

Enilive Deutschland GmbH

**Information according to Articles 13, 14 and 21
of the General Data Protection Regulation (GDPR)**

Dear business partners,

We are writing to inform you, under Articles 13, 14 and 21 of the GDPR, about the way we process your personal data and your entitlements and rights under the data protection rules.

1. Who is responsible for data processing and whom can you contact about it?

The controller is:

Enilive Deutschland GmbH

Theresienhöhe 30

80339 München

Tel. +49 89 5907-0

de.datenschutz@enilive.com

Our data protection officer can be reached at:

Enilive Deutschland GmbH

Theresienhöhe 30

80339 München

Tel. +49 89 5907-0

dpo@eni.com

2. What sources and data do we use?

We process personal data received from you through our business relationship.

We also, where necessary in providing our services, process personal data that we have obtained by authorised means from other companies or from third parties (e.g. for the purpose of fulfilling orders or contracts or on the basis of your consent).

We also process personal data that we have obtained by authorised means from publicly accessible sources (such as trade and association registers and the media) and that we are permitted to obtain and to process.

The relevant personal data supplied by business partners and their contacts are:

- Personal data (title, last name, first name, date of birth, form of address, etc.)
- Address data (city, street, postal code)
- Contact details, including those of contact persons (phone number, email address, etc.)
- Payment/bank details (account number/IBAN and BIC, credit card number, credit score etc.)

They may also include:

- data about visitors and participants (e.g., signatures, attendance time, photographs);
- data about orders (e.g., contact partners, legal representatives);
- advertising and sales data;
- data about contracts and documentation (e.g., business correspondence);
- Technical data - data about your use of the electronic media we offer (e.g., IP address, time of logins to our websites or newsletter, any of our web pages you have clicked on and entries made) and
- other similar data.

They may also, in particular cases, include special categories of personal data (sensitive data).

3. For what purpose do we process your data (purpose of the processing) and on what legal basis?

We process personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the Federal Data Protection Act (Bundesdatenschutzgesetz, BDSG):

a) For the performance of contractual obligations (Art. 6. Sec. 1 (b) GDPR)

Personal data is processed (Art. 4. Sec. 2 GDPR) in order to perform services and deliver goods, especially for the performance of our contracts and the execution of orders, and all activities required for the operation and administration of a company. This also includes the implementation of pre-contractual measures (e.g. contact requests).

The purposes of the data processing are primarily guided by the specific products or services concerned.

As the case may be, you can obtain further details of the purpose of the data processing from the contract documents and the terms of trade.

b) Based on the balancing of legitimate interests (Art. 6. Sec. 1 (f) GDPR)

Where necessary, we process your data, beyond the actual fulfilment of the contract, in order to protect legitimate interests of third parties or ourselves. For example:

- for testing and optimising procedures followed to analyse requirements and contact business partners directly;
- direct advertising in accordance with Recital 47 (at the end) of the GDPR, postal advertising to contractual partners for our own products and services or market and opinion research, provided that you have not objected to the processing of your data;
- pursuing legal claims and presenting a defence in legal disputes;
- ensuring IT security and securing IT operations;

- prevention and investigation of criminal offences, in particular also for the implementation of compliance measures to prevent corruption or other legal or compliance violations;
- for video monitoring in control operations, and to collect evidence of criminal acts;
- measures to secure buildings and installations (e.g. controlling entrances);
- measures to ensure domiciliary rights;
- data exchange with credit agencies (Atradius Collections B.V., Moody's Analytics UK Limited, SCHUFA Holding AG) to determine creditworthiness or default risks and compliance risks
- measures of business governance and for the further development of services and products.

Further information on exercising your right to object can be found on the last page.

c) Where you have given consent (Art. 6. Sec. 1 (a) GDPR)

Where you have given us your consent to process personal data for certain purposes (e.g. receiving newsletters, transferring data to third parties, evaluating data for marketing purposes), processing is lawful on the basis of your consent. Once given, consent can be withdrawn at any time.

