

PRIVACY NOTICE (PRC)

BUSINESS PARTNERS

商业合作伙伴隐私声明（中国）

At BorgWarner we take data protection very seriously. We have developed this Privacy Notice in particular to clearly inform you about how we collect, use, disclose and otherwise process your personal data as required by applicable law or as we require in the course of fulfilling our professional responsibilities and operating our business and about your rights under applicable data protection laws and regulations. Please find descriptions of all definitions used in Annex 1 of this Notice.

博格华纳非常重视数据保护。我们制定本隐私声明以明确告知您，我们如何根据适用法律的要求或根据我们在履行专业职责和运营业务的过程中的需要，收集、使用、披露和处理个人信息，以及您在适用的数据保护法律法规下享有的权利。关于所有定义的说明，请参见本声明附件1。

Reference to personal data in this Privacy Notice shall include reference to sensitive personal data (where applicable).

本隐私声明中提及的个人信息应包括敏感个人信息（如适用）。

1. For whom is this Privacy Notice?

本隐私声明对谁适用的？

This Notice covers our processing of personal data under applicable data protection laws and regulation with respect to our Business Partners located in **PRC**. By providing this Notice to you, we comply with our information obligations under applicable data protection laws and regulations. Please note that this Notice shall not confer upon you any rights or obligations that are not conferred upon you by law.

本声明适用于我们根据适用的数据保护法律法规处理**中国**商业合作伙伴的个人信息的行为。通过向您提供本声明，我们将遵守适用的数据保护法律法规下的信息义务。请注意，本声明不会授予您任何未通过法律授予您的权利或义务。

2. Who are we and how can you contact us?

我们是谁以及您如何联系我们？

The controller of your personal data is the BorgWarner entity with which you or your employer / commissioner has entered into a contract or intends to enter into a contract and/or of which you are visiting the company premises.

您个人信息的数据控制者是您或您的雇主/委托代理人已经与之签订合同或计划签订合同的博格华纳实体，以及/或者您访问公司场所时与之签订合同的博格华纳实体。

A list of the relevant BorgWarner entities with their contact details can be found in the Annex 2 of this Notice.

相关博格华纳实体的列表及其联系方式见本声明附件2。

In any case, you may always contact us at chinadataprivacy@borgwarner.com with respect to questions about this Notice, the processing of your personal data in general and to exercise your rights towards BorgWarner as outlined below under no. 8.

在任何情况下，关于本声明、对您的个人信息的一般处理，以及行使下述第8条所列举的您对博格华纳的权利的相关问题，您可联系chinadataprivacy@borgwarner.com。

3. How and what data do we collect?

我们如何收集以及收集哪些数据？

While interacting with you, we may collect your company's information as well as your information and personal data.

在与您互动的过程中，我们可能会收集您的公司信息以及您的信息和个人信息。

With your consent (where required by applicable laws), we collect your personal data either:

经您同意（如适用法律要求），我们通过以下方式收集您的个人信息：

- directly from you (e.g. if you contact or interact with us online, via our social media platform such as WeChat mini programs, or in-person);

直接从您处收集（例如，您通过我们的社交媒体平台如微信小程序与我们在线联系或互动，或亲自与我们联系）；

- provided to us by your employer / commissioner; or

由您的雇主/委托代理人向我们提供；或

- obtained via publicly available or publicly accessible information.

通过公开信息获取。

This primarily concerns the following categories of personal data:

这主要涉及以下几类个人信息：

- Personal contact details (name, identification number, mobile phone number, email address, WeChat ID, username and password, club membership details, date of birth)

个人联系方式（姓名、身份证号、手机号码、邮箱地址、微信 ID、用户名和密码、会员信息、出生日期）

- Professional and company details (company name, address, email address, job position, job title, authorizations from your company etc.)

职业和公司信息（公司名称、地址、邮箱地址、职位、职称、您公司的授权等）

- Certain health details (gender, Covid nucleic acid test time and result, vaccination status, health QR codes, food allergy information etc.)

某些特定健康信息（性别、核酸检测时间及结果、疫苗接种状态、健康二维码、食物过敏信息等）

- Other information (flight and train number, hotel information, location information, criminal background)

其他信息（航班和车次、酒店信息、地点信息、犯罪记录）

You can choose whether or not to provide us with your personal data. However, if you do not provide your personal data, we might not be able to carry out certain processes (e.g. we will be unable to contact you without your contact details). In some cases this may mean that we will be unable to continue with your engagement (in case we concluded or intend to conclude a contract with you), that your employer / commissioner will not be able to deploy you as a point of contact for us, or that you would not be able to enter our sites.

