

Data protection notice / Privacy Policy

We very much appreciate your support in complying with laws, regulations and internal Group rules, standards and instructions.

If you report incidents via the whistleblower portal, we will protect your personal data so that you do not suffer any disadvantages as a result of the report.

Here you can find out how we use your personal data when you use the whistleblower website, **unless you decide to report an incident to us anonymously.**

1. What does this privacy policy apply to?

This privacy policy applies to the website <https://app.legaltegrity.com/report/e61f5201-b193-4f6c-9aa2-f21c6baa552a> ("**Whistleblower Website**") as well as to the platform offered at this URL for reporting incidents of unethical, illegal and irresponsible behavior ("**Platform**"), insofar as we collect, process or use ("**use**") your personal data therein.

2. Who is responsible for data processing?

Tyczka GmbH, Blumenstraße 5, 82538 Geretsried ("**Company**" or "**we**" or "**us**") is responsible for the use of personal data on the whistleblower website.

Tyczka GmbH centrally processes all incoming information concerning one or more companies of the Tyczka Group.

Operations are carried out by LegalTegrity GmbH, Platz der Einheit 2, 60323 Frankfurt, Germany, which is bound by instructions to **Tyczka GmbH** as a contractor under a data processing agreement.

3. How can the data protection officer be contacted?

You can reach our data protection officer as follows:

Digital Compliance Consulting GmbH
c/o Dipl.-Ing. Arnd Fackeldey
Karl-Arnold-Str. 44
52349 Düren
fackeldey@digital-compliance-consulting.com

4. What is personal data and what is anonymous data?

We use personal and anonymous data on the whistleblower website and platform.

- **Personal data** is any information relating to an identified or identifiable natural person. You are identifiable as a person if you can be identified directly or indirectly with this information, e.g. by means of a telephone or credit card number.

- **Anonymous data** is data for which there is no personal reference (i.e. through which you cannot be identified either directly or indirectly as a person) or for which the personal reference can only be restored with disproportionate effort.

5. What rights do I have in relation to my personal data?

You have the right of **access**, **rectification**, **erasure** or **restriction of processing**, **data portability** and **objection** to the processing of your personal data.

In the event that you have given us your consent to process your personal data, you have the **right to withdraw your consent**. Any processing that has taken place up to the time of withdrawal remains unaffected by the withdrawal. If you wish to withdraw your consent, please contact our data protection officer (Section 3.).

You also have **the right to lodge a complaint** with a data protection authority. However, if you have any questions or complaints, please first contact our company data protection officer (Section 3.).

6. For what purposes and on what legal basis is my personal data used?

You can use the whistleblower website anonymously and without providing your personal data.

If you wish to voluntarily provide personal data, we will only use it within the framework of the whistleblower website and the platform offered for the investigation of the reported incident if there is a legal basis for this use. This is the case if the applicable data protection laws permit the use of the data you have provided or if you have given us your consent to use the data.

The following table shows you the purposes for which we use the data we collect from you and the legal basis for doing so. You can find the text of the General Data Protection Regulation (GDPR) [here](#)

Purpose of processing	Legal basis
Central processing by Tyczka GmbH with regard to all reports concerning companies of the Tyczka Group and, if necessary, transmission of data to companies of the Tyczka Group affected by the report.	Art. 6 para. 1 GDPR (processing for the purpose of a legitimate interest). The legitimate interest consists of internal administrative purposes.
Your name, e-mail address, telephone number and contact details so that we can contact you if we have any queries following your report.	Art. 6 para. 1 lit. a GDPR (consent) Art. 6 para. 1 lit. f GDPR (processing for the purpose of a legitimate interest). The legitimate interest consists in the efficient investigation of the incident reported by you.

