

To a supplier

Lenzing Aktiengesellschaft
Werkstraße 2
4860 Lenzing, Austria
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Phone +43 7672 701-0
Fax +43 7672 918-0
Email office@lenzing.com

Ref. Global Purchasing
Date November 13, 2018

Cover letter for the data protection information for suppliers
Cover letter for the data protection information for contractors

Dear Sir or Madam,

Within the scope of the General Data Protection Regulation that has been applicable since May (EU-GDPR), we as Lenzing AG are obligated to inform all suppliers about the processing of their personal data (Annex 1 – Data protection information for suppliers).

In the event that employees of your company perform services or works at Lenzing locations in your name, you are obliged to inform these employees about the processing of their personal data. With this cover letter we hereby satisfy this statutory obligation and request you to ensure that all relevant employees are notified as proven of the enclosed information letter (Annex 2 – Data protection information for contractors). Please also hand over this information letter to all new employees who begin to work for us before commencement of the activities.

The processing of the personal data is essential for the fulfillment of the contract concluded with Lenzing.

Should one of your employees object to this data processing this shall not release them from your obligation under civil law to fulfill our contract.

In the event of a justified objection to the data processing both contractual partners will immediately begin talks on a partnership basis in this respect and take all measures which take such an objection into account.

Should processing activities change we will inform you hereof in time. For the sake of completeness, we would like to inform you that not all processing activities cited in the information letter are relevant for you or each of your employees working for us.



Innovative by nature

www.lenzing.com

If you have any questions relating to this letter please contact our purchasing department, in case of questions or comments relating to data protection at Lenzing please contact our CISO-Office.

Best regards

R. Schmickl
Lenzing AG

T. Tautz

A. Putz

Attachments

Annex 1 - Data protection information for suppliers

Annex 2 - Data protection information for contractors

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Information leaflet data protection for suppliers

Dear Sir or Madam!

Your data are in safe hands with us! We are obligated to protect your data and we take this duty seriously. Please take the time to read this information leaflet and you will gain a picture of why we collect your data and in which form we will process them.

First of all, we would like to inform you that we will lawfully process your data

- based on your explicit consent to the processing of the personal data relating to you (Art 6 Para. 1 lit a GDPR) if you grant us such a consent. This shall in particular relate to the processing of data of contacts with the possible registration of your company in our supplier portal. You can find further information about the processing of your data in the supplier portal in our privacy statement, which can be called under www.lenzing.com/data-policy. You have the right to revoke this consent at all times without this affecting the lawfulness of the processing carried out until the revocation owing to the consent;
- to fulfill our contractual obligations (Art 6 Para. 1 lit b GDPR);
- to take pre-contractual measures (Art 6 Para. 1 lit b GDPR);
- to fulfill statutory obligations (Art 6 Para. 1 lit c GDPR);
- for the purpose of legitimate interests of our company or owing to legitimate interests of third parties (Art 6 Para. 1 lit f GDPR), namely
 - for the purpose of direct marketing;
 - for the purpose of prevention, investigation, prosecution and settlement of cases of suspicion, disputes and misuse;
 - for the purpose of purchasing, delivery, storage and master data management incl. all thus associated activities;
 - for the purpose of credit checks and invoice verifications, payment processing and factoring;
 - for the purpose of supplier auditing, assessment and development;
 - for the purpose of quality management and complaints processing

- for the purpose of examination of the sustainable management of the suppliers and other component suppliers (environment, labor practices and human rights, fair business practices),
- for the purpose of examining the compliance with stipulated standards for the summarized documentation towards customers;
- for the purpose of examining suitability to provide services or works in an area of confidentiality;
- for the purpose of market research;
- for archiving and documentation purposes as well as
- for scientific and statistical purposes in order to be able to conduct analyses for improving efficiency.

Even if we principally collect data from you yourself, thus it is as a rule you yourself who makes these data available to us, it may occur in individual cases that we also procure data from other sources. These other sources is information accessible to the public, which we procure from the Internet or in individual cases also from credit agencies (as a rule Creditreform Wirtschaftsankunft KUBICKI KG). The data, which we procure about you from third party sources and store in our systems, are limited to contact information (email address and telephone number, postal address), your function in the company, your professional career, and your allocation to or your responsibility for a certain company (usually your employer or group-affiliated companies or companies associated herewith for other reasons) if you should not have disclosed these data to us within the scope of the communication. We receive information from credit agencies regarding the creditworthiness of your company. The processing of these data received from third parties is due to our legitimate interest in a full data record about your person that is necessary for the professional communication and the processing of the business relationship as well as in the knowledge of your creditworthiness before the entry into a business relationship as well as during its existence (Art 6 Para. 1 lit f GDPR).