您可以选择是否向我们提供您的个人信息。然而，如果您不提供您的个人信息，我们可能无法执行某些程序（例如，如果没有您的联络详情，我们将无法与您联络）。在某些情况下，这可能意味着我们将无法继续开展您的项目（在我们与您订立或拟议订立合同的情况下），贵方的雇主/专员将无法委任您作为我方的联系人，或者您将无法进入我方的场地。

4. How is your data used?

您的数据是如何被使用的？

With your consent, we process your personal data to administer and manage the relationship between us and you or your employer / commissioner, operate our business and comply with our legal obligations.

经您同意，我们处理您的个人信息以管理我们与您或您的雇主/委托人之间的关系，经营我们的业务，并遵守我们的法律义务。

- More specifically, we process your personal data for the following purposes:

具体而言，我们处理您的个人信息为了如下目的：

Purpose of processing 处理数据的目的
To manage the commercial relationship and communications between us and (i) you or (ii) your employer / commissioner 以管理我们与（i）您或（ii）您的雇主/专员之间的商业关系和通讯
To manage our internal processes, systems, and facilities 以管理我方内部流程、系统和设施
To carry out sustainability assessments with respect to our suppliers 以进行对我方供应商的可持续性评估
To ensure your and our health and safety 以确保您和我们的健康和​​安全
For management of personnel 为了人员管理

To maintain and administrate your account and profile (e.g. when you set up your profile or access our WeChat mini-programs) 以维护和管理您的账户及用户档案（例如，在您设置用户档案或访问我们的微信小程序时）
To carry out the contract between us and (i) you or (ii) your employer / commissioner 以执行我们与（i）您或（ii）您的员工/委托人之间的合同
To provide you with direct marketing communication regarding products and/or services we offer (including via email) 以就我们提供的产品和/或服务向您提供直接营销资料（包括通过电子邮件）
To facilitate payments (in case you are our contractual partner and are entitled to payments) 以方便付款交易（如果您是我们的合作伙伴且有权处理付款交易）
To operate CCTV operations on our premises (if any) 以在我们的场所运行闭路电视（如有）
To manage events and facilitate visits to our premises and ensure security of our premises 以管理活动，方便对我方场所的访问，并确保我方场所的安全
To protect your vital interests or those of another natural person (this will only apply in case you require emergency medical care while visiting our premises but are unconscious or otherwise incapable of giving consent) 以保障您或其他自然人的切身利益（此条款仅适用于您在访问本公司场所时需要紧急医疗护理，但本人不省人事或因其他原因不能给予同意的情况）
To enable corporate transactions (including sale of all or part of our asset(s) and/or activity(ies)) 以促进公司交易（包括出售我方全部或部分资产和/或活动）
To safeguard our rights 以维护我们的权利
To comply with legal obligations to which we are subject (e.g. deriving from tax law, foreign trade law or sanctions regulations) 以遵守我们必须遵守的法律义务（例如来自于税法、对外贸易法或制裁条例）
To carry out compliance investigations 以进行合规调查
For any of the above listed purposes it might be necessary to transfer data to our Affiliates 由于任何上述所列的目的，有必要将数据传输至我们的关联公司

If we wish to use your personal data for purposes other than those stated above, we will obtain your consent where required by applicable laws and regulations.

如果我们希望将您的个人信息用于上述以外的其他目的，在适用法律法规要求的情况下，我们将获得您的同意。

5. Who has access to your information (recipients)?

谁可以访问您的信息（接收者）？

Within the Controller, only authorized BorgWarner employees with appropriate responsibilities have access to your personal data. In addition, and subject to your consent we may share your personal data with the following categories of recipients, both locally and overseas:

数据控制者内部只有经授权并承担相应职责的博格华纳员工才可以访问您的个人信息。此外，在征得您的同意的情况下，我们可能会与以下类别的国内外接收方共享您的个人信息：

5.1 We may share your personal data with service providers that process personal data on our behalf and subject to our instructions as so called processors, for the purpose of providing their professional services to us:

