

# DEUTZ- Data Protection Code

Version 1/2023 | December 2023



## **PREFACE**

The data protection management system (DPMS) for the DEUTZ-Group was set up in accordance with generally accepted standards, applicable law and on a company-specific basis depending on the nature and scope of the business activities and the type of personal data processed.

In the following, we describe the basic elements of our DPMS based on the IDW PS 980 auditing standard and considering IDW PH 9.860.1 (Audit of principles, procedures, and measures under the EU General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG)) as a non-exhaustive list.

The DPMS comprises all data protection-specific measures that are implemented in the Group companies to comply with the applicable data protection laws within the material and geographical scope of "Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC" (General Data Protection Regulation - GDPR)".

The data protection organization is integrated as part of a holistic governance, risk and compliance (GRC) system.

The DEUTZ Board of Management in December 2023

For reasons of better readability, we refrain from using gender-specific language in the following. In all cases, all genders are addressed equally. The abbreviated form of wording is used solely for editorial reasons and does not imply any judgment.

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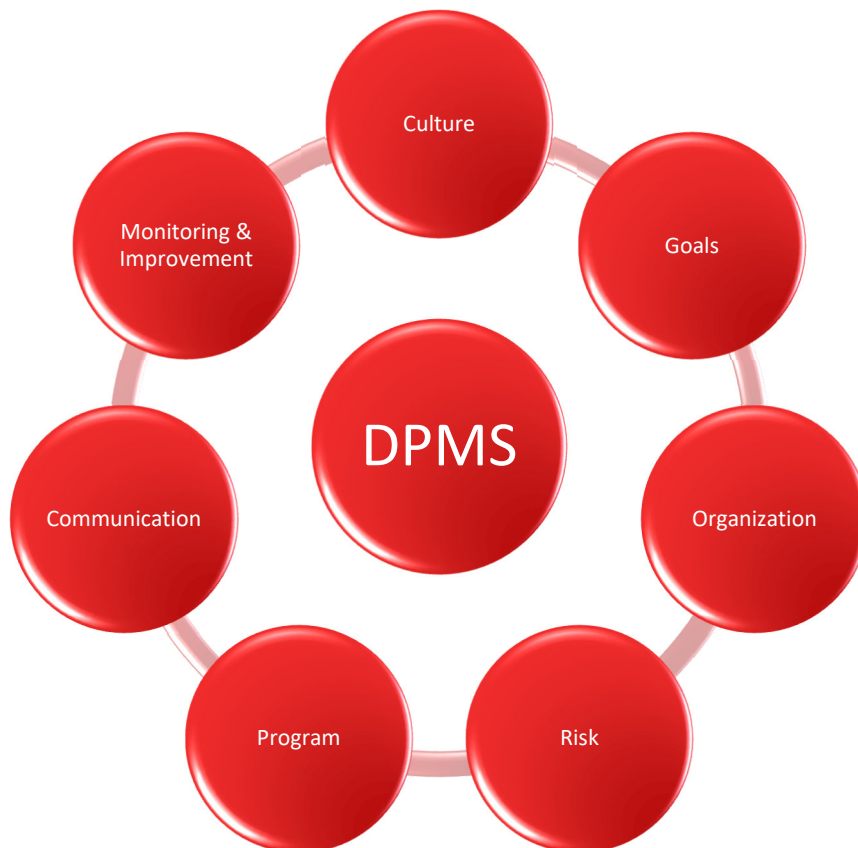
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## DATA PROTECTION CIRCLE

Customers, business partners and employees have a legitimate expectation that the data entrusted to us will be processed confidentially and only for the intended purposes. This DPMS applies to DEUTZ AG and all associated majority shareholdings that are subject to the territorial scope of the GDPR. Its purpose is to implement the principles derived from the GDPR as defined in DEUTZ's Data Protection Policy and in accordance with the data protection regulatory cycle.



## CULTURE

DEUTZ is committed to the fundamental right to data protection. This right protects every individual natural person from intrusion into their privacy through unnecessary, arbitrary, or disproportionate use of personal data. Safeguarding this right is part of our corporate identity.

