

## PRIVACY NOTICE FOR APPLICANTS

### 1. Introduction

Thank you very much for your interest in our company. In accordance with the provisions of Articles 13, 14 and 21 of the EU General Data Protection Regulation (GDPR), we hereby inform you about the processing of personal data transmitted by you as part of the application process and any personal data collected by us and your rights in this regard. To ensure that you are fully informed about the processing of your personal data as part of the application process, please take note of the following information.

If you have any further questions about the processing of your personal data and the GDPR, you can contact us or our data protection officer at any time.

### 2. Your contacts

#### 2.1 Name and contact details of the controller

Responsible for the processing of your personal data in the context of your application is:

Mutares SE & Co. KGaA  
Arnulfstraße 19  
80335 Munich  
Germany  
Phone: +49 89 9292 776 0  
E-mail: [info@mutares.de](mailto:info@mutares.de)  
Website: [www.mutares.com](http://www.mutares.com)  
Contact: Human Resources ([hr@mutares.com](mailto:hr@mutares.com))

#### 2.2 Contact details of the data protection officer

The designated data protection officer is:

DataCo GmbH  
Sandstraße 33  
80335 Munich  
Germany  
Phone.: +49 89 8967 551 000  
E-mail: [datenschutz@dataguard.de](mailto:datenschutz@dataguard.de)  
Website: [www.dataguard.de](http://www.dataguard.de)

**Mutares SE & Co. KGaA**

Sitz und Handelsregister: München, AG München, HRB 250347, Aufsichtsratsvorsitzender: Volker Rofalski

**Persönlich haftende Gesellschafterin:**

Mutares Management SE, Sitz und Handelsregister: München, AG München, HRB 242375  
Vorstand: Robin Laik (Vorsitzender), Mark Friedrich, Johannes Laumann, Dr. Lennart Schley  
Aufsichtsratsvorsitzender: Dr. Kristian Schleede

### 3. Your personal data

Under the GDPR, personal data refers to any information relating to an identified or identifiable natural person. This includes data that can directly or indirectly identify an individual, such as a name, identification number, location data, or other specific factors related to their identity.

In the context of your application, we process and store the following personal data which originates from you:

- Salutation
- Title
- First name
- Last name
- E-mail address
- Phone number
- Address
- Curriculum vitae
- School education
- Certificates
- Professional qualifications and further training
- Other data that you shared with us during the application process

### 4. Purposes of the processing and its legal basis

Your personal data will be processed for the following purposes:

- Implementation of the application procedure and decision on the establishment of the employment relationship
- Communication (telephone, e-mail)
- Implementation of pre-contractual measures (initiation of the employment relationship)
- Inclusion of applicant data in an applicant pool
- Assertion, exercise or defense of legal claims arising from the application process

#### **Processing of special categories of personal data that have been made public - Art. 9 para. 2 lit. e GDPR**

Insofar as special categories of personal data are processed that you have obviously made public, your data will be processed in accordance with Art. 9 para. 2 lit. e GDPR.

#### **Processing for the purpose of asserting, exercising or defending legal claims or in the case of actions of the courts - Art. 6 para. 1 sentence 1 lit. f GDPR, Art. 9 para. 1 lit. f GDPR**

If necessary, your data will be processed for the purpose of asserting, exercising or defending legal claims or in the case of actions of the courts pursuant to Art. 6 para. 1 sentence 1 lit. f GDPR, Art. 9 para. 1 lit. f GDPR.

**Processing on the basis of consent - Art. 6 para. 1 sentence 1 lit. a GDPR in conjunction with Art. 7 GDPR, Art. 88 para. 1 GDPR in conjunction with § 26 para. 2 BDSG (German Federal Data Protection Act)**

If you have given your consent to data processing, your data will be processed in accordance with Art. 6 para. 1 sentence 1 lit. a GDPR in conjunction with Art. 7 GDPR, Art. 88 para. 1 GDPR in conjunction with Art. 88 para. 1 GDPR, Art. 7 DS-GVO, Art. 88 para. 1 DS-GVO in conjunction with § 26 para. 2 BDSG processed.

**Decision on the establishment of the employment relationship Art. 6 para. 1 sentence 1 lit. b GDPR, Art. 88 para. 1 GDPR in conjunction with § 26 para. 1 BDSG**

We process your data in order to make a decision on the establishment of the employment relationship. If you are hired by our company, your data will be processed for the purpose of implementing and terminating the employment relationship. Separate information about the processing of your personal data will be provided for this purpose.