我们可能会将您的个人信息与代表我们处理个人信息并受我们指示（即所谓的处理者）的服务供应商共享，为了向我们提供他们的专业服务：

- **Personnel and customer management system provider**

人事和客户管理系统供应商

- **Facilities and supplier management system provider**

设施和供应商管理系统供应商

- **Social media and communications platforms (e.g. WeChat)**

社交媒体和通讯平台（例如微信）

5.2 We may share your personal data with the following third parties:

我们可能会与以下第三方共享您的个人信息：

- **Other entities of the BorgWarner Group: We may share your personal data with Affiliates for the purposes listed in no. 4 above.**

博格华纳集团的其他实体：为了上述第4条所列的目的，我们可能会与关联公司共享您的个人信息。

- **Other third parties:**

其他第三方：

- **Sustainability assessment platform provider for the purpose of carrying out sustainability assessments**

为进行可持续性评估之目的的平台供应商

- **Tax and other state authorities (including social security institutions and law enforcement agencies) for the purpose of compliance with laws and regulations applicable to us**

税务和其他国家机关（包括社会保障机构和执法部门），以遵守适用于我们的法律法规。

- **Consultants (lawyers and auditors) for the purpose of compliance with legal obligations, corporate transactions and safeguarding our rights**

为遵守法律义务、公司交易和维护我们的权利之目的的顾问（律师和审计师）

- Courts in the PRC and outside the PRC for the purpose of safeguarding our rights
为维护我们的权利之目的的中国境内外法院
- Potential buyer or acquirer of all or part of our asset(s) and/or activity(ies) for the purpose of corporate transactions
为公司交易之目的的全部或部分资产和/或活动的潜在买方或收购方

Where we share your personal data with these third-party vendors, we will put in place contracts with these third-party vendors to ensure they process your personal data in accordance with our instructions and to adopt security measures to protect your personal data.

当我们与该等第三方供应商共享您的个人信息时，我方将与该等第三方供应商签订协议，以确保其根据我们的指示处理您的个人信息，并采取安全措施保护您的个人信息。

6. Do we transfer your data internationally (third country transfers)?

我们是否会将您的数据进行国际传输？

Some recipients of personal data may be located outside the PRC and in countries that do not offer a level of protection equivalent to the one granted in the PRC. With your consent, your personal data may be transferred to the following countries outside the PRC such as the US and Germany.

某些个人信息的接收方可能位于中国境外，其国家提供的数据保护水平可能与中国的保护水平相当。经您同意，您的个人信息可能会传输至中国境外的国家，例如美国和德国。

Where personal data is transferred to locations outside the PRC, we will ensure that the recipient entities provide an adequate level of data protection that is at least comparable to the protection set out under applicable law to protect the integrity and security of your personal data before transferring personal data by execution of appropriate data transfer agreements or confirming there are in place adequate security measures and other controls.

在将您的个人信息传输至中国境外时，我们将在数据传输前通过签署适当的数据传输协议或确认已采取适当的安全措施和其他控制措施，确保接收者实体提供的数据保护水平至少应与适用法律所规定的保护水平相当，以保护您的个人信息的完整性和安全性。

7. How long do we store your data?

我们会将您的数据存储多久？

Your personal data will generally only be stored until the personal data are no longer necessary in relation to the purposes for which they were collected (or otherwise processed). The personal data therefore generally will be deleted at the latest after the contractual relationship with you or your employer / commissioner has ended and the standard statute of limitations period applicable to that information in the respective country has expired.

您的个人信息通常仅存储至对于其收集（或以其他方式处理）的目的，或个人信息不再必要时。通常情况下，该等个人信息将最迟在您与您的雇主/委托人的合约关系终止且相应国家中适用于该等信息的标准法定时效到期后被删除。

As an exception, personal data may be stored longer where their processing is necessary for compliance with a legal obligation – including compliance with statutory retention periods – to which we are subject or for the establishment, exercise or defense of legal claims.

为了遵守雇主应承担的法律义务，或为了建立、行使或辩护法律诉求的例外情况下，而必须对此个人信息进行处理时，相应保存时间可能会延长。

8. What data subject rights do you have in the PRC?

您在中国拥有哪些数据主体权利？

- 8.1 Right of access. You may request information about the processing of your personal data and a copy of the personal data undergoing processing insofar as such copy does not adversely affect the rights and freedoms of others.

