

## **General Privacy Policy for the BorgWarner Website**

### **Privacy Policy**

Thank you for visiting <https://www.borgwarner.com> (the “**Site**”) which is the website of the BorgWarner group of companies operated and hosted by BorgWarner Inc. (“**we**”, “**us**”) in the US. We are committed to respecting and protecting your privacy.

This Privacy Policy applies to the collection, processing, transfer and use of your personal data and other information which we collect while you are visiting and using the Site and our services. Please read this Privacy Policy carefully in order to understand how we will treat your personal data. The Privacy Policy is also part of our Terms of Use for the Site <https://www.borgwarner.com/en/legal/terms-of-use>.

### **I. RESPONSIBILITIES/CONTACT INFORMATION**

The operator of the Site is BorgWarner Inc., 3850 Hamlin Rd., Auburn Hills, MI 48326, United States of America.

The information on our so-called Microsites of the local BorgWarner group members which are accessible via the Location section is offered by BorgWarner Inc. together with the respective local BorgWarner entity.

Personal data provided by you through or in connection with this Site for the purposes set out in Sec. II. and III. of this Privacy Policy is processed by BorgWarner Inc. in its capacity as the so-called data controller.

If you have any questions, comments or suggestions about this Privacy Policy or our privacy practices, please contact:

Chief Compliance Officer  
BorgWarner Inc. 3850 Hamlin Road, Auburn Hills  
MI 48326  
USA  
phone: 001-248-754-0656  
fax: 001-248-462-7875  
email: [hqcompliance@borgwarner.com](mailto:hqcompliance@borgwarner.com)

## II. PERSONAL DATA COLLECTED/COOKIES

During your visit of the Site, we may collect your personal data in the following ways:

- (i) If you decide to contact us using the contact form provided on the Site any personal data you insert in the contact form will be collected. Personal data may include, for example, your name, email address, telephone number and address.
- (ii) Any personal data provided by you when you apply online for a position at BorgWarner (<https://www.borgwarner.com/careers/job-search>) will also be collected. Personal data may include, for example, your name, address, telephone number, email address and resume, subject to your consent.
- (iii) If you decide to register in one of the special designated login areas on our Site, e.g. as a potential or current supplier to BorgWarner or a member of the press any personal data you insert in the registration form/ special designated login areas will be collected. Personal data may include, for example, your name, job title, telephone number and email address.
- (iv) When you visit our website for pure information purposes, i.e. if you do not register on our Site and do not transfer any other information via our Site we process personal data which is transferred from your browser to our server. Thereby we may collect and store information about your visit, including the time and length of your visit, the pages you look at and the website you visited just before coming to ours. We may also record the name of your internet service provider. We use this information only to measure activity on this website and to develop and improve the website. Thus, if you view our website, we will process these data, which due to technical reasons are necessary for us to offer you the access to our website and to ensure its stability and security. This information will, however, not be connected to data provided via the contact forms described above.

In addition to the aforementioned we place cookies on your computer. Cookies are small text files, which are transferred to the computer when accessing an internet side and through which we receive certain information. In general two kinds of cookies have to be distinguished: Cookies, which only occur when accessing an internet side and are deleted with closing the browser ("Session-Cookies") as well as cookies, which are stored on the computer of the user when accessing an internet side ("Permanent-Cookies"). We use cookies so that we can provide you with the best user experience and ensure a secure and effective Site use and

user-friendly arrangement of the Site. We do not use the cookies for purposes of personal advertising.

You may prevent the installment of a cookie by setting up your internet-browser in a way, that it does not allow the storage of such text files on your computer. Moreover, you may delete the cookies saved on your computer at any time.

### **III. HOW WE USE PERSONAL DATA**

We may use personal data for the following purposes: (i) to contact you and respond to your inquiries including on our products and services, to your job application and/or, to your registration request; (ii) for business administration, including statistical analysis; (iii) to provide you with the best user experience and ensure a secure and effective Site use and user-friendly arrangement of the Site as well as to improve the Site by helping us to understand who uses the Site and how, and better understand needs and interests of visitors and users; and (iv) to comply with applicable laws, regulations or codes of practice.

We will not sell your personal data to any other company.

User questions, comments and other feedback about this Site are treated as non-confidential and may be disclosed without notice or obligation to the user or provider.