In an increasingly digitalized and data-driven economy, new technologies for data processing naturally lead to larger amounts of personal data and their more diverse use. This makes it possible for DEUTZ to become more customer-oriented, innovative, agile and comprehensively digital in its internal processes and activities towards stakeholders. At the same time, this entails the challenge of protecting the privacy of

the individuals concerned in an appropriate manner. The DEUTZ-Group therefore has a key interest in ensuring that innovative technologies and new business models comply with applicable data protection regulations. With increasing digitalization, we therefore consider it important that DEUTZ also expressly acknowledges its data responsibility in the context of its business activities. The responsible handling of data in the interests of our business partners, employees and other stakeholders will therefore remain one of our goals in the future and further strengthen trust in DEUTZ.

Defining the data protection strategy for dealing with data protection requirements helps us to achieve these goals - tailored to the specific activities of the Group companies. A good relationship with all stakeholders (employees, customers, business partners, suppliers, shareholders, etc.) is fundamental to this. Any breach of data protection laws carries the risk of permanently damaging our reputation and can lead to considerable damage and serious consequences for the entire DEUTZ-Group. In addition, such violations can also lead to civil or criminal penalties for the employees involved.

At DEUTZ, ethical and legally correct conduct is a core principle that is already expressed in the "DEUTZ Code of Conduct" and naturally includes compliance with data protection law. This is supported by the fundamental understanding at DEUTZ that compliance with applicable laws always takes precedence over business objectives in the event of a conflict.

In addition, our "Data Protection Policy" is based on the fundamental understanding that any processing of personal data must be carried out in accordance with applicable data protection laws, in particular the General Data Protection Regulation (GDPR).

## GOALS

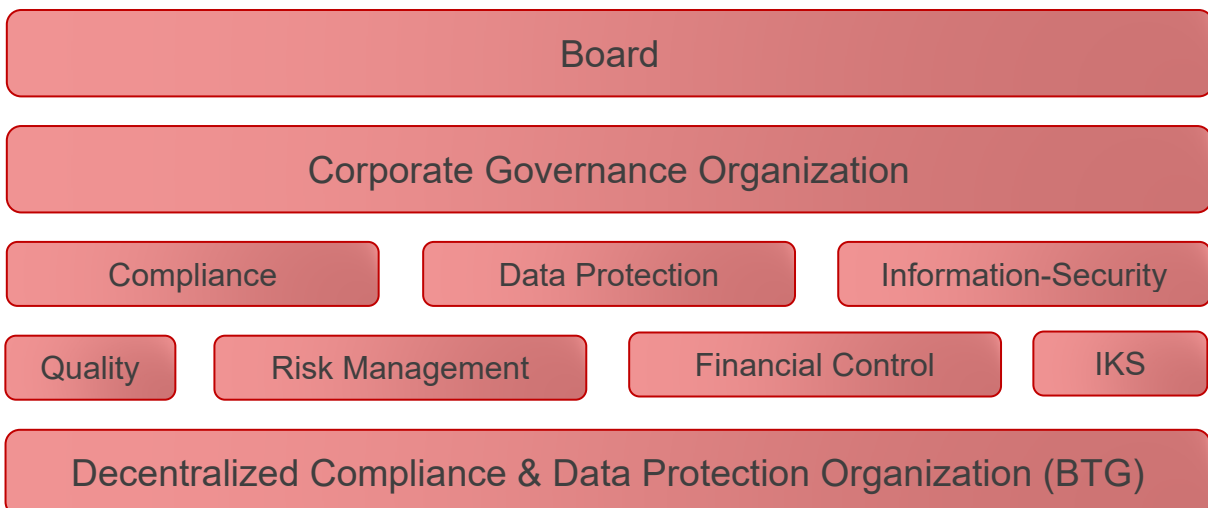
The legal obligations arising from the respective data protection regulations - in particular the General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG) - place complex and strict requirements on those who process personal data. Our aim is to ensure that all data protection regulations are complied with throughout the Group.

Every individual at DEUTZ is responsible for treating personal data with appropriate confidentiality and protecting it from misuse so that no one's personal rights are infringed by the handling of this data.

All employees at DEUTZ will handle the personal data of our customers, business partners and their colleagues with care and confidentiality and comply with applicable law. Every person in the DEUTZ-Group who is responsible for an activity involving personal data will organize the processing (collection, use, storage, deletion, etc.) of personal data in such a way as to ensure compliance with applicable law. We also transfer these expectations to our suppliers in our "Code of Conduct for Suppliers".