访问权。 您可要求获取关于您的个人信息处理的信息，以及正在进行处理的个人信息的副本，前提是该等副本不会对他人的权利和自由造成负面影响。

- 8.2 Right to rectification. You may request correction of your personal data that is inaccurate and/or completion of such data which is incomplete.

更正权。 您可要求更正不准确的个人信息和/或补全其完整的个人信息。

- 8.3 Right to erasure. You may request deletion of your personal data, in particular where (i) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed, (ii) you objected to / withdrew your consent to the processing, (iii) your personal data has been unlawfully processed or (iv) your personal data has to be erased for compliance with a legal obligation to which we are subject. The right to deletion, however, does not apply in particular where the processing of your personal data is necessary for compliance with a legal obligation or for the establishment, exercise or defense of legal claims.

删除权。 您可要求删除其个人信息，尤其是在以下情况下：（i）该个人信息对于收集时或其他处理的目的不再是必要的；（ii）您反对处理；（iii）您的个人信息被非法处理；或（iv）为遵守我们应承担的法律义务，您的个人信息必须被删除。但是，删除权不适用于以下情况，尤其是：根据相关法律法规（例如劳动法或税法），或为遵守法律义务或为了建立、行使或辩护法律诉求，仍有必要对您的个人信息进行处理。

- 8.4 Right to data portability. You may request to receive your personal data, which you have provided to us, in a structured, commonly used machine-readable format and transmit those data to another controller without hindrance from us, where the processing is based on consent or a contract and the processing is carried out by automated means; in these cases you may also request to have the personal data transmitted directly to another controller where this is technically feasible (data portability).

数据携带权。 如果个人信息的处理是基于您的同意或基于协议且以自动化的形式，您可要求以结构化的、通常的机器可读的格式，来获取您提供给我们的关于您的个人信息；在这些情况下，如果技术上可行，您也可要求将个人信息直接传输给另一位控制者。

- 8.5 Right to limit or withdraw consent. You may limit or withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal.

限制或撤回同意的权利。您可在任何时间限制或撤回您的同意，撤回前不影响基于同意而进行的数据处理的合法性。

8.6 Right to lodge a complaint. You may lodge a complaint with us and/or a supervisory authority, if you have a privacy-related dispute or concern that remains unresolved by us internally. You may also bring a civil action against us in accordance with applicable laws. However, we would encourage you to first contact us should you have any requests for exercising your data subject rights, or for any enquiries and complaints.

投诉权。如果您有就与我们内部未能解决的与隐私相关的争议或顾虑，您可以向我们和/或监管机构提出投诉。您也可以根据适用的法律对我们提起民事诉讼。但是，如果您要求行使您的数据主体权利或任何咨询和投诉，我们鼓励您首先联系我们。

Please address your requests to exercise your rights or questions about this Notice to chinadataprivacy@borgwarner.com (with the exception of the right to lodge a complaint with a supervisory authority).

请将行使您的权利的请求或关于本声明的问题（向监管机构提出投诉除外）发送至 chinadataprivacy@borgwarner.com。

9. Changes to this Notice

本声明的更改

We reserve the right to amend or modify this Notice at any time to ensure compliance with applicable laws. Please check regularly whether this Notice has been updated. We will notify you and obtain your consent in case of material changes as required by applicable laws.

我们保留在任何时候修改或修改本声明的权利，以确保遵守相关法律。请定期查看本声明是否已更新。在发生适用的法律规定的重大更改时，我们将通知您并获得您的同意。

This Notice has been updated last in [insert update date].

本声明最近一次更新时间为[填写更新日期]。

Annex 1 – Definitions

附录1 - 定义

The terms and expressions in capital letters used in this policy have the meanings set forth below. Additionally, the definitions included in applicable PRC laws and regulations shall apply.

本声明中使用大写字母的术语和表述具有以下含义。此外，适用的中国法律法规中的定义同样适用。

“Affiliate” shall mean BorgWarner Inc. and any entity which directly or indirectly controls, or is controlled by, BorgWarner Inc. ‘Control’ means direct or indirect ownership or domination of more than 50% of the voting interest of the respective entity.

