

Mandatory Information acc. to Art. 13 GDPR for whistleblowers in the whistleblower procedure

Contact details of the responsible

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From which source do we obtain your personal data?

In principle, the collection of your data takes place on your premises through the information contained in your notification or disclosure.

It is possible that further data may be collected from you by other persons or from publicly accessible sources (e.g. websites etc.) as part of the legally prescribed subsequent measures that are taken on the basis of your notification or disclosure.

Purposes and legal basis of processing

The personal data provided by you will be processed in accordance with the provisions of the European General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG) and the German Whistleblower Protection Act (HinSchG).

In particular, your identity as a whistleblower must be protected (§ 8 para. 1 HinSchG), unless you intentionally or grossly negligently report incorrect information about violations (§ 9 para. 1 HinSchG).

Due to legal requirements (acc. to art. 6 para. 1 subpara. c GDPR in connection with § 10 HinSchG)

Data processing is necessary in order to fulfill the tasks of a reporting office in accordance with the Whistleblower Protection Act (HinSchG), which we are legally obliged to set up.

Based on consent (acc. to art. 6 para. 1 subpara. a GDPR in connection with § 9 para. 3 sentence 1 no. 2 HinSchG)

You can consent to the disclosure or forwarding of your identity. Your identity will only be disclosed or passed on if this is necessary for subsequent measures and you have given your consent. Consent must be given to the registration office in text form and must be given for each individual disclosure or forwarding of your identity. The granting of consent is completely voluntary; not giving consent has no negative consequences.

Your consent can be revoked at any time with effect for the future. Disclosures or forwardings of your identity that took place before the revocation remains unaffected by the revocation and cannot be reversed.

The revocation of consent must be declared to the registration office in text form.

Within the framework of the balancing of interests (acc. to art. 6 para. 1 subpara. f GDPR)

The purposes of the processing result from the protection of our legitimate interests. Our legitimate interest may be used to justify processing of the data that you have provided, subject to the condition that your interests or fundamental rights and freedoms are not overridden.

Our legitimate interest is: Establishment of a reporting office for whistleblowers for the detection and prevention of malpractice and the associated prevention of damages and liability risks for our company.

Who receives the personal data provided by you?

Within our company, only the persons employed in the reporting office and any other persons involved in subsequent measures are granted access. These persons are separately obliged to maintain secrecy or the confidentiality of the identity of persons providing information.

As part of subsequent measures, the data you provide, including your identity, may also be passed on to the following competent bodies without your consent:

- Law enforcement authorities in criminal proceedings at their request
- Administrative authorities in administrative proceedings, including fine authorities
- Public authorities on the basis of a court decision
- Federal Financial Supervisory Authority and public bodies named in the Securities Trading Act
- Federal Cartel Office and the relevant competition authority

Your identity will only be disclosed or passed on if this is necessary for subsequent measures and you have given your consent. Consent must be given to the registration office in text form and must be given for each individual disclosure or forwarding of your identity. The granting of consent is completely voluntary; not giving consent has no negative consequences.

Your consent can be revoked at any time with effect for the future. Disclosures or forwardings of your identity that took place before the revocation remains unaffected by the revocation and cannot be reversed.

We use the processor LegalTegrity GmbH as part of our reporting office.

This processor is contractually obliged by us to comply with the provisions of the GDPR and the BDSG and to maintain the confidentiality of the identity of reporting persons.

You can find more information on data processing by LegalTegrity GmbH at:

<https://legaltegrity.com/datenschutz/>

or

<https://app.whistle-report.com/e7585bad-bba4-4928-b9a2-a7ec3ba41379/data-protection?language=en>

Will the data provided by you be transferred to third countries or international organizations?

Data that you provide to us will in no case be transferred to a third country or an international organization.

Does automated decision-making including profiling, take place?

No fully automated decision-making (including profiling) according to art. 22 GDPR is applied to process the data you have provided to us.

Duration of processing (criteria for deletion)

The data provided by you will be processed for as long as is necessary to process the notification or disclosure, including the legally defined subsequent measures (procedure). After completion of the procedure, the data you have provided will be stored for three years in order to comply with the legal retention obligation under § 11 para. 5 HinSchG and then deleted. In individual cases, data may be stored for longer in order to comply with legal requirements under the HinSchG or other legal provisions, as long as this is necessary and proportionate.

Information and access to personal data

Right of **access** acc. to art. 15 GDPR:

Upon request, you have the right to receive information free of charge as to whether and what data about you is stored and for what purpose it is stored.

Right to **rectification** acc. to art. 16 GDPR:

You have the right to request from the Data protection officer to correct your incorrect personal data without delay. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data - also by means of a supplementary declaration.

Right to **erasure ("Right to be forgotten")** acc. to art. 17 GDPR:

You have the right to demand from the Data protection officer to delete your data immediately. The person responsible is obliged to delete personal data immediately, if one of the following reasons applies:

- a) Purposes shall cease to apply for which the personal data was collected.
- b) You are revoking your consent to the processing. There is no other legal basis for the processing.
- c) You object to the processing. There is no other legal basis for the processing.
- d) The personal data have been processed unlawfully.
- e) The deletion of personal data is necessary to fulfill a legal obligation under Union law or the law of the Member States to which the Data protection officer is subject.
- f) The personal data has been collected in relation to information society services provided in accordance with article 8 para. 1.

Right to **restriction of processing** acc. to art. 18 GDPR and § 35 BDSG:

You have the right to request a limitation of the processing, if one of the following conditions is given:

- a) You doubt the accuracy of the personal data.
- b) The processing is unlawful, but you refuse to have it deleted.

- c) Personal data is no longer required for the purposes of processing; however, you will need the data to assert, exercise, or defend legal claims.
- d) You have filed an objection against the processing acc. to art. 21 para. 1 GDPR. As long as it has not yet been determined whether the legitimate reasons of the responsible person outweigh you, the processing will be restricted.

Right to **data portability** acc. to art. 20 GDPR:

You have the right to receive the data you provided from the person responsible in a structured, current, and machine-readable format. Forwarding it to another responsible person may not be hindered by us.

Right to **object** acc. to with art. 21 GDPR:

In this case, please contact the person responsible for processing (see above).

Right to **lodge a complaint** with a supervisory authority acc. to art. 13 para. 2 subpara. d. 77 GDPR in connection with § 19 BDSG:

If you believe that the processing of your data violates the GDPR, you have the right to lodge a complaint with the supervisory authority. For this purpose, please contact the competent supervisory authority.

Withdrawal of consent acc. to art. 7 para. 3 GDPR:

If the processing is based on your consent acc. to art. 6 para. 1 subpara. a, you are at any time entitled to withdraw the appropriately bound consent without prejudice to the legality of the processing which has taken place on the basis of the consent until revocation.