**Processing on the basis of legitimate interest - Art. 6 para. 1 sentence 1 lit. f GDPR**

Insofar as the processing is carried out to safeguard a legitimate interest of us or a third party and your interests or fundamental rights and freedoms do not outweigh the former interest, Art. 6 para. 1 sentence 1 lit. f GDPR serves as the legal basis for data processing. Our legitimate interest arises in particular from the following reasons:

- Proper implementation and optimization of the application process
- Assertion, exercise or defense of legal claims

**Processing of special categories of personal data - Art. 9 para. 2 lit. a GDPR**

If you have given your consent to the processing of special categories of personal data, such as health data, religious affiliation or nationality, your data will be processed in accordance with Art. 9 para. 2 lit. a GDPR.

**5. Recipients or categories of recipients of the personal data**

As part of the processing of your personal data, we may pass on your personal data to the following recipients:

- Within our company, exclusively to the departments and persons who need this data to fulfill contractual and legal obligations or to implement our legitimate interest (e.g. Human Resources, line managers)
- Associated companies of Mutares SE & Co. KGaA
- Processors within the EU/EEA (e.g. Softgarden, Microsoft)
- Third parties, if necessary (e.g. mail carriers)

Otherwise, data will only be passed on to recipients outside the company if this is permitted or required by law, if the transfer is necessary to fulfill legal obligations or if we have your consent.

## 6. Transfer of personal data to a third country

In principle, the personal data collected and generated during the provision of relevant products and services is stored on our servers in the European Union. As the providers of our software solutions, among others, offer their products and/or services on the basis of available resources and servers worldwide, your personal data may be transferred to other jurisdictions outside the European Union and the European Economic Area or accessed from such a jurisdiction outside the European Union. In particular, personal data could be transferred to the third country, e.g. the United States, within the meaning of Art. 15 para. 2 GDPR. In order to ensure the continuation of the necessary level of protection when transferring data to a third country, contractual measures are agreed for this purpose. In order to ensure suitable guarantees for the protection of the transfer and processing of personal data outside the EU, data is transferred to and processed by our service providers on the basis of suitable guarantees in accordance with Art. 46 ff GDPR, in particular by concluding so-called standard data protection clauses in accordance with Art. 46 para. 2 lit. c GDPR.

## 7. Duration of storage of personal data

We will delete your personal data as soon as the purposes for its storage mentioned under point 4 no longer apply, or you object to the use of your personal data (in the case of processing on the basis of legitimate interests) or you revoke your previously given consent. However, your personal data may also be stored beyond this, in particular in the following cases:

- if contractual, legal or statutory retention periods prevent deletion
- for the assertion, exercise or defense of legal claims
- if this is required by European or national law to fulfill a legal obligation to which we are subject.

The following retention periods in particular result for us from statutory provisions:

- After decision on non-appointment: 6 months retention period for application documents (Section 15 (4) of the General Equal Treatment Act (AGG), Section 224 of the Code of Civil Procedure (ZPO)).

If the applicant has consented, the application documents will be included in the applicant pool and stored there for a maximum of 2 years from the date of consent. They will be deleted when the purpose no longer applies or when the applicant withdraws their consent.

If you are hired by our company, your personal data will be deleted when the purpose no longer applies, at the latest after termination of the employment relationship, provided that there are no statutory retention periods to prevent deletion.

## 8. Your rights

You have the following rights under the GDPR:

- If your personal data is processed, you have the right to obtain information from the controller about the personal data stored about you (Art. 15 GDPR).

- If incorrect personal data is processed, you have the right to rectification (Art. 16 GDPR).
- If the legal requirements are met, you can request the erasure or restriction of processing (Art. 17 and 18 GDPR).
- If you have consented to the data processing or a contract for data processing exists and the data processing is carried out using automated procedures, you may have a right to data portability (Art. 20 GDPR)
- If you object to processing for direct marketing purposes, your personal data will no longer be processed for these purposes
- You also have the right to lodge a complaint with a supervisory authority (Art. 77 GDPR). The relevant supervisory authority for Mutares is:  
Bayerisches Landesamt für Datenschutzaufsicht (BayLDA)  
Promenade 18  
91522 Ansbach  
Germany  
Phone: +49 (0) 981 180093-0  
E-mail: [poststelle@lda.bayern.de](mailto:poststelle@lda.bayern.de)

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 lit. e of Article 6 para. 1 GDPR (data processing in the public interest) and lit. f of Article 6 para.1 GDPR (data processing on the basis of a balancing of interests), Article 21 para. 1 GDPR. This also applies to profiling based on this provision within the meaning of Art. 4 para. 4 GDPR, although we do not use automated decision-making or profiling within the application process.

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

If you have consented to the processing by the controller by means of a corresponding declaration, you can revoke your consent at any time for the future. The legality of the data processing carried out on the basis of the consent until the revocation is not affected by this.