The provision of your data is necessary in order to be able to properly process either our already existing contractual relationship or one which is concluded in future. There is, on the other hand, no statutory requirement to provide your data.

In order to achieve the intended purposes it may be necessary for us to disclose your data case by case to the following recipients. This disclosure may be carried out by transmission, distribution or another form of provision.

PARTNER / RECIPIENT	THIRD COUNTRY TRANSMISSION / SUITABLE GUARANTEES
Companies commissioned with the credit check and certified for this purpose	Within the European Economic Area (EEA); in the third country only if your company has a registered seat in the third country (conclusion of standard contractual or data protection clauses)
Banks for the processing of the payment transactions	Worldwide (Art 49 Para. 1 lit b GDPR)
Legal representative in the business case	Worldwide (Art 49 Para. 1 lit e GDPR)
Auditors for purposes of auditing	Within the EEA
Companies commissioned with the discovery and documentation of cases of misuse	Worldwide (Art 49 Para. 1 lit e GDPR)

Ordinary courts of law or arbitration boards set up to resolve disputes	Worldwide (Art 49 Para. 1 lit e GDPR)
Responsible administration authorities, in particular tax authorities, customs authorities and foreign trade departments	Worldwide (Art 49 Para. 1 lit b GDPR)
Collection companies for the collection of debts (these may also be located in a third country if the debt has to be collected in the third country)	Worldwide (Art 49 Para. 1 lit e GDPR)
Third party financiers such as leasing or factoring companies and assignees, if the delivery or service is externally financed in this manner	Worldwide (Art 49 Para. 1 lit b and e GDPR)
Contractual or business partners, which (should) assist in the delivery or service	Worldwide (Art 49 Para. 1 lit b and c GDPR)
Independent auditors commissioned for the sustainability audit or the supplier audit	Within the EEA, insofar as outside Art 49 Para 1 lit a or b GDPR
Independent auditors commissioned for the suitability audit for the provision of services in an area of confidentiality	Within the EEA; in the third country only if your company has a registered seat in the third country (conclusion of standard contractual or data protection clauses)
Insurances owing to the conclusion of an insurance contract regarding the delivery/ service or the occurrence of the insured event	Within the EEA, if outside depending on the business relationship and insurance purpose or object Art 49 Para. 1 lit b or c GDPR or conclusion of standard contractual or data protection clauses)
Federal institution "Statistik Österreich" for the creation of the (official) statistics stipulated by law	Within the EEA
Group-affiliated subsidiaries (see in this respect in detail: www.lenzing.com/lenzing-group/locations - we will also be pleased to send you a list of the subsidiaries by post upon request)	Within the EEA if in the third country: Conclusion of standard contractual or data protection clauses
Customers (recipients of services)	Worldwide (Art 6 Para. 1 lit a GDPR), with direct deliveries to our customers: Art 49 Para. 1 lit b GDPR
Employees with access authorization from departments internally occupied with the processing of the order	Within the EEA

We will only store your data as long as it is necessary for those purposes, for which we have collected your data. In this context in particular statutory storage obligations are decisive for the storage duration (thus, for example for tax reasons, contracts and other documents from our contractual relationship are principally to be stored for the duration of seven years - Section 132 Austria Federal Tax Code (BAO), Section 212 Austrian Commercial Code (UGB) – as long as they are relevant for the bookkeeping or the business relationship). In individual cases, for example in the event of pending official authority proceedings, this storage duration may also be longer than seven years. Statutes-of-limitations for legal claims owing to general provisions under civil law or owing to special laws (e.g. Product Liability Act), however also due to company-internal necessity for the storage of the data (for example in order to be able to comply with subsidization guidelines or stipulations of customers relating to the storage duration) are also decisive for the storage duration. However, as a rule these require a maximum storage duration for 30 years.

We would additionally like to inform you that you at all times

- have the right to request information regarding which data are processed in our company in relation to you (see in detail Art 15 GDPR);
- have the right to have your data rectified or erased (see in detail Art 16 GDPR);
- have the right to request the limitation to the processing of your data (see in detail Art 18 GDPR);
- have the right to object to the data processing, whereby this shall also apply to the processing of your data for direct marketing purposes (see in detail Art 21 GDPR);
- can assert the right to data portability (see in detail Art 20 GDPR).

Should, despite our obligation to lawfully process your data, contrary to the expectations a breach of your right to the lawful processing of your data occur, please contact our CISO-Office. Of course, you also have the right to lodge a complaint at the Austrian data protection authority or at another data protection supervisory authority in the EU, in particular at the registered seat of your company.

