

Data Protection Declaration

November 2021

You have come to this page via a link because you want to find out about our handling of personal data of business partners. We, Liebherr-Hydraulikbagger GmbH, attach great importance to the protection and security of your personal data. Therefore, we consider it vital to inform you in the following about which of your personal data we process for what purpose and what rights you have in respect of your personal data.

A. General information

I. What is personal data and what does processing mean?

- "Personal data" (hereinafter also referred to as "data") are all the details that make a statement about a natural person. Personal data are not just details that allow a direct conclusion to be drawn about a certain person (such as the name or e-mail address of a person), but also information with which with suitable additional knowledge a connection can be made with a certain person.
- "Processing" means any action taken with your personal data (such as collection, recording, organisation, structuring, storage, use or erasure of data).

II. Who is the controller for the processing of your data?

The controller for the processing of your data is:

Liebherr-Hydraulikbagger GmbH
Liebherrstraße 12
88457 Kirchdorf an der Iller
Germany
Telephone: +49 7354 80-0
E-mail: datenschutz.lhb@liebherr.com

III. How can you reach our data protection officer?

Our data protection officer can be reached at the following contact details:

Corporate Privacy
Liebherr-IT Services GmbH
St. Vitus 1
88457 Kirchdorf an der Iller
Germany
E-mail: privacy@liebherr.com

IV. What rights do you have as a data subject?

As a data subject, you have the right, within the legal scope, to:

- Information about your data;
- Rectification of inaccurate data and completion of incomplete data;
- Erasure of your data, particularly if (1) they are no longer necessary for the purposes stated in this Data Protection Declaration, (2) you have withdrawn your consent and there is no other legal ground for the processing, (3) your data have been unlawfully processed, or (4) you have objected to the processing and there are no overriding legitimate grounds for the processing;
- Restriction of the processing of your data, particularly if the accuracy of the data is contested by you or the processing of your data is unlawful and instead of deletion you demand restriction of use;
- Object to processing of your data based on legitimate interests, on grounds relating to your particular situation, or, without specific justification, to processing of your data carried out for direct marketing purposes; unless it is an objection to direct marketing, we ask that you explain the reasons why we should not process your data as we may do, when you lodge an objection. In the event of your reasoned objection, we will examine the merits of the case and cease processing unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims;
- Receive your data in a structured, commonly used and machine-readable format and to have your data transmitted from us directly to another controller;

- Withdraw consent, if you have given us consent for processing. Please note that the lawfulness of processing based on consent before its withdrawal will not be affected by your withdrawal.

If you assert any of the above-stated rights, please understand that we may require you to provide evidence showing that you are the person you claim to be.

Furthermore, you have the right to lodge a complaint with a supervisory authority if you consider that the processing of your data infringes the GDPR.

B. Data processing

What data do we process and for what purpose?

We process the following data:

1. Surname, First name
2. Company
3. Address
4. Country
5. E-mail-address
6. Telephone number
7. Sex

These data are in principle processed by us solely for the following purposes:

1. Forwarding to the contact person responsible for you for replying to your individual request about earthmoving and material handling products
2. Complying with (i) legal requirements (e.g. applicable to retention obligations under tax law and commercial law), (ii) existing obligations regarding the carrying out of compliance screenings (in order to prevent white collar crime and money-laundering) and (iii) Liebherr guidelines and industry standards
3. Resolving legal disputes, enforcing existing contracts and asserting, exercising and defending legal claims.

Processing for other purposes may only be considered if the necessary legal requirements pursuant to Article 6 para. 4 GDPR are met. In that case, we will of course comply with any information obligations pursuant to Article 13 para. 3 GDPR and Article 14 para. 4 GDPR.

On what legal basis do we process your data?

The processing of your data is based on the following legal ground(s):

- Performance of a contract or in order to take steps prior to entering into a contract (Article 6 para. 1 point b GDPR)
- Legitimate interests (Article 6 para. 1 point f GDPR)
- Compliance with a legal obligation (Article 6 para. 1 point c GDPR)

Our legitimate interests pursued are:

- commercial interests

You have the right to withdraw given consent at any time with effect for the future. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

You have the right to object, on grounds relating to your particular situation, at any time to processing based on Article 6 para. 1 point f GDPR.

I. Data recipients

We may transmit your data to:

- Other companies of the Liebherr Group, provided this is necessary to initiate, perform or terminate a contract, or for our part we have a legitimate interest in the transmission and your predominant legitimate interest is not opposed to this;
- Our service providers that we use in order to achieve the above-stated purposes;
- Courts of law, courts of arbitration, authorities or legal advisers, if this is necessary to comply with current law or for the establishment, exercise or defence of legal claims.

II. Data transfers to third countries

The transfer of data to bodies in countries outside the European Union or the European Economic Area (so-called third countries) or to international organisations is only permissible (1) if you have given us your consent or (2) if the European Commission has decided that an adequate level of protection exists in a third country (Article 45 GDPR). If the Commission has not made such a decision, we may only transfer your data to recipients located in a third country if appropriate safeguards are in place (e.g. standard data protection clauses adopted by the Commission or the supervisory authority following a specific procedure) and the enforcement of your data subject rights is ensured or the transfer is permissible in individual cases on the grounds of other legal bases (Article 49 GDPR).

Where we transfer your data to third countries, we will inform you of the respective details of the transfer at the relevant points in this data protection declaration.

III. Data erasure and storage period

We will process your data as long as this is necessary for the respective purpose, unless you have effectively objected to the processing of your data or effectively withdrawn any consent you may have given.

Insofar as statutory retention obligations exist, we will be bound to store the data in question for the duration of the retention obligation. Upon expiry of the retention obligation, we will check whether there is any further necessity for the processing. If there is no longer such a necessity, your data will be deleted.

IV. Automated individual decision-making

For the substantiation and performance of the business relationship, we, in principle, do not use fully automated decision-making within the meaning of Article 22 GDPR. Should we use these procedures in individual cases, we will inform you about this separately if this is required by law.

V. Data security

We use technical and organisational security measures in order to ensure that your data are protected against loss, inaccurate alteration or unauthorised access by third parties. Moreover, for our part in every case, only authorised persons have access to your data, and this only insofar as it is necessary within the scope of the above-stated purposes.

As of November 2021