

# SGS data privacy notice

The protection of your personal data is important to SGS which has adopted, for the entire Group, strong principles in this area as stated in its Data Privacy Policy available at <https://www.sgs.com/en/privacy-at-sgs> and <https://www.sgsgroup.de/en/privacy-at-sgs>

Pursuant to the EU Regulation n. 679/2016 (hereinafter the "GDPR"), the SGS Holding Deutschland B.V. & Co. KG and its Affiliates SGS Germany GmbH, SGS INSTITUT FRESENIUS GmbH, SGS-TÜV Saar GmbH, SGS International Certification Services GmbH, BZH GmbH Deutsches Beratungszentrum für Hygiene, SGS Analytics LAG GmbH, SGS Analytics Germany GmbH, SGS Chemie-, Industrie- und Spezialanalytik GmbH – hereinafter the "Company" – provides the following information on the Company's processing of its Customers' personal data (hereinafter the "Data"), as listed below, being either a representative of Customer or of its employees (hereinafter the "Customer"). Further information may be provided where necessary when you apply for a specific service.

## 1. DATA CONTROLLER AND CONTACT DETAILS

The Company is responsible, as a controller, for collecting and processing the Data in the context of our business relationship and, in particular, in order to provide services as part of the execution of our contractual obligations with our Customer or to carry out pre-contractual steps as part of an offer for services or for entering into a contract with Customer.

If you have any questions or comments about this Notice, please contact us:

- by e-mail at [privacy.de@sgs.com](mailto:privacy.de@sgs.com)
- through the online privacy request form available at <https://www.sgs.com/en/online-privacy-statement/privacy-request-form>;
- by mail to the following address: [privacy.de@sgs.com](mailto:privacy.de@sgs.com) – for the attention of the legal department.

## 2. CATEGORIES AND TYPES OF DATA COLLECTED AND PROCESSED

The Data processed by the Company may include:

- For most of our services:
  - contact information (name, home and/or business address, telephone, email addresses); and

- financial details (tax identification and bank account details).
- For some of our services, we may also collect additionally:
  - personal information (date of birth, nationality, pictures, electronic identification data such as cookies, IP addresses and passwords);
  - professional and employment information (education and training); and
  - any other data which we process in the context of our business relationship as per the specific applicable contract terms or General Conditions.

## 3. PURPOSE AND LEGAL BASIS OF THE PROCESSING AND NATURE OF THE PROVISION OF DATA

Company will always process the Data for a specific purpose and will only process the Data which is relevant to achieve that purpose. In particular, Company will process personal data on the following legal basis and for the following purposes:

### a. For fulfillment of contractual obligations (Art. 6.1.b of the GDPR).

Data is processed to provide our services in the context of carrying out our contracts with our Customers and for managing our business relationship with them and ensure the proper execution of services, for instance by handling Customer service related queries and issuing invoices or making payments. The purposes of data processing are primarily in compliance with the specific service. You can find other details about the purposes of data processing in the relevant contract documents and terms and conditions.

### b. In the context of legitimate interests (Art. 6.1.f of the GDPR).

Where required and without unduly affecting Customers' privacy interests or fundamental rights and freedoms, Company process the Data beyond the actual fulfillment of the contract for the purposes of Company's legitimate interests pursued directly by the Company or by a third party. These legitimate interests may include:

- Performing our services;
- Contacting Customers for direct marketing purposes about services Company think will be of interest to

- Customers, including those offered by SGS Group affiliates;
  - Helping Company to learn more about its Customers, the products and services they receive, and other products and services they may be interested in receiving by conducting opinion research;
  - Assessing legal claims and defending in legal disputes;
  - guaranteeing Company's IT security infrastructure and environment; and
  - risk management and compliance.
- c. As a result of your consent (Art. 6.1.a of the GDPR).

As long as you have granted us consent to process the Data for certain purposes (e.g. marketing purposes), this processing is legal on the basis of your consent. Your consent is always optional and can be withdrawn at any time. This also applies to withdrawing declarations of consent that were given to Company before the GDPR came into force, i.e. before 25th May, 2018. For the avoidance of doubt, withdrawal of consent shall not affect the legality of data processed prior to such withdrawal.

### d. Due to legal obligations (Art. 6.1.c of the GDPR) or in the public interest (Art. 6.1.e of the GDPR).

Furthermore, we are subject to various legal obligations, i.e. regulatory and statutory requirements. Purposes of processing include fulfilling control and reporting obligations under fiscal laws or, in certain cases, due to accreditation and /or certification mandatory requirements.

Where the personal data we collect is needed to meet Company legal or regulatory obligations or enter into an agreement with you or is needed for legitimate purposes, if Company cannot collect this personal data Company will be unable to engage you as a customer or provide its services and fulfill its contractual obligations (in which case Company will inform you accordingly).