We hope that this information leaflet has given you clarity regarding in which form and for which purposes we process your data. Should you nevertheless have questions regarding the processing of your data, you are welcome to contact our purchasing department or our CISO-Office under privacy@lenzing.com.

Lenzing Aktiengesellschaft
4860 Lenzing

Email: office@lenzing.com
Company register court: Wels Regional Court
Company register number: FN 96499 k
UID number: ATU23468003

Responsible supervisory authority:
District administration Vöcklabruck
Responsible chamber:
Upper Austrian Chamber of Commerce

Dear Sir or Madam!

Your data are in safe hands with us! We are obligated to protect your data, which we processed over the course of your activity at our locations as an employee of a contractor commissioned by us, and we take this duty seriously. Over the course of your activities you are also integrated into Lenzing-internal processes. Please take the time to read this information leaflet and you will gain a picture of why we collect your data and in which form we will process them.

First of all, we would like to inform you that we process your data for the smooth fulfillment of our contractual obligations between the company and you (Art 6 Para. 1 lit b GDPR). We also process your data for the purpose of fulfilling statutory duties (of care) (Art 6 Para. 1 lit c GDPR) as well as owing to legitimate interests in the processing of your data (Art 6 Para. 1 lit f GDPR). In your specific case the data are processed for the following purposes:

- Processing of the contract concluded with Lenzing AG
- Listing of the activities performed by you for the time recording and settlement
- Ensuring the compliance with statutory occupational safety obligations and duties of care
- Ensuring the compliance with statutory provisions as those relating to the trade regulation, etc.
- Specialist and/or health-related suitability for the work at workplaces with special demands
- Admission control
- Conducting and processing of communication and correspondence
- Documentation of processes and individual work steps
- Avoidance and evaluation of industrial accidents and safety-relevant events at our locations
- Observation of events that are relevant under environmental law
- Your affiliation to areas of confidentiality / NDAs
- Your allocation to and responsibility for tasks and certain project work
- Discovery of breaches of laws and binding internal regulations, such as for example the Code of Conduct
- Keeping of a directory of users and employees as well as conducting of project talks
- Evaluation of the required working hours per business transaction
- Your proof of qualifications for training and further training
- Evaluation of your ideas and inventions
- Protection of property and prevention of theft

The non-provision of your data could result in your employer not being able to fulfill or only being able to partially fulfill the contract concluded with us

If you should moreover have separately agreed to a data processing (Art 6 Para. 1 lit a GDPR), we will process your data for the purposes explicitly cited in the consent. Should you have agreed to the data processing you can revoke this consent without stating any reasons by a letter sent by normal mail to Lenzing AG, CISO Office, Werkstraße 2, 4860 Lenzing or by email to privacy@lenzing.com.

In order to achieve the intended purposes it may be necessary for us to disclose your data case by case to the following recipients. This disclosure may be carried out by transmission, distribution or another form of provision. You can view a full list at HR.

We will only store your data as long as it is necessary for those purposes, for which we have collected your data. After termination of your activity for us we will store your data that are relevant under tax law owing to statutory storage deadlines according to the Federal Fiscal Code for the maximum duration of ten years. We store data, which are not relevant under tax law, for the duration of three years from termination of your activity for us.

We would like to further inform you that you have the right at all times to request information concerning which data are processed from you in our company (see in detail Art 15 GDPR), you have the right to have your data rectified or erased (see in detail Art 16 GDPR), you have the right to limit the processing of your data (see in detail Art 18 GDPR), you have the right to object to the data processing (see in detail Art 21 GDPR), you can assert the right to data portability (see in detail Art 20 GDPR).

Should a breach of your right to the lawful processing of your data occur, despite our obligation to lawfully process your data, contrary to the expectations, please contact our CISO-Office. Of course, you also have the right to lodge a complaint at the Austrian data protection authority or at another data protection supervisory authority in the EU, in particular at your place of abode or place of work.

We hope that this information leaflet has given you clarity regarding in which form and for which purposes we process your data. Should you nevertheless have questions regarding the processing of your data, you are welcome to contact your customer or our CISO-Office under privacy@lenzing.com.

Lenzing Aktiengesellschaft
4860 Lenzing

E-Mail: office@lenzing.com
Firmenbuchgericht: LG Wels
Firmenbuchnummer: FN 96499 k
DVR-Nummer: 0008044
UID-Nummer: ATU23468003

Zuständige Aufsichtsbehörde:
Bezirkshauptmannschaft Vöcklabruck