

Data protection information

The law firm Heuking Kühn Lüer Wojtek PartGmbB (hereinafter: "Heuking Kühn Lüer Wojtek") has established an internal reporting channel within the meaning of Section 12 of the German Whistleblower Protection Act (HinSchG) using the whistleblower system WhistleFox. The following statement describes how and for what purpose personal data is processed by the internal reporting channel of Heuking Kühn Lüer Wojtek using WhistleFox.

1. Controller for data processing and contact data

The Controller for the processing of personal data within the meaning of data protection law is:

Heuking Kühn Lüer Wojtek PartGmbB
Georg-Glock-Straße 4
D-40474 Düsseldorf

Contact details of our Data Protection Officer (also Data Protection Officer for all Civil Law Notaries working in the law firm):

Heuking Kühn Lüer Wojtek PartGmbB
Datenschutzbeauftragter Herr Harald Eul (HEC Harald Eul Consulting GmbH)
Georg-Glock-Straße 4
D-40474 Düsseldorf
E-Mail: dsb@heuking.de

2. Internal reporting channel for whistleblowers

Heuking Kühn Lüer Wojtek's internal reporting channel is part of a whistleblower system that meets the requirements of the EU Whistleblower Protection Directive, the Whistleblower Protection Act (HinSchG) and other laws. It helps to preserve the integrity of our law firm and its employees and to protect us and our business partners from damage and loss of reputation. Malpractice, illegal and erroneous behaviour must be discovered early so that they can be remedied. Violations of applicable law and compliance rules are consistently investigated and punished.

Heuking Kühn Lüer Wojtek assures responsible and careful handling of all incoming information, guarantees confidential, neutral and objective treatment and careful examination of the necessary measures.

For detailed information on the activities of the internal reporting channel, please refer to the enclosed process description for the internal reporting channel:



HKLW
Hinweisgebersystem

3. What is personal data and when do we process it?

Personal data is any information that identifies a natural person, either alone or in combination with other data. This includes, for example, your name or your address. On the other hand, information that

does not allow any conclusion to be drawn about the identity of a person (anonymous data) is not personal data.

We only process the personal data that you have made available to us. We process this data in accordance with the stipulations of the applicable data protection laws, in particular the General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG).

4. Categories of data processed

If you send a report to Heuking Kühn Lüer Wojtek's internal reporting channel, we will initially record only those personal data that you forward to us. As a rule, these are:

- your name as well as your contact data if you disclose your identity,
- whether you are employed with the company and in what area,
- additional personal data resulting from your report, and
- if applicable the names and other personal data of the persons stated in your report.

If further personal data are collected in the context of the investigations triggered by your report, we can also process these.

5. Purpose of data processing and legal basis

The processing of personal data by the internal reporting channel serves the purpose of processing and managing tips about compliance violations, violations of legal regulations and violations in connection with our business operations, by employees, customers, suppliers and other third parties.

The legal basis for the processing of your personal data as a whistleblower is, insofar as you disclose your identity to the internal reporting office and consent to the disclosure of your name to us by the ombudsperson / reporting office, your consent, Art. 6 para. 1 sentence 1 lit. a GDPR.

The legal basis for processing personal data of persons affected by the report is our legitimate interest in detecting and preventing breaches of law and misconduct, Art. 6 para 1 sentence 1 lit. f GDPR. A legitimate interest in detecting and preventing legal violations and misconduct exists insofar as we are legally obligated to do so in certain areas. In addition, such violations can not only cause considerable economic damage, but also lead to a significant loss of reputation.

If the data subject is an employee of Heuking Kühn Lüer Wojtek, the legal basis for processing in the course of processing or further investigation of the reported facts is Sec. 26 (1) sentence 1 of the German Federal Data Protection Act (BDSG) [processing for purposes of the employment relationship] or Sec. 26 (1) sentence 2 of the German Federal Data Protection Act (BDSG) [processing for the detection of criminal offenses] and, if applicable, our legitimate interest described above, Art. 6 para. 1 sentence 1 lit. f GDPR.

6. Data security

You can submit reports by telephone, email, post or via the WhistleFox online system. If you choose to use WhistleFox, all data will be stored and transmitted in encrypted form. The system does not store metadata, in particular it does not store IP addresses and computer IDs.

Kindly observe the following in order to enhance your security:

- Ensure that your internet connection is secure - indicated by the lock symbol next to the address bar.
- If possible, go directly to the WhistleFox server by always entering via the link to the reporting form on your company's website.

- If you wish to remain anonymous do not use technical devices - such as PCs, laptops or smartphones - provided by Heuking Kühn Lüer Wojtek. Likewise, do not use an Intranet connection. Ensure that the documents submitted by you do not contain information that permits conclusions concerning your identity.

7. Cookies

Cookies are information transferred from our web server or third-party web servers to the users' web browsers, where they are stored for call-up at a later date. Cookies can be small files or other forms of information storage. The WhistleFox online system does not use cookies, with the exception of the following:

WhistleFox uses a Captcha cookie that is stored only for the duration of the current use of WhistleFox (so-called "Session cookies"). It is used to establish that the user entering the Captcha has also made the preceding entries. To enable this comparison, a randomly generated sequence of characters is stored, which is then used to confirm conformity. The cookie does not store any other data. It is deleted when you end the use of WhistleFox and, for example, log off or close the browser.