“关联公司”指博格华纳公司以及直接或间接控制博格华纳公司或被博格华纳公司控制的任何实体。“控制”指直接或间接拥有或支配相关实体超过50%的表决权。

“Business Partner” shall mean any natural person means with whom BorgWarner has a business relationship, including but not limited to representatives and employees of customers, suppliers, service providers, external consultants, vendors and visitors to our premises. The purpose of this letter is to inform future and current business partners in PRC about the processing of personal data by BorgWarner. **“Controller”**, **“we”**, **“us”**, **“our”** shall mean the BorgWarner entity which is controller of your personal data according to Annex 2 below.

“商业伙伴”指与博格华纳具有商业关系的任何自然人，包括但不限于客户、供应商、服务供应商、外部顾问、供应商的代表和员工以及访问我们场所的访客。本信函的目的是告知未来和目前在中国的商业伙伴关于博格华纳处理个人信息的相关情况。**“控制者”**、**“我们”**、**“我们的”**指根据以下附录2为您的个人信息控制者的博格华纳实体。

“Notice” shall mean this Privacy Notice (PRC).

“声明”指本隐私声明（中国）。

“PRC” shall mean People’s Republic of China, and for the purpose of this Notice, shall exclude for the avoidance of doubt, Hong Kong SAR, Macau SAR, and Taiwan.

“中国”指中华人民共和国，为避免疑问，在本声明中不包括香港特别行政区、澳门特别行政区和台湾地区。

Annex 2 – BorgWarner group entities as of August 2023.

附录2 –截至2023年8月的博格华纳集团实体

Contact : chinadataprivacy@borgwarner.com

联系方式: chinadataprivacy@borgwarner.com

Name of Controller 控制者名称	Registered Address 注册地址
Beijing Delphi Wan Yuan Engine Management Systems Company Ltd. 北京德尔福万源发动机管理系统有限公司	No. 19#, Boxing Road, Beijing, China 中国北京市博兴路19号
BorgWarner (China) Investment Co., Ltd. 博格华纳（中国）投资有限公司	No 1188, Zixing Road, Minhang District, Shanghai, China 中国上海市闵行区自兴路1188号
BorgWarner Transmission Systems (Jiangsu) Co., Ltd 博格华纳传动系统（江苏）有限公司	No.68 East Qingdao Road, Taicang, Jiangsu Province, China 中国江苏省太仓市青岛东路68号
BorgWarner Automotive Components (Jiangsu) Co. Ltd 博格华纳汽车零部件（江苏）有限公司	No.88 East Qingdao Road, Taicang, Jiangsu Province, China 中国江苏省太仓市青岛东路88号
BorgWarner Automotive Components (Ningbo) Co. Ltd 博格华纳汽车零部件（宁波）有限公司	No. 188 Jingu Zhong Rd. (West), Ningbo, Zhejiang Province, China 宁波金谷中路188号中国浙江省宁波市鄞州大道（西区）
BorgWarner Automotive	No. 36 Dong Jiu Dao, Tianjin Airport Economic Area, Tianjin, China

BORGWARNER

Name of Controller 控制者名称	Registered Address 注册地址
Components (Tianjin) Co. Ltd 博格华纳汽车零部件（天津）有限公司	中国天津市空港经济区东九岛36号
BorgWarner Automotive Components (Wuhan) Co. Ltd 博格华纳汽车零部件（武汉）有限公司	No 51, Huayuan Wan Yijie, Wuhan, Hubei Province, China 中国湖北省武汉市花园万一街51号
BorgWarner Emissions Systems (Ningbo) Co., Ltd 博格华纳排放系统（宁波）有限公司	No. 1356, Jingjiang Road, Yinzhou District, Ningbo, Zhejiang Province, China 中国浙江省宁波市鄞州区靖江路1356号
BorgWarner Automotive Components (Beijing) Co., Ltd 博格华纳汽车零部件（北京）有限公司	No.28, Lucheng Mid Rd., Lucheng Town, Tongzhou District, Beijing, China 中国北京市通州区潞城镇潞城中路28号
BorgWarner PowerDrive Systems (Tianjin) Co., Ltd. 博格华纳动力传动系统（天津）有限公司	No.91, Dong Shi Dao, Tianjin Airport Economic Zone 天津空港经济区东十道91号
BorgWarner Research & Development Co., Ltd 博格华纳技术研究与发展有限公司	Room 2F-C, No 1188, Zixing Road, Minhang District, Shanghai, China 中国上海市闵行区自兴路1188号2F-C室
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