## ORGANIZATION

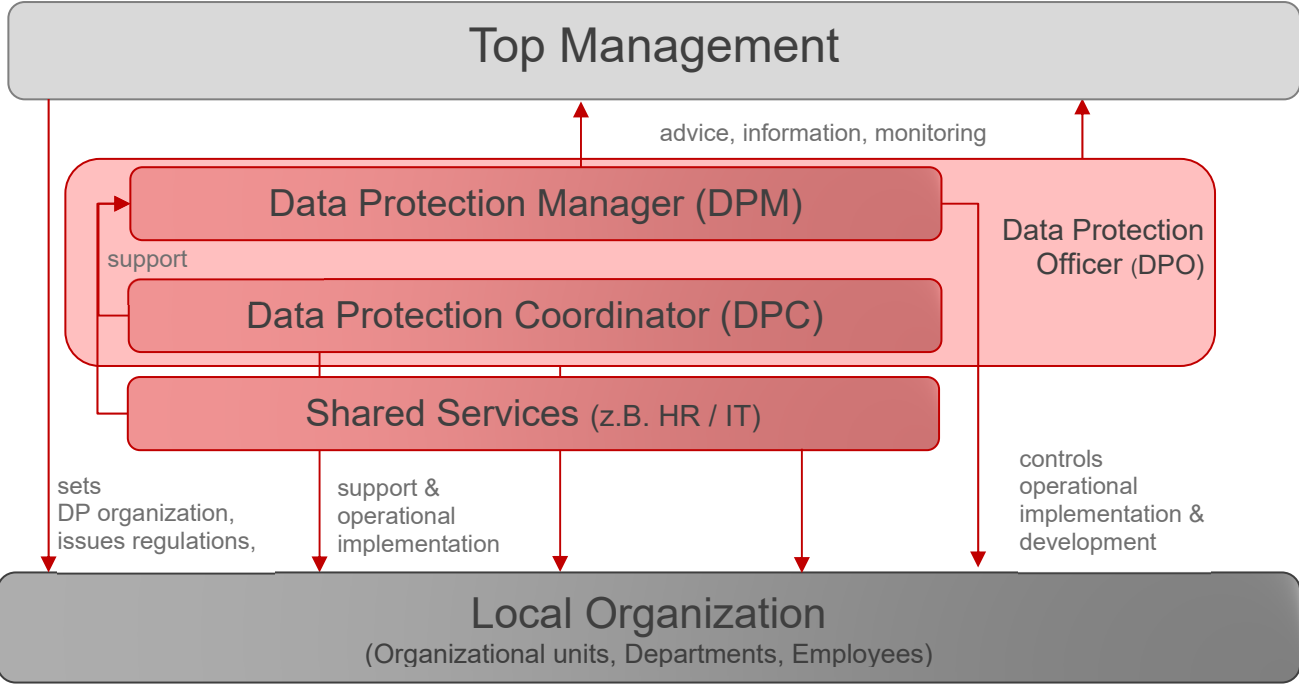
The DEUTZ-Group consists of DEUTZ AG as the parent company and numerous companies in which DEUTZ AG holds an interest of more than 50 per cent. These associated companies (BTG) are integrated into the central governance structure.



Within the affiliated companies, compliance with data protection requirements must be ensured at company level regarding each individual processing of personal data ("processing activity"). The Management Board bears overall responsibility for compliance with applicable laws and internal standards.

DEUTZ has set up an interdisciplinary data protection team that is responsible for managing and monitoring the data protection organization. Where required by law, each Group company appoints an expert data protection officer (DPO) who performs the tasks defined by law, in particular the function of contact person for data subjects.

A Data Protection Manager (DPM) has also been appointed for each business division. In addition to the statutory duties of a DPO, the DPMs are responsible for compliance with data protection regulations. The management delegates the performance of its data protection obligations to the DPM.



Operational data protection (such as ensuring the lawfulness of data processing; the management of processors; compliance with internal data protection management processes, monitoring, preparation of suitable documentation to demonstrate compliance with the documentation to prove compliance with the GDPR, etc.) is the task of the Data Protection Manager. They have sufficient knowledge and the necessary resources to fulfill their tasks as well as the authority to change or suspend data processing. Group IT provides support in defining technical and organizational measures in accordance with the GDPR and other relevant legal systems and in implementing processes that ensure that the principles of "privacy by design" are observed when introducing or changing the processing of personal data. processing of personal data, the principles of privacy by design and privacy by default are "Privacy by Default" are considered.