### **IV. DATA TRANSFERS**

The personal data collected via this Site may be transferred to other BorgWarner entities (each acting as a controller of your personal data) for the purposes set out in Sec. II. of this Privacy Policy. A list of the BorgWarner entities located within and outside the European Economic Area (EEA) is available at <https://www.borgwarner.com/locations>.

Furthermore, we may use selected third parties (these also include other BorgWarner entities) to provide us with services, including companies that provide us with technical support and assistance in respect of the Site, who may have access to personal data provided to us by you. These third parties provide their services for us under our control and instruction and may have access to your personal data to the extent required in order to render their services.

Similarly, we may share your personal data as required or permitted by law to comply with a subpoena or similar legal process or government request, or when we believe in good faith that disclosure is legally required or otherwise necessary to protect our rights and property, or the rights, property or safety of others, including to advisers, law enforcement, judicial and regulatory authorities. To the extent permitted by law, we may also transfer your personal data to a third party that acquires all or part of our assets or shares, or that succeeds us in carrying on all or a part of our business, whether by merger, acquisition, reorganization or otherwise.

Countries located outside the EEA may not have data protection laws and regulations comparable to the ones operating in your country. We will where necessary adopt appropriate measures to ensure that your personal data will be protected there on the terms and conditions of this Privacy Policy.

## V. YOUR RIGHTS

Subject to the legal preconditions, the applicability of which has to be reviewed in the individual case, you have the right to receive information about your personal data and to require the rectification or erasure of your personal data or restriction of processing or to object to any of the data processing purposes outlined under Sec. II..

In cases where data processing is performed on the basis of your consent, you are entitled to withdraw your consent at any time by contacting [hqCompliance@borgwarner.com](mailto:hqCompliance@borgwarner.com).

## VI. CONFIDENTIALITY AND DATA STORAGE

Each of our employees as well as all staff members of service providers having access to and/or processing personal data are obligated to treat such data confidentially. **ALL DATA WILL BE TREATED STRICTLY CONFIDENTIALLY AND STORED IN ACCORDANCE WITH APPLICABLE LEGAL REGULATIONS FOR A PERIOD LEGALLY SPECIFIED IN THE RELEVANT COUNTRY.**

## VII. SECURITY

The security of your personal data is important to us. We have implemented technical and organizational measures aimed at protecting your personal data against unauthorized access, loss, alteration and misuse. We will reasonably ensure that these technical and organizational measures always comply with the latest technological standards.

However, no method of security or transmission is entirely secure. You should always use caution when transmitting personal data.

## **VIII. MODIFICATIONS OF THIS PRIVACY POLICY**

We reserve the right to modify this Privacy Policy from time to time. We will publish any changes effected to more than an insignificant extent to this Privacy Policy on this Site. This also applies, should the form of collection, processing or use of your personal data change materially. Please check our Privacy Policy for changes at regular intervals.

This policy was last updated on 25 May 2018

## **IX. SPECIAL INFORMATION FOR EUROPEAN USERS**

In the following in particular European users of the Site can find additional information with regard to the use of their personal data.

We may use your personal data for purposes outlined in Sec. II and III of this Privacy Policy as we have a legitimate interest in answering your requests and provide you with a safe and well-functioning Site. In the event you do not provide us with the data your request cannot be processed and the Site cannot function appropriately. The legal basis for the processing of your personal data as described in Sec. II and III of this Privacy Policy is consent pursuant to Art. 6 para 1 lit. a) GDPR for Sec II (ii) and Art. 6 para 1 lit. f) GDPR for the other cases.

We will either delete the collected data after the storage of such data is no longer necessary or restrict the processing of the data if statutory retention requirements apply.

As outlined under Sec. IV, countries located outside the EEA may not have data protection laws and regulations comparable to the ones operating in your country. We will adopt appropriate measures to ensure that your personal data will be protected there on the terms and conditions of this Privacy Policy. In particular, we have entered into the EU Standard Contractual Clauses with the recipients of your data.

Copies of the EU Standard Contractual Clauses are available at <https://www.borgwarner.com/legal/euscc>.

If you wish to view the agreements we have entered into please contact:  
hqcompliance@borgwarner.com

Further to the rights outlined in Sec. V of this Privacy Policy you have the right to receive your personal data in a structured, commonly used and machine-readable format (data portability). You are also entitled to lodge a complaint with a data protection supervisory authority.

**You can contact our data protection officer under [hqcompliance@borgwarner.com](mailto:hqcompliance@borgwarner.com) or our postal address with the addition “data protection officer”.**