and report indications of non-compliance and legal violations. We process your personal data in order to review the report you have submitted through the whistle-blower system and to investigate the alleged non-compliance and legal violations. We may have to ask you some follow-up questions during this process. To do so, we will communicate with you via the whistle-blower system exclusively. Maintaining the confidentiality of the information you provide is our top priority.

The corresponding processing of your personal data is based on your consent given when submitting the notification via the whistle-blower system (Art. 6 (1) (a) European General Data Protection Regulation, GDPR).

We also process your personal data insofar as this is necessary to comply with legal obligations. This includes, in particular, notifications of facts that are relevant under criminal, competition and labour law (Art. 6 (1) (c) GDPR).

Your personal data will ultimately be processed insofar as this is necessary to protect the legitimate interests of the company or a third party (Art. 6 (1) (f) GDPR). We have a legitimate interest in processing personal data to prevent and detect breaches within the company, to check the lawfulness of internal processes and to maintain the integrity of the company.



MUEGGE GROUP



**MUEGGE**  
POWER TO YOUR PROJECTS

## Privacy notice for the whistle-blower system

If you disclose special categories of personal data to us, we process these on the basis of your consent (Art. 9 (2) (a) GDPR). We also use personal data in anonymised form for statistical purposes. We do not intend to use your personal data for purposes other than those stated above. Otherwise, we will obtain the relevant consent from you in advance.

### 3 Technical implementation and security of your data

The technical implementation of the whistle-blower system is performed on our behalf by EQS Group AG ("EQS").

The whistle-blower system includes an option for anonymous communication via an encrypted channel. Your IP address and current location are not stored at any time you access the system. After sending a notification, you will receive login details to access the whistle-blower system's mailbox so that you can continue to communicate with us in a secure manner.

We have the necessary technical measures in place to ensure data protection and confidentiality. The data you provide will be stored on a specially secured database maintained by EQS. All data stored in the database is encrypted by EQS in line with the latest technical standards.

### 4 Disclosure of personal data

The stored data can be accessed solely by authorised personnel working within the company. All personnel authorised to inspect the documents are subject to an explicit duty to maintain confidentiality.

Furthermore, to fulfil the purpose stated above, it may be necessary for us to share your personal data with external parties such as law firms, criminal or competition authorities, both inside and outside the European Union.

Finally, we transfer your personal data to EQS for technical implementation purposes and only to the extent set out above. To this end, we have concluded an order data processing agreement with EQS to safeguard data protection.

### 5 Period of retention

We only store personal data for as long as is necessary to process your notification or for as long as we have a legitimate interest in storing your personal data. In addition, we may store data if this has been provided for by European or national law in order to comply with statutory obligations, such as retention obligations. All personal data will then be erased, blocked or made anonymous.

Please also note the following general information on data protection:



MUEGGE GROUP



**MUEGGE**  
POWER TO YOUR PROJECTS

## Privacy notice for the whistle-blower system

### **6 Information pursuant to Art. 13 / Art. 14 GDPR concerning our business partners (as of 27 April 2022)**

#### **6.1 Preliminary remarks**

We appreciate your interest in MUEGGE GmbH.

We take your privacy and the protection of your personal data very seriously. We collect, process and use your data in accordance with the statutory provisions on data protection, in particular the EU General Data Protection Regulation ("GDPR") and the German Federal Data Protection Act ("BDSG").

Below you will find information on how we process your data.

#### **6.2 Data controller**

MUEGGE GmbH  
Hochstrasse 4 - 6  
64385 Reichelsheim  
Germany  
Tel.: +49 (0) 6164 9307 0  
Fax: +49 (0) 6164 9307 93  
E-mail: [info@muegge.de](mailto:info@muegge.de)

#### **6.3 Data Protection Officer's contact details**

Data Protection Officer – Mr Kai Schwardt  
c/o MUEGGE GmbH  
Hochstrasse 4- 6  
64385 Reichelsheim  
Germany  
Tel.: +49 (0) 6164 – 9307– 0  
E-mail: [dsb@muegge.de](mailto:dsb@muegge.de)

#### **6.4 Legal basis and purpose of data processing**

Under applicable privacy laws, we may only process your data if this is expressly permitted or required by law, or if you have effectively consented to it.



MUEGGE GROUP



**MUEGGE**  
POWER TO YOUR PROJECTS

# Privacy notice for the whistle-blower system

We are permitted to process your data in accordance with Art. 6 (1) (b) GDPR in specific cases where it is necessary to fulfil contractual obligations, i.e. for the purpose of initiating, concluding, implementing and terminating a contract for products or other agreements with you.

