

## **Data protection information for business partners, external employees and users of the supplier portal**

Transparency and trustworthy handling of your personal data is an important basis for good cooperation. We therefore inform you about how we process your data in accordance with the statutory data protection regulations,

- if your employer or client is our contractual partner or is in the process of initiating business with us, or
- if you yourself as a natural person are our contractual partner or are in the process of initiating business with us, e.g. as a sole trader.

### **1. Controller and Data Protection Officer**

The responsible party is your contractual partner or the contractual partner of your employer or client. In the latter two cases, you can also obtain information about the contact details of the person responsible at RWE from them.

You can reach our Data Protection Officer at

RWE Aktiengesellschaft  
Data Protection Officer  
RWE Platz 6  
45141 Essen  
E-mail: [dataprotection@rwe.com](mailto:dataprotection@rwe.com)

## **2. Data protection information for business partners and external employees**

### **2.1 Which of your personal data do we process?**

Various types of data are processed as part of the initiation of a business relationship, the conclusion and performance of a contract or other agreement with our business partner for whom you may be working. The following categories of personal data may be subject to processing (depending in part on whether you yourself are a contractual partner or an external employee):

Name, contact details, address data, identification data, date of birth, details of profession, qualifications, bank data, information on creditworthiness, billing information, contract data, communication data, vehicle licence plate number, image and video data, physical access and exit data, passwords (encrypted), login and log files and data on security incidents. With regard to the processing of your personal data in the context of video surveillance, we refer you to the respective information signs and the data protection information linked therein.

### **2.2 What are the sources of the data?**

We process personal data that we have received from you or your employer or client as part of the business relationship or its initiation. We may also receive your data from other Group companies or third parties, in particular from other business partners. If we conclude the contract with you ourselves, we may receive personal data about you that is published in credit reports (e.g. Creditreform) or publicly accessible sources (e.g. insolvency notices, commercial registers).

## 2.3 For what purposes do we process your data and on what legal basis?

### *a. Data processing for the performance of the contract*

The data processing essentially serves to carry out pre-contractual measures or to conclude and fulfil a contract between us and the contractual partner for whom you may be working.

The legal basis in these cases is Art. 6 para. 1 lit. b) EU General Data Protection Regulation ("GDPR").

### *b. Data processing for the fulfilment of legal obligations*

We also process your data to fulfil legal obligations insofar as this is necessary (e.g. instructions in accordance with the Occupational Health and Safety Act, sanctions list check in accordance with the Foreign Trade and Payments Act, reliability check in accordance with the Atomic Energy Act).

The legal basis in these cases is Art. 6 para. 1 lit. c) GDPR in conjunction with the respective statutory provision.

### *c. Data processing to protect the legitimate interests of the controller*

In certain cases, we process your personal data to protect legitimate interests, unless your interests and rights in the processing of the data take precedence:

- Investigation and enforcement of claims or defence against claims in connection with the contract,
- in the context of access control – including billing-related reasons in the execution of the contract - to safeguard domiciliary rights and building security,
- Preventing fraud or criminal offences and protecting our IT systems, assets and workplaces, monitoring insolvency proceedings,
- Credit reports on contractual partners,
- Evaluation of the service provided by the contractor for possible re-commissioning,
- Implementation of compliance measures.

The legal basis in these cases is Art. 6 para. 1 lit. f) GDPR.

### *d. Consent to data processing*

If you give us your consent to process personal data for specific purposes (e.g. disclosure to third parties, evaluation for marketing purposes or advertising by e-mail, in particular sending information in the form of analyses, current topics of the energy market, etc. or sending invitations to trade fairs and customer events), the lawfulness of this processing is based on your consent in accordance with Art. 6 para. 1 lit. a) GDPR or Art. 6 para. 1 lit. f) GDPR for direct advertising. Any consent given can be withdrawn at any time with effect for the future (see [section 4](#) of this data protection information).

## 2.4 Who will receive your data?

In certain cases, the data may be transferred within the Group to other RWE Group companies because these companies perform certain tasks within the Group for all or some other RWE companies. Under certain circumstances, the data may also be transferred to carefully selected, commissioned external service providers and only to those divisions and persons who need this data to carry out or fulfil the above-mentioned purposes. If your personal data is processed on our behalf, this is done on the basis of order processing agreements in accordance with Art. 28 GDPR. In this way, we ensure that the legal provisions of the GDPR are complied with. Otherwise, data will only be transferred to recipients outside the company if this is permitted or required by law, if the transfer is necessary for processing and thus for the fulfilment of the contract or, at your request, for the implementation of pre-contractual measures, if we have your consent or if we are authorised to provide information. Under these conditions, recipients of personal data may be, for example

- External tax consultant/auditor
- Public bodies and institutions (e.g. public prosecutor's office, police, supervisory authorities, tax office) if there is a legal or official obligation,
- Recipients to whom the disclosure is directly necessary for the establishment or fulfilment of the contract, such as external accounting, IT or other external service providers .

