

## Data Protection Notice for Annual General Meeting of AUDI AG 2019

This Data Protection Notice pursuant to Art. 13, 14 EU GDPR provides information on the processing of your personal data by Audi AG, Auto-Union-Strasse 1, 85045 Ingolstadt, Germany (hereinafter referred to as “we”) in relation to your registration for and participation in the Annual General Meeting of AUDI AG in Neckarsulm.

**Personal data** includes all information related to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

**Processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

### 1. Who is responsible for data processing and whom can I contact about this?

The entity responsible for processing your personal data is

AUDI AG, Auto-Union-Strasse 1, 85045 Ingolstadt, Germany.

If you have any concerns about data protection, you can also contact our **Company Data Protection Officer**:

AUDI AG, Company Data Protection Officer, Auto-Union-Strasse 1, 85045 Ingolstadt, Germany.

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

If you would like to exercise your **data protection rights**, please use the contact options at

[www.audi.de/betroffenenrechte](http://www.audi.de/betroffenenrechte)

You will find more information there about how you can assert your data protection rights.

Should you have **general questions** about this data protection notice or about the processing of your personal data by Audi AG, please use the following contact options:

Audi AG, GDPR Central Contact, Ettinger Straße, 85045 Ingolstadt

Email: [dsgvo-zentrale-anlaufstelle@audi.de](mailto:dsgvo-zentrale-anlaufstelle@audi.de)

### 2. What data do we process and where do we get it from?

We process personal data we receive from you as a shareholder of AUDI AG, as a guest at the Annual General Meeting or as a proxy within the context of registering for the Annual General Meeting or issuing a voting proxy, as well as during the event itself.

Relevant personal data includes:

- **Name**
- **Contact details** (e.g. mailing address, e-mail address)
- **Data related to the shares** (e.g. number of shares, class of shares, type of ownership of shares)
- **Data related to the Annual General Meeting** (e.g. number of admission ticket)

Video and audio recordings will be made during the event and will be transmitted live via the website for the Annual General Meeting. These will focus on the stage and the speakers. Care will be taken to avoid depicting individuals in an identifiable manner as far as possible. The recordings will not be saved.

Photographs will be taken during the event by persons enlisted by AUDI AG. These will focus on the stage and the speakers. Care will be taken to avoid depicting individuals in an identifiable manner as far as possible. These images will be used only for internal documentation, for journalistic purposes, for training documents and for advertising, and will be published on mobile data carriers (CDs, DVDs, etc.), on the Audi intranet and internally within Audi (e.g. on Group drives, Outlook, etc.) for these specific purposes. The photographs will additionally be forwarded to journalists.

Photographs of you at the Annual General Meeting in your capacity as speaker will in principle only be taken with your prior informed consent.

### 3. For what purposes and on what legal grounds do we process your data?

We process your personal data for a variety of reasons in accordance with the stipulations of the General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG).

The processing of your personal data must be supported by one of the following legal bases:

- You have provided your consent (Art. 6 (1) (1) (a) GDPR);
- Processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract (Art. 6 (1) (1) (b) GDPR);
- Processing is necessary for compliance with a legal obligation pursuant to EU law or the law of an EU Member State to which we are subject (Art. 6 (1) (1) (c) GDPR);
- Processing is necessary in order to protect your vital interests or the interests of another natural person (Art. 6 (1) (1) (d) GDPR);
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us (Art. 6 (1) (1) (e) GDPR);
- Processing is necessary for the purposes of the legitimate interests pursued by Audi AG or by a third party, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data, in particular where the data subject is a child (Art. 6 (1) (1) (f) GDPR).

Where in exceptional cases we process special categories of data about you (data revealing racial or ethnic origin, political opinions, religious or philosophical views or trade union membership and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation), one of the following legal bases must apply:

- you have given your explicit consent (Article 9(2)(a) GDPR);
- processing is necessary to protect your vital interests or those of another natural person where the data subject is physically or legally incapable of giving consent (Article 9(2)(c) GDPR);
- processing relates to personal data which you have manifestly made public (Article 9(2)(e) GDPR);
- processing is necessary for the establishment, exercise or defense of legal claims (Article 9(2)(f) GDPR);
- processing is necessary for reasons of substantial public interest on the basis of Union or Member State law which are proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard your fundamental rights and interests (Article 9(2)(g) GDPR).