8. Server-Logfiles

When visiting the entry mask of the online systeml WhistleFox, so-called log files are generated on the server side. Log files are protocol data in which processes of a computer or network system are logged. The information in the log files regularly includes:

- IP address
- Date and time of the request
- Time zone difference from Greenwich Mean Time (GMT)
- Content of the request (specific page)
- Access status/HTTP status code
- Amount of data transferred in each case
- Website from which the request came (referrer URL)
- Browser used
- Operating system used and its interface
- Language setting and version of browser software.

Heuking Kühn Lüer Wojtek processes this data exclusively to ensure the proper operation and security of the WhistleFox system. This data is not forwarded to the internal reporting channel. The processing of your personal data in this context is based on our legitimate interest pursuant to Art. 6 para. 1 sentence 1 lit. f GDPR.

9. No transfer of data to third countries

All data transmitted to or by the internal reporting channel is processed on IT systems of Heuking Kühn Lüer Wojtek and exclusively in the Federal Republic of Germany. There is no transmission to countries outside the European Union (EU) or the European Economic Area (EEA).

10. Confidentiality and Disclosure of Data

The confidential treatment of all reports and data by the internal reporting channel is ensured at all times and in every processing step. This applies in particular to the personal data of the person making the report and of the person(s) affected by the report.

Only individual, previously defined and authorized persons who are obligated to confidentiality have access to incoming reports and information about the processing of the report or follow-up measures. These are in particular employees of the internal reporting channel at Heuking Kühn Lüer Wojtek and members of the Whistleblowing Committee.

In the course of any follow-up measures and in the assertion, exercise or defense of legal claims, Heuking Kühn Lüer Wojtek may also rely, if necessary, on the support of law firms or auditing firms. In addition, (technical) service providers may be involved in the clarification and processing of the reported facts, which will act for Heuking Kühn Lüer Wojtek as order processors bound by instructions on the basis of corresponding agreements. These service providers may also become aware of the contents of the whistleblower report, but are obligated to handle the data confidentially.

Personal data of the whistleblower and of any other data subjects may come to the knowledge of authorities, courts or third parties in exceptional situations despite the maintenance of confidentiality. This is the case if disclosure of this information is obligatory for Heuking Kühn Lüer Wojtek, such as in the context of an official investigation (e.g., in the context of a preliminary investigation) or if this is necessary for the assertion, exercise or defence of legal claims. In addition, under certain circumstances, the reported information must be disclosed by Heuking Kühn Lüer Wojtek to the persons affected by the report.

In these cases of disclosure, the person providing the information - insofar as his or her identity and/or contact details are known to Heuking Kühn Lüer Wojtek - will be informed in writing by the internal reporting office about the disclosure and the reasons for it before the disclosure to third parties takes place. This notification will only be omitted if it would jeopardize the official investigation.

11. Duration of data retention

In general, any documentation of the notification will be deleted three years after the conclusion of the procedure. However, the documentation may be kept *verhältni* longer in order to meet the requirements under the Whistleblower Protection Act or other legal provisions, if and to the extent that this is necessary and reasonable.

Furthermore, special statutory provisions may require a longer retention period, such as the preservation of evidence within the scope of statutory limitation provisions. According to Secs. 195 ff. of the German Civil Code (BGB), the regular limitation period is three years, but limitation periods of up to 30 years may also be applicable.

If the data are no longer required for the fulfilment of contractual or legal obligations and rights, they are regularly deleted, unless their - temporary - further processing is necessary for the fulfilment of the purposes listed above for an overriding legitimate interest.

12. No obligation to provide data

The use of the whistleblower system by the person providing the information is voluntary. There is no obligation to provide any data.

13. Your data protection and data subject rights

Under certain conditions, you may assert the following data protection rights against us:

- Pursuant to Art. 7 (3) GDPR, you may revoke your consent to the processing of your personal data, once given, at any time *vis-à-vis* us. This has the consequence that we may no longer continue the data processing based on this consent for the future.
- In accordance with Art. 15 GDPR, you have the right to request information about your personal data processed by us (if necessary with restrictions according to Sec. 34 BDSG).

- Upon your request, we will correct or complete the data stored about you in accordance with Art. 16 GDPR if it is inaccurate or incorrect.
- Upon your request, we will erase your data in accordance with the principles of Art. 17 GDPR, unless we are prohibited from doing so by other statutory provisions (e.g., statutory retention obligations or the restrictions laid down in Sec. 35 Federal Data Protection Act [BDSG]) or an overriding interest on our part (for example, to defend our rights and claims).
- Considering the requirements of Art. 18 GDPR, you may request us to restrict the processing of your data.
- You also have the right to receive your data in a structured, common and machine-readable format under the conditions of Art. 20 GDPR or to transfer it to a third party.
- You have the right to object to the processing of your data at any time based on Art. 6 para. 1 sentence 1 lit. f GDPR (data processing based on legitimate interest) in accordance with Art. 21 GDPR. Nevertheless, this right of objection applies only given the presence of very special circumstances concerning your personal situation. In this respect, our rights may stand in the way of your right of objection. If you object, we shall then no longer process your personal data, unless we can demonstrate compelling reasons for the processing warranting protection, and these override your interests, rights and liberties, or if the processing is for the purpose of asserting, exercising or defence of legal entitlements.
- Furthermore, you have the right to submit complaint at a data protection supervisory authority (Art. 77 GDPR).

14. Supplementary information

For employees of Heuking Kühn Lüer Wojtek, the data protection information for employees, available on the intranet at:

<https://intern.heuking.de/#/start/heuking-ich/compliance-und-policies/datenschutz>

as amended from time to time, shall apply additionally.

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