Please be aware that the withdrawal of consent applies only to the future; processing that has taken place before consent was withdrawn is not affected.

d) Where necessary for compliance with a legal obligation (Art. 6. Sec. 1 (c) GDPR) or in the public interest (Art. 6. Sec. 1 (e) GDPR)

We are also bound by a number of legal obligations, namely statutory requirements (e.g. commercial law, tax laws, as well as laws on fraud, corruption, and money laundering prevention, trade control laws for exports and imports,) compliance with tax control and reporting obligations, and the assessment and management of corporate risks. Where data relating to any of these is processed, it is done solely on the basis of these requirements.

4. Who receives your data?

Within the company, the offices receiving your data are the ones that need them in order to fulfil our contractual and statutory obligations. Processors engaged by us (Art. 28 GDPR) may receive data for these purposes. These are companies providing IT services, logistics, printing services, telecommunications, collection services, consultation and consulting, and sales and marketing.

As regards the dissemination of data to recipients outside the company, it should be noted that we only transmit your data if this is permitted or requested under statutory provisions, if you have consented to this or if we are authorised to provide such information, or if we or a third party have an overriding legitimate interest. Subject to these conditions, recipients of personal data may be, for example:

- public authorities and institutions (e.g., financial administration, the public prosecutor's office, the police, supervisory authorities) in case of statutory or official obligation;
- to courts, arbitration tribunals, authorities, or legal advisors if this is necessary to comply with applicable law, or to assert, exercise, or defend legal claims, or if the transfer of data is in the public interest.
- other institutions or companies to which we transfer personal data in the context of, or in pursuit of, the business relationship with you or on the basis of our legitimate interest or the legitimate interest of a third party for the purposes specified in section 3 (depending on the nature of the contract, this may also include credit agencies as part of creditworthiness and compliance checks, banks, loan insurance agencies, experts, affiliated companies and business partners).

Other data recipients may be those for whom you have given us your consent for data transfers.

5. How long are your data stored?

Where necessary, we process and store your personal data for the duration of our business relationship, which may also include the initiation and execution of a contract, and fulfilment of the purposes of the contract.

Additionally, we are subject to various obligations relating to conservation and documentation, for instance under the German Commercial Code (Handelsgesetzbuch, HGB)¹ and the German Tax Code (Abgabenordnung, AO)². The time limits they set for storage or documentation are two to ten years.

Finally, the duration of storage is also determined by the statutory limitation periods, normally lasting for three years according to Artt. 195 ff. of the German Civil Code (Bürgerliches Gesetzbuch, BGB), for example, but in certain cases for up to thirty years.

6. Are data transmitted to a third country or an international organisation?

Data are only transmitted to third countries (outside the European Economic Area, EEA) where this is necessary to carry out your instructions or where it is legally required or you have given us your consent. We will give you specific details where the law so requires.

7. Rights of data subjects - What are your data protection rights?

As a data subject, you can exercise your rights regarding your personal data at any time, in particular using the contact details provided in section 1. Data subjects have the following rights under the GDPR:

Every person affected has the right of **access** to the personal data processed under Art. 15 GDPR, the right to **rectification** under Art. 16 GDPR, the right to **erasure** under Art. 17 GDPR, the right to **restriction of processing** under Art. 18 GDPR and the right to **data portability** under Art. 20 GDPR. The right of access and the right to erasure are subject to the restrictions set out in Artt. 34 and 35 of the BDSG. There is also a right to lodge a complaint to a supervisory authority for data protection (Art. 77 GDPR in conjunction with Art. 19 BDSG), for example to the supervisory authority responsible for us: Bayerisches Landesamt für Datenschutzaufsicht (Bavarian State Office for Data Protection Supervision), Promenade 18, 91522 Ansbach, Germany.

You also have the **right to withdraw your consent** and can revoke your consent to the processing of your data at any time with future effect.

Right to object - Pursuant to Art. 21 (1) GDPR, you also have the right to object at any time, on grounds relating to your particular situation, to the processing of data concerning you which is based on Art. 6 (1) lit. f.

Pursuant to Art. 21 (2) GDPR, you may object to the processing of your personal data for direct marketing purposes at any time with effect for the future (so-called advertising objection in direct marketing).

Further information on exercising your right to object can be found on the last page.

8. Is there an obligation for you to provide data?

In the context of our business relationship, the only personal data you have to provide are those needed to establish, carry out and terminate a business relationship, or those, which we are legally required to collect. Without these data we will normally have to refuse to conclude or execute the contract, or may be unable to continue with an existing contract and have to terminate it.