Further to the foregoing, we process your personal data on the basis of the following legal grounds and for the following purposes:

Purpose	Legal grounds	Legitimate interest in the balance of interests
Organization and holding of the Annual General Meeting, as well as your participation therein	Performance of contract, balancing of interests	Proper execution
Compliance with corporate law requirements (e.g. for the list of attendees)	Compliance with statutory obligations	
Enabling the exercise of shareholder rights (e.g. request to speak and casting of votes)	Compliance with statutory obligations	
Settlement of legal disputes	Balancing of interests	Assertion, exercise or defense of legal claims of Audi AG or the respective Audi dealer
Assertion of legal rights and defense in the case of legal disputes	Balancing of interests	We have a legitimate interest in asserting, exercising and defending

		legal claims.
Disclosure within the scope of administrative/legal measures for the purpose of collecting evidence for, initiating criminal proceedings for and enforcing civil law claims	Compliance with statutory requirements, balancing of interests	Compliance with statutory and regulatory specifications

Please note your rights to object to the processing of data for direct marketing purposes or for personal reasons and your right to withdraw consent (see Section “What rights do I have?” and Section “Information about your right to object”).

### **3.1 Am I obliged to provide personal data?**

When taking part in the Annual General Meeting you are only obliged to provide the personal data needed for you to register for and for us to hold the Annual General Meeting, or that we are required to collect by law. If you do not provide this data, we will unfortunately have to decline your registration for the Annual General Meeting.

### **4. Who gets my data?**

Due to the scope and complexity of data processing at Audi AG, it is not possible to individually list every recipient of your personal data in this data protection notice, which is why we typically just name categories of recipients.

Within AUDI AG, only the departments that need your data to organize and hold the Annual General Meeting receive your data (e.g. PR department, legal services, finance department).

Service providers enlisted by us and working on our behalf (so-called processors) that support us in our data processing remit also receive data for such purposes. We only use processors for attendee management and support within Germany.

Your personal data will in principle only be forwarded to third parties insofar as this is required to perform the contract, we or the third party have a legitimate interest in forwarding this data, or you have provided your consent for this purpose. Your data may also be forwarded to third parties if we are obliged to do so on legal grounds or as a result of an enforceable administrative or judicial order. Third parties to whom we forward your personal data and who act in the capacity of officers under data protection law include

- public authorities as part of their responsibilities (e.g. tax office, police, public prosecutor),
- courts,
- miscellaneous third parties, provided you instruct us to pass on your data or give us your consent.

### **5. Is data transferred to third countries?**

We process your data in Germany. We do not normally transmit your data to other countries or to third countries (countries that are neither members of the European Union nor of the European Economic Area), nor to international organizations.

### **6. How long is my data stored?**

We store your data for as long as is necessary for you to take part in or for us to hold the Annual General Meeting, or for as long as we have a legitimate interest in continuing to store them.

We store your data for the duration of the event and thereafter for as long as required by the applicable statutory retention obligations (generally up to ten years). In addition, the storage period also depends on the statutory limitation period (up to 30 years, regular limitation period: 3 years).

We are also bound by various retention and documentation obligations, some of which are set forth in the German Commercial Code (HGB) and the German Fiscal Code (AO). These prescribe retention and documentation periods of up to ten years. The storage duration is further determined by the statutory retention periods, for instance under Arts. 195 et seq. of the German Civil Code (BGB), which may last as long as 30 years, although the regular retention period is three years.

In some circumstances your data has to be stored for longer, for example if a *legal hold* or *litigation hold* is ordered in connection with official or court proceedings (i.e. the data may not be deleted for the duration of the proceedings).

