

# Data Protection Notice for Applicants

The Data Controller is always the METRO group company at which you applied for a position. If you applied for a position at the company specified under No. 2 below, the following data protection notice applies. For an application at another METRO group company, please find the corresponding data protection notice here:

[www.metroag.de/data-protection-notices-applicants](http://www.metroag.de/data-protection-notices-applicants)

## 1. Purpose of this Information

With this information METRO Cash & Carry LLP (hereinafter “we” or “METRO”) would like to inform you in accordance with personal data protection law about further processing of Your personal data within the framework of your application and the implementation of the application process

Should we establish an employment relationship with you, we will further inform you about the use of your data in the context of an employment relationship within the framework of the conclusion of the employment contract.

## 2. Contact Details of Data Controller

METRO Cash & Carry LLP  
16B, Sain str.,  
050031, Almaty  
Kazakhstan

## 3. Contact Details of the Personal Data Protection Officer

METRO Cash & Carry LLP, 16B, Sain str.,050031, Almaty, Kazakhstan  
E-Mail: alexandr.mendybayev@metro.com.kz

## 4. Content of Processing, Purpose of Processing and Legal Basis

The application documents may contain special categories of personal data. Special categories of personal data are personal data which reveal racial and ethnic origin, political opinion, religious (e.g. information on religion/denomination) or ideological beliefs or trade union membership, as well as the processing of biometric data for unique identification, health data (e.g. information on the degree of severe disability) or data on sex life or sexual orientation. **If Your CV contains special categories of personal data, we do not process them intentionally, unless required for the individual position. We expressly ask You not to send us such data, unless required for the individual position.**

In addition, we process the data that You send us by e-mail when contacting us.

If You send us an application or application documents by mail, we will process the personal data contained in Your application.

We also collect data from publicly available sources of third parties (e.g. media, career networks) and process personal data that is provided by our recruiting agencies in order to find suitable candidates for our vacancies. For Your usage of such third party sources the respective conditions of the third parties apply.

In the following we inform You about the purposes for which we process Your data.

By sending us your application, your CV and providing any personal data you consent to it being processed by us for application purposes.

### a. Data processing for the decision on the establishment of an employment relationship

We collect all personal data that You provide during the application process. We further use all data which we collected in accordance with legal requirements from publicly available sources of third parties (e.g. media, career networks) and our recruiting agencies (find more details under lit. d). This enables us to assess Your skills and determine whether You are suitable for a vacant position in our company.

The applicant data may include particularly: first and last name: if applicable your academic degree: date and place of birth: contact data (address, e-mail, telephone and/or mobile phone number): application documents (cover letter, CV, certificates): language skills: skills: compensation data (e.g. salary expectations), regional mobility (availability for different locations); if applicable and provided, nationality, work permit, data on health suitability; a photo of Yours; previous convictions, insofar as they are required for the vacant position; account data in case of travel expense reimbursements.

We base our decisions in the application process on the provided data that are absolutely necessary in order to assess Your suitability for the vacant position and within the framework of legal requirements. For example, we use your professional qualifications to decide whether to consider You in the shortlist, or the personal impression in an interview to decide if we offer You the job You applied for.

If we do not consider You for the position for which you have applied, but see You as a potential candidate for upcoming positions, we will store Your personal data in our applicant database provided that You have given us Your prior consent. If You agree to the storage of Your application data in our database, so that we can contact You directly in the future in connection with a suitable vacancy, we will store the applicant data – if and as far provided - as set out above under lit. a.

If You have already been interviewed by us in an interview, we can include a short evaluation in the database.

In case of an unsolicited application, You consent for us to consider Your application for suitable vacancies in our company. We may also consider Your unsolicited application for other suitable vacancies inside the METRO company group and forward Your data to the respective company offering the vacancy unless we deem that You have an overriding interest in not being considered for the respective vacancy or You expressly objected. We store Your data until your consent is revoked, your application is withdrawn or finally rejected.