9. How much automated individual decision-making is there?

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

¹ Artt. 238, 257 Sec. 4 HGB.

² Art. 147 Sec. 3, 4 AO.

10. How far are my data used for profiling (scoring)?

We do not at present process your data automatically for the purpose of evaluating particular personal aspects (profiling). **Data processing in detail:**

11. Data processing in detail:

a) Customer account in the MyMulticard portal

You have the option of creating a personal Multicard customer account in our MyMulticard portal.

The following mandatory information is collected in order to create a customer account in the MyMulticard portal:

- Contact details: email address
- Personal details: first name and last name
- Password (chosen by you)
- The following data is also stored at the time of registration: IP address and date and time of registration.

This data is used to create and manage your customer account. The legal basis for the processing of this data is Art. 6 (1) (b) GDPR.

We only store your personal data for as long as it is necessary for the purposes for which it was collected or otherwise processed. You can update your personal data stored in the customer area at any time. If you wish to delete your customer account in the MyMulticard portal, please send an email to: cardservice.de@enilive.com.

b) Multicard(s)

After creating a customer account, you have the option of concluding contracts for individual Multicards (hereinafter also referred to as “fuel card(s)”). In the password-protected area of your customer account, you can conveniently manage these and store your data for future activation or deactivation of fuel cards, or for determining fuel consumption, receiving notifications, and other uses. We process the following data in connection with fuel cards:

Company data:

- Company name
- Sales tax identification number (VAT ID)
- Tax number
- Uploaded documents (e.g., extract from the commercial register, business registration, etc.)
- Addresses (address of the company headquarters and, if applicable, any different billing or shipping addresses)
- Payment/bank details: IBAN and name of the credit institution for SEPA direct debit, along with the first and last name of the account holder or the person responsible for payment.

Details of the legal representative/owner:

- Personal details: first name and surname, gender (optional), date of birth (optional), place of birth (optional)
- Contact details: email address, telephone number

Card user details:

- Personal details: first name and surname

- Contact details: email address, mobile phone number
- Vehicle registration number
- Card PIN

This data is used for the execution of the concluded Multicard contracts and for billing and invoicing. The mobile phone number of the card user (who, at the customer's discretion, may be the legal representative/owner, the driver, and/or the fleet manager) is used to send notifications if you have activated this function in your customer account, e.g. to monitor the transaction amount, the number of transactions, the transaction time (period), etc.

In addition, you have the option of storing the following additional data in your customer account (optional):

- Gender
- Date of birth, place of birth
- Payment methods

This data is used to manage your customer account and for invoicing purposes and may also be used to send you personalized product recommendations (Section 3(b)) and, if you have registered for this service, newsletters (Section 3(b)).

We only store your personal data for as long as it is necessary for the purposes for which it was collected or otherwise processed. In the case of existing contracts, personal data will be stored or processed for the duration of the contract. After the end of the contract, the storage period is based on the statutory retention periods and limitation periods, in particular on the basis of the German Civil Code (BGB), the German Fiscal Code (AO) and the German Commercial Code (HGB). Depending on the respective date, this results in storage periods of 3, 6, 8 or 10 years.

If the legal basis no longer applies and no statutory retention obligations have to be complied with, we will delete the data immediately.

c) Credit check and trade credit insurance:

If we make advance payments within the scope of the respective business relationship (e.g., delivery on account, trade credit, or similar), we reserve the right to carry out a credit check based on mathematical-statistical methods.

To check creditworthiness, we transfer personal data for sole proprietorships (company name and address) to SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden (hereinafter also referred to as "SCHUFA"). Further information can be found here: <https://www.schufa.de/global/datenschutz/>

To check creditworthiness, we transfer personal data for sole proprietorships (company name and address) to Moody's Analytics UK Limited, One Canada Square, Canary Wharf, London E14 5FA, United Kingdom of Great Britain and Northern Ireland (hereinafter also referred to as "Moody's"). Further information can be found here: <https://www.moody.com/web/en/us/legal/privacy-policy.html>

The legal basis for the transfer of your data for the purpose of credit assessment is Article 6(1)(b) GDPR, insofar as the credit assessment is necessary for the performance of the respective contract. If the credit assessment is carried out in order to safeguard our legitimate interest in determining the solvency of our customers and business partners, Article 6(1)(f) GDPR is the basis for the processing.