## 7. What rights do I have?

As a data subject you are in general entitled to the following data protection rights:

**Access:** You have the right to request information about the data stored about you by AUDI AG and the scope of the data processing and forwarding carried out by AUDI AG, and to receive a copy of the personal data stored about you.

**Rectification:** You have the right to request immediate correction of information related to you that is incorrect as well as to the completion of incomplete personal data that AUDI AG has on file for you.

**Erasure:** You have the right to request immediate deletion of the personal data about you stored at AUDI AG if the statutory conditions are met.

This is especially the case if

- Your personal data is no longer required for the purposes for which it was collected;
- Your consent constituted the sole legal grounds for processing and you have withdrawn this consent;
- You have objected on personal grounds to processing that has been authorized on the legal basis of the weighing up of interests and we cannot prove that there are superior legitimate grounds for processing;
- Your personal data was processed unlawfully; or
- Your personal data must be deleted to comply with statutory requirements.

If we have passed on your data to third parties, we will inform them about the deletion where legally required.

Please note that your right to erasure is subject to certain restrictions. For example, we are not permitted to delete data that we are obliged to continue retaining due to statutory retention periods. Data required by us to assert, exercise or defend against legal claims are likewise excluded from the right to erasure.

**Restriction of processing:** Under certain conditions, you have the right to request that the processing of your personal data be restricted (i.e. the designation of stored personal data with the aim of restricting future processing). These conditions are:

- The accuracy of the personal data is disputed by you and AUDI AG must review the accuracy of the personal data;
- The processing is unlawful, but you reject the deletion of your personal data and instead request restricted use be made thereof;
- AUDI AG no longer needs your personal data for the purpose of processing, but you need the data to assert, exercise or defend legal claims.

- You have objected to the processing of your personal data, but it is still not clear whether the legitimate interests of AUDI AG outweigh your interests.

If processing is restricted, aside from being stored, your personal data will be marked accordingly and processed only with your consent or to assert, exercise or defend against legal claims or to protect the rights of another natural person or legal entity, or if the European Union or an EU Member State has an important public interest in doing so.

**Data portability:**

If the personal data that you have provided us on the basis of your consent or a contract (including your employment contract) is processed by us in an automated manner, you have the right to receive the data in a structured, standard and machine-readable format, and to transmit this data to another controller without being prevented from doing so by AUDI AG. You also have the right to have the personal data transferred directly by AUDI AG to another controller, insofar as this is technically feasible and insofar as the rights and freedoms of other persons are not affected by this.

**Objection:**

If we process your personal data on the grounds of legitimate interest or public interest, you have the right to object to such processing on personal grounds. Furthermore, you have the unrestricted right to object if we process your data for our direct advertising. Please see our special note on this in the section "Information on your right to object".

**Withdrawal of consent:**

If you have granted consent for the processing of your personal data, you can withdraw this consent at any time. Please note that withdrawal applies only to future processing. Any processing carried out before consent was withdrawn remains unaffected.

**Complaints:**

You also have the right to lodge a complaint with a data protection supervisory authority if you believe that your personal data was processed unlawfully. You have the right to lodge such a complaint irrespective of any other administrative or judicial remedies. The address of the data protection authority responsible for AUDI AG is:

**Bayerisches Landesamt für Datenschutzaufsicht**

Promenade 18

91522 Ansbach

Germany

## **7.1 Information about your right to object**

### **Right to object for personal reasons**

You have the right, for reasons arising from your specific situation, to object to the processing of your personal data. The requirement for this is that the data processing is done in the public interest or done with the intention of balancing interests. The same shall apply to any profiling.

Insofar as we process your personal data based on a balance of interests, we generally assume that compelling legitimate grounds can be demonstrated but will of course attempt to validate every individual case.

In the case of an objection we will no longer process your personal data, unless

- we can prove compelling legitimate grounds for the processing of the data that outweigh your interests, rights and freedoms, or
- your personal data serves to establish, exercise or defend any legal claims.

### **Exercising the right to object**

The objection can be made informally and, where possible, should be sent using the contact information provided in this data protection notification.