## **RISK**

As part of an integrated corporate governance approach, the DEUTZ-Group operates a comprehensive Group-wide risk management system. The main data protection risks are also recorded and managed within this system. Data protection risks are assessed both from the perspective of the natural person affected by the data processing ("data subject") and from the perspective of the company. The assessment of the risk essentially results from the category of data processed and the means used, the potential risk and the complexity of the processing.

The risk of each individual processing operation is assessed using a separate methodology that considers both the types of data processed and the specific type of processing. This makes it possible to determine whether the processing of personal data represents a risk solely because personal data is processed at all, whether special categories of personal data are affected or whether certain categories of data and risk factors indicate an increased risk of a processing activity during processing.

## **PROGRAM**

The DPMS is based on globally binding Group principles and supplementary guidelines. The core of the DPMS is the "processing principles". The aim of these is to create minimum organizational standards and a uniform framework for the processing and protection of personal data within the Group and to prevent damage to DEUTZ. They can be supplemented by additional guidelines that apply to specific countries or business units to ensure full compliance with data protection requirements.

Our data protection program includes:

- Order processing
- Data subjects' rights
- Third country transfers
- Erasure concepts
- Reporting and notification obligations
- Technical and organizational measures
- Record of processing activities



An "Incident response plan", provides the framework for the effective identification, internal management, and external reporting of data breaches. Data breaches that are identified as part of an investigation, general monitoring processes or in any other way, must be reported immediately to the relevant DPM in accordance with the requirements of the Directive and in the form specified therein. The DPO shall advise the controller on whether a notification to the data protection authorities and/or the data subjects affected by the breach is necessary and, if so, will issue the notification.

Our "Data Protection Guideline" obliges every company in the Group to keep a register of relevant processing activities (processing register) and to implement a process to take account of changes and ensure the accuracy and completeness of processing activities. DEUTZ uses data protection management software to manage such data protection-related tasks.

For each individual processing activity, it must be ensured that the processing is carried out in compliance with all applicable regulations. The "process/project controllers" ensure lawful processing, i.e. they ensure that either an applicable legal regulation or the consent of the data subject permits the use of personal data and that all other principles of lawful data processing are complied with at all times.

This includes ensuring the implementation of appropriate technical and organizational measures to protect personal data, including protection against unauthorized, unlawful processing or alteration of the purpose and against accidental loss, destruction or damage, as well as measures for proper and timely erasure, taking into account the state of the art and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of data subjects. In addition, the "process/project controllers" shall provide the data subjects with transparent information ("data protection notices") about the data processing that enables them to effectively assert the rights to which they are entitled under data protection laws.

Commissioning or changes to processors are reported to the data protection organization by the "process/project managers". All processors are regularly checked for their reliability in providing services and compliance with suitable technical and organizational measures; checks are carried out, for example, through interviews, self-assessments, document reviews, on-site investigations, or other suitable measures.

The DPMs maintain an overview of all processors commissioned by the respective business division. If processing involves data transfers to recipients in a country outside the European Union (third country), process/project managers report such data transfers; appropriate protective measures and the guarantee of third-party rights to the respective DPM; enforceability and effective legal remedies are regularly reviewed.

As a globally acting Group, DEUTZ relies on internal international data transfers to make the data available to the relevant processors. In this regard, we have defined requirements for data transfers within the Group. There are standard agreements between the relevant affiliated companies for example, there are Standard Contractual Clauses. These provide for appropriate safeguards, enforceable data subject rights and effective legal remedies for the data subjects.

## **COMMUNICATION**

Communication and raising awareness in data protection is broadly diversified and ranges from general information, on share points or other channels that are accessible to all employees or addressed to specific departments, to target-oriented detailed information on the DEUTZ intranet (Data protection), which is aimed at individual interest groups, through to discussions within the circle of data protection stakeholders.

DEUTZ reports annually on its own progress in data protection as part of its annual report progress in data protection. Data protection processes and standards are communicated to our employees at several levels. Training and awareness-raising measures are tailored to the risk profile of the business areas and the specific activities of the addressees. This includes basic training on the GDPR in the form of e-learning, which is mandatory for all employees in the DEUTZ-Group. In addition, both voluntary e-learning courses and face-to-face training courses are offered for specialist departments and "decision-makers in data protection".