Should you have applied for an executive position (i.e. a senior managerial responsibility in our business, in the position of a Director or above) we might ask you to participate in a diagnostic program in order to assess your leadership skills. If you chose to take part in such a diagnostic program you acknowledge that we use the information from the program for application purposes and recommending you for any other suitable position in our company group. In these cases, the information is always voluntary and is provided with your express consent, which you provide by voluntarily participating in the diagnostic program.

If we want to make you a particular offer for an executive position, we might send you a candidate sheet and ask for some additional data. This data is solely used to prepare a suitable individual offer for you, e.g. for assessing a reasonable compensation and any benefits which we might be able to offer. In these cases, the information is always voluntary and is provided with your express consent, which you provide by voluntarily submitting this data.

We (i) collect personal data from publicly available sources (e.g. media, career networks) or (ii) process personal data that is provided by our recruiting agencies in order to find suitable candidates for vacant positions in our company. We use this personal data only in order to assess the candidate's skills, determine whether the candidate is suitable for a vacant position in our company and to invite the candidate to apply for the corresponding position. Data from career networks is only processed in accordance with the respective terms of the operator of the respective network, limited to the information you have made

available about yourself in publicly accessible online networks or platforms with a professional focus.

The collected candidate's personal data include – if and as far provided - the information as set out above.

#### **b. Data processing of special categories of personal data**

If, as part of your documents application, You voluntarily and contrary to our express request, send us special categories of personal data (e.g. information on your political opinion or trade union membership), we will process these on the basis of Your consent. This also applies if You provide us with further special personal data in the course of the application procedure.

By voluntarily submitting this data, You agree to the storage of this special personal data as part of the application process.

In these cases, the information is always voluntary and is provided with Your express consent, which you provide by voluntarily submitting this data.

If we are required by law to process special categories of data subject to special requirements of Personal data protection law (e.g. information on religious affiliation/denomination or disabilities) we process Your data accordingly to the lawful purpose (e.g. tax collecting or compliance with labour law, social security law and social protection law) only.

We do not take this special personal data into account when making a selection decision, unless it is required by law to take this special personal data into account. It is possible, for example, in some job advertisements that people with disabilities may receive preferential treatment in accordance with the applicable laws.

#### **c. Compliance with legal requirements and legal defense**

We process Your personal data in order to comply with legal obligations to which we are subject. On this basis, it may be necessary for us to pass on Your data to third parties (e.g. authorities) in order to comply with legal requirements for information, reporting or information disclosure. In addition, we may process Your data to assert, exercise or defend legal claims, in particular discrimination lawsuits, and pass it on to third parties (e.g. lawyers, courts, public prosecutors).

Our legitimate interest lies in the proper assertion and enforcement of legal claims as well as in the defense against legal claims asserted against us and in preventing any damage from our company.

#### **d. Transfer of data**

Your data will only be passed on to external recipients if we are required by law to provide information, report or pass on data (see above), provided you have given us your consent to transfer data to third parties or to external service providers who work on our behalf as data processors. Initially, your personal data will only be processed by our employees.

By applying you consent to your data being sent to service providers outside of Kazakhstan.

### **5. Sources**

We receive data that we have not directly collected from you from the following sources:

- Authorities or other government bodies, e.g. tax offices,
- Your former employers, if you have agreed to us contacting them during your recruitment process,
- Publicly available data (e.g. media, career networks),

- Recruiting agencies.

Diagnostic programs for executives are either performed by ourselves or by an external diagnostic provider. Should the external diagnostic provider perform the diagnostic, all the data collected in the course of this diagnostic is processed in the sole responsibility of the respective diagnostic provider. In this case we only receive performance results and summary comments from the diagnostic provider which we use in our responsibility. If you chose to take part in such a diagnostic program you acknowledge that data is transferred to us for application purposes, as set out above.

## **6. Recipients of data**

Your data will be stored on Kazakhstani servers and forwarded to our human resources department at METRO AG in Germany for further processing and checked there. The HR department will then forward your data for the purposes of the application process to the positions within our company that are involved in the respective selection process and who will then use Your data accordingly. After a successful completion of the application process, we may transfer your data to your personnel file. All data will of course be treated confidentially. By applying you consent to your data being sent to service providers outside of Kazakhstan.

