

## Data protection information

Our handling of your data and your rights

*Information in accordance with Article 13 of the General Data Protection Regulation (GDPR)*

*Status: February 26, 2024*

In accordance with the EU General Data Protection Regulation (GDPR), which came into force on May 25, 2018, this privacy policy informs you about how we process your personal data and the rights to which you are entitled. This information will be updated as necessary and made available to you.

For reasons of readability, we refrain from using male and female language forms. All personal designations apply equally to both genders.

### 1. Who is responsible for data processing and who can I contact?

The responsible party is Grant Thornton AG  
Auditing company  
Johannstrasse 39  
40476 Düsseldorf

As well as the companies belonging to the Grant Thornton AG network. These can be found in the transparency report (<https://www.grantthornton.de/publikationen/transparenzbericht/>).

The following contact details of the data protection officer apply to all companies:

KINAST Rechtsanwaltsgesellschaft mbH  
Dr. Karsten Kinast, LL.M.  
Hohenzollernring 54  
50672 Cologne  
Email: [datenschutzbeauftragter@de.gt.com](mailto:datenschutzbeauftragter@de.gt.com)

### 2. Definitions

The definitions are based on the GDPR, the BDSG and other data protection regulations. In particular, the definitions of Art. 4 and Art. 9 GDPR apply.

### 3. What sources and data do we use?

We process personal data that we receive in the course of our business relationship with you. We receive the data directly from you, e.g. in the context of audits of annual and consolidated financial statements, special audits and certificates, tax returns, structuring tax advice, asset controlling, M&A advice, restructuring, company valuations, special forensic investigations, IT advice or application procedures.

Specifically, we process the following data, among others:

- Personal data
- Contact details
- Contract data
- Log data

In addition, the information you provide may be special personal data pursuant to Art. 9 GDPR, which is subject to special protection.

### 4. What do we process your data for (purpose of processing) and on what legal basis?

In the following, we will inform you what we process your data for and on what legal basis.

#### **4.1 For the fulfillment of contractual obligations (Art. 6 para. 1 letter b GDPR)**

The purposes of data processing depend in detail on the specific order and the contract documents.

#### **4.2 As part of the balancing of interests (Art. 6 para. 1 letter f GDPR)**

We may also use your data on the basis of a balancing of interests to protect our legitimate interests or those of third parties. This is done for the following purposes:

- General business management and further development of services and products
- Advertising, market and opinion research
- Assertion of legal claims and defense in legal disputes
- Prevention and investigation of criminal offenses
- Ensuring IT security and IT operations

Our interest in the respective processing arises from the respective purposes and is otherwise of an economic nature (efficient fulfillment of tasks, sales, avoidance of legal risks).

Where permitted by the specific purpose, we process your data in pseudonymized or anonymized form.

#### **4.3 On the basis of your consent (Art. 6 para. 1 letter a GDPR)**

If you have given us your consent to process personal data, the respective consent is the legal basis for the processing mentioned there.

This applies in particular to any consent you may have given for voluntary additional services such as newsletters.

You can revoke your consent at any time with effect for the future. This also applies to declarations of consent that you gave us before the GDPR came into force, i.e. before May 25, 2018. The revocation only applies to future processing.

#### **4.4 Due to legal requirements (Art. 6 para. 1 letter c GDPR)**

We are subject to various legal obligations, i.e. statutory requirements (e.g. German Auditors' Code (WPO), Professional Code (WP/vBP), Money Laundering Act (GWG), German Commercial Code (HGB), EU Market Abuse Regulation (MAR), EU Audit Regulation) and regulatory requirements (e.g. Federal Financial Supervisory Authority (BaFin), tax authorities), which oblige us to process data.

As an auditing firm, we are also subject to a legal obligation to identify clients and monitor engagement relationships to ensure professional independence.

