

Enilive Deutschland GmbH

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

Dear Applicants,

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

Datenschutzbeauftragter

Theresienhöhe 30

80339 München

Tel. +49 89 5907-0

dpo@eni.com

2. What sources and data do we use?

Which individual data are processed and how they are used depends primarily on the contractual employment provisions, which may be agreed.

We process personal data received from you through the recruitment process or through your contacts with us.

We also, where necessary, process personal data that we have obtained by authorised means from other companies or from third parties, such as human resources service providers.

We also process personal data that we have obtained by authorised means from publicly accessible sources (such as professional networks, press and media) and that we are permitted to obtain and to process.

The relevant personal data are personal details (name, address and other contact details, date and place of birth and nationality, gender) and recruitment data (e.g. curriculum vitae, evidence of qualifications, certificates, etc.) and, where applicable, payment and payment transactions data.

They may also 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 validate and execute contracts that have been or will be entered into with you and all activities required for the operation and administration of a company.

The purposes of the data processing are primarily guided by the intended employment relationship.

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

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

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

- 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 to collect evidence of criminal acts, thereby serving to protect business partners and colleagues;
- measures to secure buildings and installations;
- measures to ensure domiciliary rights;
- measures of business governance and for the further development of services and products.

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, 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. social insurance law, commercial law, tax laws, etc.). 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) or other providers of services may receive data for these purposes. These are companies providing IT services, telecommunications, consultation and consulting.

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. Subject to these conditions, recipients of personal data may be, for example:

- public authorities and institutions (e.g., social insurance providers, the public prosecutor's office, the police, supervisory authorities) in case of statutory or official obligation;
- other companies to which we transfer personal data (e.g., companies in the Enilive Group or human resources service providers).

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

5. How long are your data stored?

Unless otherwise stated in the following information, personal data are only stored by us for as long as it is required for the purposes for which they were collected or otherwise processed. Insofar as necessary, we process and store your personal data for the duration of the application process, which also includes, for example, the initiation and processing of a contract or for the fulfilment of the contractual purposes.

In the event of a rejection, your personal data in connection with your application will be deleted after 6 months at the latest - unless longer storage is necessary due to any obligations to provide evidence in the context of legal proceedings until the conclusion of such proceedings.

In the event that you have consented to further storage of your personal data, we will transfer your data to our applicant/prospect pool. Deletion takes place two years after inclusion in the applicant/prospect pool, unless you revoke your consent before this time. In this case, your personal data will be deleted upon receipt of your revocation of consent. In addition, we are subject to various storage and documentation obligations, which result, among other things, from the German Commercial Code (HGB)¹ and the German Fiscal Code (AO). The retention and documentation periods specified are two to ten years.

Finally, the storage period is also assessed according to the statutory prescription periods, which, for example, according to §§ 195 et seq. of the German Civil Code (BGB), are usually three years, but in certain cases can be up to thirty years.

If the legal basis ceases to apply and no statutory retention obligations need to be observed, we delete the data immediately.

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 (e.g., payment 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.

¹ §§ 238, 257 paragraph 4, HGB.

7. What are your data protection rights?

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).

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

In the context of the recruitment process or our contractual relationship, the only personal data you have to provide are those needed to establish, carry out and terminate a contractual relationship, or those which we are legally required to collect. Without these data we will normally have to refuse to conclude 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 contractual relationship. If we employ these procedures in individual cases, we will inform you separately, where this is required by law.

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

We do not process your data for the purpose of evaluating particular personal aspects (profiling). Profiling is not used.

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 (e) GDPR (data processing in the public interest) and 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 95907-0

de.datenschutz@enilive.com