We also take out credit or bad debt insurance depending on the credit limit granted.

To conclude the trade credit insurance, we transfer personal data for sole proprietorships (company name and address) to Atradius Collections B.V. Niederlassung Deutschland Kreditversicherung, Opladener Str. 14, 50679 Cologne, Germany (hereinafter also referred to as "Atradius"). Further information can be found here: <https://atradius.de/datenschutz.html>

Atradius may also carry out a credit check based on the data available to Atradius and the data provided by us and inform us of the result. For the credit check, we transfer the company name and address and, if

relevant (e.g. for sole proprietorships), only the personal data that is absolutely necessary to achieve the purpose.

The credit report may contain probability values (so-called score values). Insofar as score values are included in the result of the credit report, these are based on a scientifically recognized mathematical-statistical procedure. Address data, among other things, but not exclusively, are included in the calculation of the score values. We use the result of the credit assessment with regard to the statistical probability of default for the purpose of deciding on the establishment, execution, or termination of a contractual relationship.

The legal basis for the data transfers by us and the processing of the data by Atradius is Article 6(1)(b) GDPR and Article 6(1)(f) GDPR. Transfers based on Article 6(1)(f) GDPR may only take place if this is necessary to safeguard our legitimate interests or those of third parties and does not outweigh the interests or fundamental rights and freedoms of the data subject requiring the protection of personal data. Our legitimate interest lies in avoiding or minimizing credit risks and bad debt risks in cases where we incur a correspondingly high risk due to advance payments, e.g., in the form of significant goods values. The processing of data by Atradius serves this legitimate interest.

The data will be stored for the duration of the customer relationship. After termination of the customer relationship, the data will be deleted after expiry of the respective statutory retention periods. Further information can be found in section 5.

You can object to this processing of your data at any time by sending a message to us as the data controller (our contact details can be found on the last page) or to the respective credit agency. However, we may still be entitled to process your personal data if this is necessary for contractual payment processing.

If your company name and business address do not correspond to your name and private address, no data identifying you will be forwarded for credit checks or to take out trade credit insurance.

d. Compliance check:

In ongoing business relationships, we reserve the right to carry out a compliance check in order to comply with legal obligations, i.e., legal requirements (e.g., commercial law, tax laws, and, among other things, laws on fraud, corruption, and money laundering prevention, and trade control laws for export and import), to fulfill tax control and reporting obligations, and to assess and manage business risks.

In order to review compliance risks, we transfer personal data for sole proprietorships (company name and address) to Moody's Analytics UK Limited, One Canada Square, Canary Wharf, London E14 5FA, United Kingdom of Great Britain and Northern Ireland (hereinafter also referred to as "Moody's"). Further information can be found here: <https://www.moodys.com/web/en/us/legal/privacy-policy.html>

The legal basis is Art. 6 (1) lit. c) GDPR, insofar as compliance checks are expressly required by law, and Art. 6 (1) lit. f) GDPR, insofar as they are necessary to monitor compliance with our legal obligations and to prevent violations of these obligations. In the latter case, we have a legitimate interest in ensuring that we act in accordance with the law.

The data will be stored for the duration of the customer relationship. After termination of the customer relationship, the data will be deleted after expiry of the respective statutory retention periods. Further information can be found in section 5.

If your company name and business address do not correspond to your name and private address, no data identifying you will be forwarded for compliance checks.

For the sole purpose of creating the customer account, we would refrain from collecting the **telephone number** on the basis of the principle of data minimization, as the email address is sufficient for this purpose.

Information about your right to object under Art. 21 GDPR

1. The right to object in individual cases

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 Article 6. Sec. 1 (f) GDPR (data processing in the pursuit of legitimate interests).

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

2. The right to object to data processing for direct marketing purposes

In certain cases we process your personal data for the purpose of direct marketing. You have the right to object at any time to the processing of personal data about yourself for such marketing purposes.

If you object to processing for direct marketing purposes, we will no longer process your personal data for these purposes.

The objection can be made informally and should be addressed to:

Enilive Deutschland GmbH

Theresienhöhe 30

80339 München

Tel. +49 89 5907-0

de.datenschutz@enilive.com