#### **4.5 To decide on the establishment, implementation and termination of an employment relationship (Art. 6 para. 1 letter b and f GDPR)**

We process your data to decide whether to establish an employment relationship with you. At the same time, the data serves as the basis for the implementation of any employment relationship that is established and its termination.

#### **4.6 Fulfillment of legal obligations to carry out creditworthiness checks (Art. 6 para. 1 letter b and f GDPR)**

We transmit personal data collected in the context of a contractual relationship regarding the application and execution of a business relationship as well as data on non-contractual behavior to CRIF GmbH, Leopoldstraße 244, 80807 Munich. The legal basis for this transfer is Article 6 para. 1 letter b and f GDPR. The data exchange with CRIF GmbH also serves to fulfill legal obligations to carry out creditworthiness checks (Sections 505a and 506 of the German Civil Code). Further information on the activities of CRIF GmbH can be found in the [information sheet](#).

## **5. Who receives my data and how is it processed?**

Your data will only be passed on in compliance with the obligation of confidentiality pursuant to Section 50 WPO and only to the extent permitted by law.

Within the auditing company, your data will be received by those departments that need it to fulfill our contractual and legal obligations or to perform their respective tasks (e.g. money laundering officer, sales and marketing, human resources department).

In addition, the following bodies may receive your data

- Processors employed by us (Art. 28 GDPR), in particular in the area of external consultants (experts, financial mathematicians), translation agencies, payroll service providers (Datev), who process your data for us in accordance with our instructions;
- public bodies and institutions (e.g. Federal Financial Supervisory Authority, tax authorities) in the event of a legal or official obligation;
- other bodies for which you have given us your consent to transfer data or for which you have released us from confidentiality in accordance with an agreement or consent;
- Member firms in the Grant Thornton network as part of the order acceptance process and to ensure network-wide independence (e.g. Global Independence System and International Relationship Check).

## **6. How long will my data be stored?**

Where necessary, we process your personal data for the duration of our business relationship, which also includes the initiation and execution of a contract.

In addition, we are subject to various retention and documentation obligations, including those arising from the German Commercial Code (HGB), the German Fiscal Code (AO), the German Money Laundering Act (GwG) and the German Auditors' Code (WPO).

Finally, the storage period is also assessed according to the statutory limitation periods, which, for example, according to Sections 195 et seq. of the German Civil Code (BGB), are generally three years, but in certain cases can be up to thirty years.

In the context of application processes, we store the data for six months after completion of the application process, taking into account the General Equal Treatment Act (AGG). If you have given us your consent, we will also process your data beyond the end of the application process.

## **7. Is data transferred to a third country or to an international organization?**

We only transfer your data to countries outside the European Economic Area - EEA (third countries) if this is necessary for the execution of your orders, is required by law, if you have given us your consent or if there is another legal basis. In these cases, the provisions of Chapter 5 of the GDPR are complied with.

## **8. What data protection rights do I have?**

You have the right to receive information about your stored personal data free of charge at any time (Art. 15 GDPR). In addition, you have the right to request rectification (Art. 16 GDPR) or erasure of your data (Art. 17 GDPR) at any time, provided that there are no legal regulations or retention periods to the contrary. You can request the restriction of the processing of your data (Art. 18 GDPR) and object to the processing of your data (Art. 21 GDPR). You also have the right to data portability (Art. 20 GDPR). Furthermore, you can complain to the competent data protection supervisory authority about the processing of your personal data by us (Art. 77 GDPR).