The same applies insofar as the processing of your data is necessary for the purposes of our legitimate interests or those of a third party and there is no reason to assume that your legitimate interest as a data subject overrides the need to exclude the processing or use (Art. 6 (1) (f) GDPR). This is the case, for example, to safeguard our IT security and operations, determine your creditworthiness with credit agencies or for advertising purposes. Our legitimate interest in this respect is to conduct our business for the benefit of all of our employees and shareholders.

Art. 6 (1) (a) GDPR is the legal basis where we have obtained your consent for the processing of specific data. This includes, for example, subscribing to our newsletter.

In addition, we are subject to legal obligations in many cases, the compliance with which requires us to process data on a justified basis (Art. 6 (1) (c) GDPR). This includes, for example, retention periods under commercial and tax law or the provision of information to authorities.

## 6.5 Data recipients

Within our company, only those employees who require your data in order to perform their respective tasks are granted access to your data.

To fulfil our contractual and statutory obligations, we occasionally engage various contractually obliged service providers (e.g. for the purposes of supporting/maintaining our IT applications, destroying documents and storage media or archiving).

In addition, we may transfer your data to other recipients outside the company, insofar as this is necessary to fulfil the purposes stated in section 4, for example banks to execute payments, tax advisors to prepare monthly and annual financial statements or credit agencies to determine your creditworthiness.

## 6.6 Transfer of data to a third country or an international organisation

If we need to transfer your personal data to third countries (i.e. countries outside the European Union/European Economic Area) or to international organisations, we will only do so if the specific requirements of Art. 44 et seq. GDPR are met.

## 6.7 Necessity to provide specific data

Within the context of contracts, we process data that we need to establish, implement and terminate our contractual relationships and to perform the contractual obligations we have undertaken, or data that we



are legally obliged to collect. If you do not provide us with this data, we will not be able to fulfil our contracts with you.

## 6.8 Automated decision-making

As a company that takes its responsibilities seriously, we do not employ automated decision-making or profiling within the meaning of Art. 22 (1) and (4) GDPR.

## 6.9 Routine erasure and blocking of data

We process and store your data only for the period of time required to fulfil retention purposes or if this provided for by European directives and regulations or by other laws and regulations that we are subject to.

If the retention purposes no longer apply or if a retention period stipulated by European directives and regulations or other relevant laws expires, personal data will be routinely blocked or erased in accordance with statutory provisions.

## 6.10 Your privacy rights

Right to withdraw consent (Art. 7 (3) GDPR)

You have the right to withdraw your consent at any time. This means that we may no longer continue to process any data that was based on this consent in the future.

Right of access (Art. 15 GDPR)

You have the right to request information on the personal data relating to you that we process. In particular, you may request information on processing purposes, the category of personal data, the categories of recipients to whom your data have been or will be disclosed, the planned retention period, the existence of a right to rectification, erasure, restriction of processing or objection, the existence of a right of complaint, the origin of your data if it has not been collected by us, as well as on the existence of automated decision-making, including profiling, and, if applicable, comprehensive information on its details;

Right to rectification (Art. 16 GDPR)

Should incorrect information be retained - despite our efforts to ensure that the data is correct and up to date - we will correct this immediately at your request.

Right to erasure (“right to be forgotten”, Art. 17 GDPR)

You have the right to request the erasure of your personal data retained by us, unless processing it is necessary to exercise the right to freedom of expression and information, to comply with a legal obligation, on grounds of public interest or to assert, exercise or defend legal claims.



MUEGGE GROUP



**MUEGGE**  
POWER TO YOUR PROJECTS

## Privacy notice for the whistle-blower system

### Right to restriction of processing (Art. 18 GDPR)

You have the right to request a restriction on the processing of your data:

- if you contest the accuracy of the data,
- processing is unlawful but you oppose its erasure,
- we no longer need the personal data, but you require it to establish, exercise or defend legal claims, or
- you have objected to processing pursuant to Art. 21 GDPR.

### Right to data portability (Art. 20 GDPR)

You have the right to receive the personal data that you have provided to us in a structured, commonly used and machine-readable format or to have it transmitted to another data controller.

### Right to object (Art. 21 GDPR)

You have the right to object on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on point (e) or (f) of Article 6 (1) GDPR. This also applies to profiling based on these provisions.

### Right to lodge a complaint with a supervisory authority (Art. 77 GDPR)

You have the right to lodge a complaint with a supervisory authority if you consider that the processing of data relating to you is not lawful.

The supervisory authority responsible for our company is:

*Hessische Beauftragte für Datenschutz und Informationsfreiheit* (Commissioner for Data Protection and Freedom of Information in Hessen)

Postfach 3163

65021 Wiesbaden, Germany

Phone: +49 (0) 611 1408 - 0

Fax: +49 (0) 611 1408 - 900

E-mail: [poststelle@datenschutz.hessen.de](mailto:poststelle@datenschutz.hessen.de)