## 4. WHO HAS ACCESS TO DATA AND TO WHOM IT IS SHARED

The Data may be disclosed:

- a. within the SGS Group to other SGS affiliates in order to provide services to Customers and ensure a consistent standard of service across our group. SGS Group Affiliates will act as data

processors appointed pursuant to art. 28 GDPR or as autonomous data controllers depending on the circumstances and purposes.

- b. to third parties who need to carry out specific activities in relation to the Data, according to the purposes of the processing, or to service providers who provide services to Company such as IT and hosting providers, marketing providers, debt collection providers, subcontractors. When we do so we take steps to ensure they meet our data security standards, so that your personal data remains secure.
- c. to authorities, entities and/or subjects to whom they must be communicated according to legal or contractual mandatory provisions. These authorities, bodies and/or subjects will act as independent data controllers.
- d. in other circumstances such as acquisitions and sale to third party prospecting companies when we envisage selling or transferring part or all of our business providing that all contract measures are taken to ensure they meet our security standards so that your personal data remains secure.

## 5. INTERNATIONAL TRANSFER OF DATA

When Data is transferred, we ensure that we have taken steps to protect the Data before transfer.

SGS transfers Data across national boundaries within the SGS Group or outside the SGS Group only when:

- a. this is justified for business purposes; and
- b. safeguards have been implemented to ensure that Data will continue to be protected at a minimum with the same level of protection required in the jurisdiction of origin. To ensure this level of protection for your personal information, SGS may use a data transfer agreement with the third-party recipient based on standard contractual clauses approved by the European Commission or ensure that the transfer is to a jurisdiction that is the subject of an adequacy decision by the European Commission.

Any transfer of the Data to international organisations and/or non-EEA countries

will take place according to one of the methods permitted by current legislation.

## 6. HOW DATA IS PROTECTED

The Company implements appropriate technical and organisational measures to protect personal data against unauthorised, accidental or unlawful destruction, loss, alteration, misuse, disclosure or access and against all other unlawful forms of processing. These security measures have been implemented taking into account the state of the art of technology, their cost of implementation, the risks presented by the processing and the nature of the personal data, with particular care for sensitive

data. In particular, adequate awareness, confidentiality undertakings and training are in place to ensure that Data is not shared or disclosed to unauthorised persons.

## 7. HOW LONG DATA IS STORED

The Data will be stored on paper and/or electronically for only the time necessary for the purposes for which it was collected, respecting the principles of limitation of conservation and minimisation referred to in Art. 5.1, letters c) and e) of the GDPR.

The Data will be kept to comply with regulatory obligations and to pursue the above-mentioned purposes, in compliance with the principles of necessity, minimisation and adequacy.

The Company may retain Data after termination of the contractual relationship to fulfill regulatory and/or contractual and tax obligations or in case of legal claims. Subsequently, when the aforementioned reasons for the processing will cease, the Data will be anonymised, deleted or destroyed.

## 8. DATA SUBJECTS RIGHTS

Each Data subject can exercise the following rights referred in articles 15-22 GDPR by sending a request in writing to the Company at the above-mentioned contact details:

- **To access:** you can obtain information relating to the processing of your Data and a copy of such Data.
- **To erase:** you can require the deletion of your Data, to the extent permitted by law.

- **To object:** you can object to the processing of your Data, on grounds relating to your particular situation. In cases of opposition to the processing of data pursuant to art. 21 GDPR, the Company reserves the right to assess the application, which will not be accepted if there are legitimate reasons to proceed with the processing that prevail over your freedoms, interests and rights.
- **To rectify:** where you consider that your Data is inaccurate or incomplete, you can require that such Data be modified accordingly.
- **To restrict:** you can request the restriction of the processing of your Data.
- **To withdraw your consent:** where you have given your consent for the processing of your Data, you have the right to withdraw your consent at any time.

To data portability: where legally applicable, you have the right to have the Data you have provided to us returned to you or, where technically feasible, transferred to a third party.

We strive to maintain good customer relations and deal with your issues to your satisfaction. If you are not satisfied with Company's answer or processing of your Personal Data, please contact us via the methods listed in section 1 above. Should you not be satisfied with us or you believe that the processing of your Data is contrary to the legislation in force, you have the right to lodge a complaint to a supervisory authority pursuant to Art. 77 GDPR.

The Company is committed to keeping your personal data accurate and up to date. Therefore, if your personal data changes, please inform us of the change as soon as possible.

## PRIVACY NOTICE STATUS AND UPDATE

This Data Privacy Notice was updated in April 2021. Company reserves the right to amend it from time to time. If the notice has been updated, Company will take steps to inform its Customers of the update by appropriate means, depending on how Company normally communicate with such Customer.

**SGS IS THE WORLD'S LEADING INSPECTION, VERIFICATION, TESTING AND CERTIFICATION COMPANY.**

**SGS**

**WHEN YOU NEED TO BE SURE**