Below we list the categories of external recipients of your personal data:

- IT service provider
- Data centers
- Data shredding companies
- Courier services
- Authorities
- Legal advisers
- Banks
- Recruiting agencies

## **7. Transfer into third countries**

Your personal data will only be transferred to the EU countries and outside the EU or the EEA ("third countries") (i) if a transfer is required by law (e.g. tax reporting obligations) or contract, (ii) if You have given your consent or (iii) if we are using data processors. If a data processor is located in a third country and there is no adequacy decision, by which the Commission of the European Union has decided that the respective third country ensures an adequate level of protection, the data transfer will be based on appropriate safeguards, i.e. Standard Contractual Clauses. Further information or copies of these safeguards can be requested with a formless request addressed to our data protection officer using the contact details mentioned above. In any case, such a transfer is possible within the framework provided for by the current legislation of the Republic of Kazakhstan.

## **8. Duration of data storage**

We initially store Your personal data for the duration of the application process.

If we do not fill the vacancy with you, we will delete Your data six months after completion of any related application processes, unless You have consented to further storage. In case of Your consent, we will store your data until your consent is revoked. Should you have applied for an executive position and have not stated otherwise, we consider the application in general as an application for any comparable role in the METRO company group. For executive searches we consider the related application processes therefore as completed not till every position for the respective role is occupied within the METRO company group.

If your application was successful and you enter into an employment relationship with us, we refer You to our information sheet on data protection for employees, which explains how your data is processed.

Longer storage periods may also result from the fact that the data is necessary for asserting, exercising or defending legal claims or because legal retention obligations exist. The data will be stored for as long as is necessary to fulfill these purposes.

## 9. Obligation to provide data

For some personal data that You provide to us in connection with Your employment relationship, the provision of this data is required by law or contract or is required for the establishment or proper execution of Your employment contract. You are therefore obliged to provide us with this personal data. We would like to point out that if You do not provide us with this personal data, this may mean that we cannot employ You in our company or cannot fulfil individual obligations arising from the employment contract.

## 10. Your rights as data subject

As a data subject, You can contact our data protection officer at any time with a formless notification under the contact dates mentioned above. As Data subject in accordance with the "Personal Data and their Protection Law" (hereinafter referred to as the Law), You have the right to:

- 1) Be aware the owner and (or) operator, as well as the third party, possess Your personal data, as well as receive information containing:
  - Confirmation of the fact, purpose, sources, methods of personal data collecting and processing;
  - List of personal data;
  - Terms for personal data processing, including periods for their storage;
- 2) Require the owner and (or) operator to change and complete their personal data if there are grounds confirmed by relevant documents;
- 3) Require the owner and (or) operator, as well as a third party, to block personal data if there is any information on violation of the conditions for personal data collection and processing;
- 4) Require the owner and (or) operator, as well as a third party, the destruction of personal data, the collection and processing of which was carried out in violation of the legislation of the Republic of Kazakhstan, as well as in other cases established by this Law and other legislative acts of the Republic of Kazakhstan;
- 5) Withdraw consent to personal data collecting and processing, except as provided for in paragraph 2 of Article 8 of the Law;
- 6) Give consent (refuse) to the owner and (or) operator to distribute personal data in personal data public sources;
- 7) Protect Your rights and legitimate interests, including compensation for moral and material damage;
- 8) Exercise other rights provided for by this Law and other laws of the Republic of Kazakhstan.

## 11. Automated decision making / Profiling

We do not use automated decision making or profiling.

### **Information about your right of objection**

**In accordance with subparagraph 5, paragraph 1, Article 24 of the Law, you have the right to object consent to the personal data collecting and processing at any time.**

If You object, we will no longer process your personal data, unless we can prove compelling and applicable reasons for the processing, which outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims. The objection can be made without formality and should be addressed to our data protection officer.

Due to possible changes in the processing described above or the relevant laws, a change of these data protection notices may be required. In this case, we will inform You about such changes. Insofar as the changes affect a processing which is based on Your consent, we will ask You for a new consent, if necessary.