Our competent data protection supervisory authority is

State Commissioner for Data Protection and Freedom of Information North Rhine-Westphalia

Bettina Gayk  
Kavalleriestr. 2-4  
40213 Düsseldorf  
Phone: 0211/38424-0  
Fax: 0211/38424-999  
Email: [poststelle@ldi.nrw.de](mailto:poststelle@ldi.nrw.de)

The contact details of other data protection supervisory authorities can be found under the following link:

[https://www.bfdi.bund.de/DE/Infothek/Anschriften\\_Links/anschriften\\_links-node.html](https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html)

## **9. Besteht für mich eine Pflicht zur Bereitstellung von Daten?**

Im Rahmen unserer Geschäftsbeziehung müssen Sie nur diejenigen personenbezogenen Daten bereitstellen, die für die Begründung, Durchführung und Beendigung einer Geschäftsbeziehung erforderlich sind oder zu deren Erhebung wir gesetzlich verpflichtet sind. Dazu zählen im Rahmen des Geldwäschegesetzes (GwG) und der Sicherstellung der netzwerkweiten Unabhängigkeit Angaben zu bspw. gesetzlichen Vertretern, wirtschaftlich Berechtigter, Vertragspartner und nahestehende Einheiten/Personen. Sollten Sie uns die notwendigen Informationen und Unterlagen nicht zur Verfügung stellen, dürfen wir die von Ihnen gewünschte Geschäftsbeziehung nicht aufnehmen.

Im Rahmen des Beschäftigungsverhältnisses und zu dessen Durchführung bzw. Beendigung benötigen wir die hierzu erforderlichen Daten. Die Erhebung weiterer Angaben erfolgt nur auf der jeweils zutreffenden Rechtsgrundlage.

## **10. Do I have an obligation to provide data?**

In principle, we do not use automated decision-making in accordance with Art. 22 GDPR to establish and conduct the business relationship. Should we use these procedures in individual cases, we will inform you of this separately if this is required by law.

## **11. To what extent will my data be used for profiling?**

As a matter of principle, we do not process your data automatically with the aim of evaluating certain personal aspects (so-called "profiling" in accordance with Art. 4 No. 4 GDPR).

## **12. What rights of objection do I have? (Art. 21 GDPR)**

### **12.1 Individual right of objection**

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on point (e) and (f) of Article 6 para. 1 GDPR, including profiling based on those provisions.

If you object, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defense of legal claims.

The objection can be made informally. You can find our contact details under section 1.

### **12.2 Right to object to the processing of data for direct marketing purposes**

If the personal data concerning you are processed for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing. In the event of an objection, the personal data concerning you will no longer be processed for these purposes.

The objection can be made informally. You can find our contact details under section 1.

## **13. Further information**

Your trust is important to us. That is why we are always available to answer any questions you may have regarding the processing of your personal data. If you have any questions that are not answered by this privacy policy or if you would like more detailed information on any point, please contact us at any time. You can find our contact details in section 1.

We reserve the right to amend the privacy policy at irregular intervals in line with the development of data protection law and technological or organizational changes. This data protection information was last updated on 26.02.2024.

## Data protection information of our service providers

*Information in accordance with Article 14 of the General Data Protection Regulation (GDPR)*

*Status: February 26, 2024*

In accordance with the EU General Data Protection Regulation (GDPR), which came into force on May 25, 2018, this privacy policy informs you about the processing of your personal data by our service providers and the rights to which you are entitled. This information will be updated as necessary and made available to you.

For reasons of readability, the masculine and feminine forms of language are not used. All personal designations apply equally to both genders.

### **Service provider: CRIF GmbH**

Grant Thornton transmits personal data collected in the context of contractual relationships regarding the application for and execution of a business relationship as well as data on non-contractual behavior to CRIF GmbH, Leopoldstraße 244, 80807 Munich.

The legal basis for this transfer is Article 6 para 1) letter b and f GDPR. The data exchange with CRIF GmbH also serves to fulfill legal obligations to carry out creditworthiness checks (Sections 505a and 506 of the German Civil Code).

CRIF GmbH processes the data received and also uses it for the purpose of profiling (scoring) in order to provide contractual partners in the European Economic Area and Switzerland and, if applicable, other third countries with information on, among other things, the assessment of the creditworthiness of natural persons.

The transfer of personal data to third countries takes place in accordance with Art. 44 et seq. GDPR.

Further information on the activities of CRIF GmbH can be found in its information sheet online at <https://www.crif.de/datenschutz>.