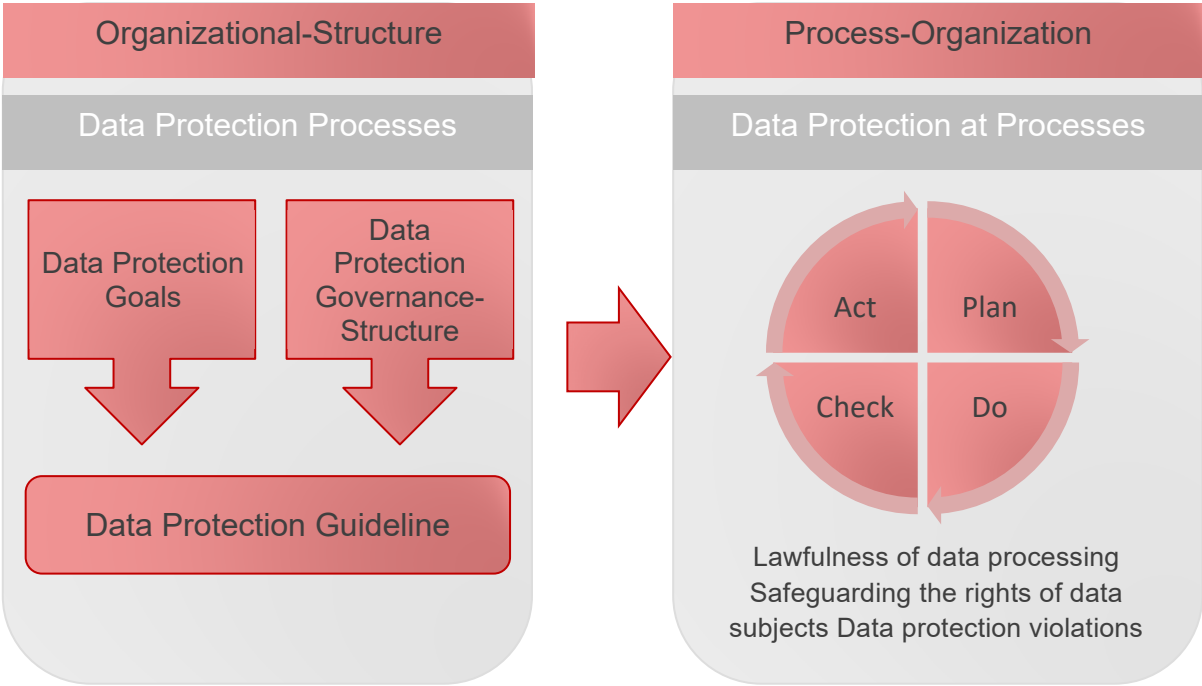
The understanding that data protection is everyone's responsibility is reinforced by the "obligation to maintain data and telecommunications secrecy", which all employees are informed of before starting work. Employees can seek appropriate advice on data protection issues. They are free to contact the relevant data protection officers from the data protection organization at any time. organization at any time. The further development of the data protection training concept, in particular with regard to training for data protection officers and other internal employees based on a risk-based

approach (e.g. HR, Group IT and marketing in connection with customer data), is firmly provided for in the DPMS.

**MONITORING**

The ongoing development of our concepts, content and tools to ensure appropriate data protection has further improved the effectiveness of the existing data protection management system (DPMS).

The DPMS helps DEUTZ to plan, implement and regularly review measures for compliance with data protection regulations in a structured manner. The data protection officers working in the data protection organization analyses and use the results of the audits to continuously reduce data protection risks. The data protection measures are also checked for effectiveness by internal controls and internal audit investigations.



The data protection organization works together with the internal audit department, which prepares and carries out most internal audits within the DEUTZ-Group because of a risk-based audit plan.

Legal data protection matters are discussed and coordinated with internal and external legal counsel and advice is provided on further improvements and new regulatory requirements. The data protection organization is actively networked in external forums,

which enables an exchange of knowledge and benchmarking of processes with specialist colleagues.

Best practices are identified, implemented and lead to improvements in data protection processes at DEUTZ. The identification of control deficits and the implementation of appropriate measures is part of data protection reporting, including the development of important compliance activities that are implemented across several companies in the Group.

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