Details of the incident you reported (e.g. subject of your concern, time and duration of the incident, business unit, circumstances under which you became aware of the incident, uploaded documents)	<p>Art. 6 para. 1 lit. a GDPR (consent)</p> <p>Art. 6 para. 1 lit. f GDPR (processing for the purpose of a legitimate interest). The legitimate interest consists in the efficient investigation of the incident reported by you.</p>
All other personal data that you provide to us in the course of individual communication (e.g. by e-mail, fax, telephone or via online forms provided) via the contact options provided by us, to answer general inquiries or other requests made by you.	Art. 6 para. 1 lit. a GDPR (consent)
Disclosure to persons bound by professional secrecy (lawyers, auditors) or other third parties (e.g. detective agencies) with a separate contractual obligation to maintain secrecy for further clarification of the reported incident and, if necessary, for the assertion of civil law claims against the reported persons.	<p>Art. 6 para. 1 lit. c GDPR (fulfillment of a legal obligation)</p> <p>Art. 6 para. 1 lit. f GDPR (legitimate interest). The legitimate interest consists in the enforcement of legal interests and the use of professional and legal support in the establishment of a lawful situation.</p>
Disclosure to law enforcement authorities for law enforcement purposes in the event of criminal acts by the reported persons.	<p>Art. 6 para. 1 lit. c GDPR (fulfillment of a legal obligation)</p> <p>Art. 6 para. 1 lit. f GDPR (legitimate interest). The legitimate interest consists in supporting the law enforcement authorities in the investigation and prosecution of the incident.</p>
Operation of the platform (processing) by LegalTegrity GmbH within the framework of an order processing contract	<p>Data processing agreement in accordance with Art. 28 GDPR</p> <p>Art. 6 para. 1 lit. f GDPR (legitimate interest). The legitimate interest consists in the operation of the reference website by a specialized provider.</p>
Prosecution of abusive reports; you do not have to fear any disadvantages if you use the platform in good faith. In the event of misuse of the platform for the purpose of causing disadvantages to reported persons, we reserve the right to take action against the whistleblower.	Art. 6 para. 1 lit. f GDPR (legitimate interest). The legitimate interest consists in the protection of honest whistleblowers and the protection of the platform against misuse.

We process your personal data only within the scope of the stated purposes and insofar as this is necessary for these purposes.

7. Consent

By submitting your report via the **platform**, you agree that Tyczka GmbH may process and in particular store the personal data you provide for the purposes stated in this privacy policy. You further agree that Tyczka GmbH may also process the personal data beyond the conclusion of an investigation for as long as this is necessary for a proper assessment of the incident with regard to further action.

You can withdraw your consent at any time with effect for the future. Please send your withdrawal to

- the Chief Compliance Officer Mr. Christoph Rupp, christoph.rupp@tyczka.de,
Phone +49.8171.627-258

8. Is it necessary to provide personal data?

Whistleblowers who report unethical, illegal and irresponsible behavior are not informers ("snitches"). However, please be aware that the information you provide about yourself, your colleagues or any other aspect of company operations may lead to decisions that affect others. Therefore, please only provide information that you believe to be accurate to the best of your knowledge. Although you will not be penalized for providing information in good faith, even if it subsequently turns out to be false, the intentional provision of false or misleading information will not be tolerated.

However, you are not legally or contractually obliged to provide your personal data when using the whistleblower website. However, providing your personal data enables us to ask questions and investigate the reported incident more quickly. If you do not provide us with any personal data, we may have to stop investigating the incident due to incomplete or incorrect information.

9. To which recipients or categories of recipients will the personal data be disclosed?

Unless otherwise required by law, the personal data processed may only be read and used by persons who need to have access to the data in order to fulfill their professional duties in connection with the investigation of the incident. These persons may be responsible employees of the compliance, human resources, audit, legal, data protection or security department or the management of Tyczka GmbH and the companies of the Tyczka Group (insofar as they are affected by the reported incident) and their members or technical employees of LegalTegrity GmbH.

We do not pass on your data to third parties and will only pass it on to third parties without your consent if we are obliged to do so by law or on the basis of a court or official decision. We also pass on your personal data to the following recipients in individual cases:

- Law firms or tax consultants or auditors commissioned by us
- Detective agencies

10. is personal data transferred to third countries outside the European Union / European Economic Area?

All information stored in the database of the LegalTegrity GmbH platform is hosted by a subcontractor (Telekom Deutschland GmbH, Landgraben 151, 53227 Bonn) of LegalTegrity GmbH.

In principle, data is not transferred to third countries (countries outside the European Union and the European Economic Area). As an exception to this

- we transfer personal data in the event of a report from a third country to the location in the third country where the incident took place in order to be able to investigate the incident locally.

11 How long will the personal data be stored?

Tyczka GmbH processes personal data as long as it is necessary for the fulfillment of legal obligations. It should be noted that reported incidents may need to be retained for a reasonable period of time for documentation and audit purposes. We only process your personal data for as long as is necessary for the purposes of the investigation and any subsequent implementation of civil or criminal measures against those involved. In doing so, we are guided by the statutory limitation periods under civil and criminal law as part of a case-by-case assessment.

In addition, we store your personal data if there are statutory retention periods in connection with a report. This can play a role in particular in tax-relevant matters, for which Section 147 of the German Fiscal Code (AO) stipulates a storage period of ten years for business letters including e-mails.

Thank you for reading our privacy policy.