## **2.5 Is your data transferred to countries outside the European Union and the European Economic Area (so-called "third countries")?**

Individual services and performances are carried out by carefully selected and commissioned service providers based outside the European Union and the European Economic Area (so-called "third country"), e.g. IT service providers. If these service providers need to access personal data in the course of providing the service, this third country transfer is always carried out in accordance with Chapter V of the GDPR. In the absence of an adequacy decision by the European Commission pursuant to Art. 45 GDPR, we provide appropriate safeguards to ensure an adequate level of data protection. As a standard procedure, we conclude contracts with data recipients that contain standard data protection clauses, also known as "standard contractual clauses". You have the option of requesting further information and receiving copies of corresponding sample agreements at any time. You can contact us using the contact details given in [section 1](#).

## **2.6 How long will your data be stored?**

The data is generally deleted as soon as it is no longer required to fulfil the purpose for which it was collected. Statutory retention obligations or legitimate interests (e.g. assertion, exercise or defence of legal claims) are taken into account in the context of erasure.

## **2.7 Is there an obligation to provide your data?**

The provision of personal data is regularly required for contractual reasons or for the conclusion or fulfilment of a contract. If you do not provide the data, it is generally not possible to fulfil the contract properly.

## **3. Data protection information for users of the supplier portal**

You are informed in the following sections, how we process your personal data in connection with the provision of the supplier portal and the creation of log files therein.

### **3.1 Which of your personal data do we process?**

Each time our supplier portal is accessed, our system automatically collects data and information from the computer system of the accessing computer. In addition to non-personal data (e.g. the domain name of the website from which you came; the websites you have visited on our website; the names of the files accessed; the date and time of access; the name of your Internet service provider; and, if applicable, the operating system and browser version of your computer; the host name of the accessing computer; language settings), your IP address is processed.

### **3.2 What are the sources of the data?**

The data is collected from you by being automatically transmitted from the computer you are using to our system.

### **3.3 For what purposes do we process your data and on what legal basis?**

The data is initially collected in order to make the supplier portal technically available. In this case, the legal basis is Art. 6 para. 1 lit. f) GDPR.

We also store the data - in pseudonymised form in log files - for security purposes, in particular to detect and counteract attacks on our website, for statistical purposes and to optimise our website. In these cases, the processing is also based on Art. 6 para. 1 lit. f) GDPR. Our legitimate interest lies in ensuring the aforementioned purposes.

### **3.4 Who will receive your data?**

In certain cases, the data may be passed on to other Group companies. In addition, we use external service providers who also receive personal data in certain cases as part of the fulfilment of their tasks. In these cases, we ensure that your personal data is processed in accordance with the provisions of the GDPR and the German Federal Data Protection Act.

Your data will not be passed on to other third parties unless we are obliged to do so due to legal or official orders.

### **2.5 How long will your data be stored?**

We store the data for a period of 30 days.

### **2.6 Is there an obligation to provide your data?**

There is neither a legal nor a contractual obligation to provide the data. However, if you do not provide the data, it is not possible to use the supplier portal.

## **4. What data subject rights do you have?**

You can assert the following rights under the respective legal requirements:

- the right to receive information about the data processing and a copy of the processed data,
- the right to have incorrect data corrected,
- the right to have your data erased, provided there is no legal reason for further storage,
- the right to demand restriction of processing,
- the right to data portability with regard to all data that you have provided to us. This means that we will provide it to you in a structured, commonly used and machine-readable format, and
- the right to object to data processing based on the legitimate interest, if this can be justified on the basis of your particular situation.

If you wish to exercise your rights, please use the contact details provided in [section 1](#) or the address of the respective controller known to you.

If you have given us separate consent to process your personal data, you can withdraw this consent at any time. The legality of the processing of your data up to the time of withdrawal remains unaffected by a withdrawal.

Without prejudice to any other legal remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement.

Automated decision-making, including profiling, does not take place.