



**INTERNAL INSTRUCTIONS ON THE
EXERCISE OF RIGHTS BY DATA
SUBJECTS REGARDING THEIR
PERSONAL DATA**

Madrid, 3 November 2020

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INTERNAL INSTRUCTIONS ON THE EXERCISE OF RIGHTS BY DATA SUBJECTS REGARDING THEIR PERSONAL DATA

1. INTRODUCTION

The protection of personal data is a recognised right of natural persons. Accordingly, the Acerinox Group is aware of and committed to the protection of personal data, complying with and respecting the obligations and rights of the data subjects.

Thus, the Acerinox Group has included a specific article regarding the confidentiality of personal data of employees, customers and suppliers in article 12 of its Code of Conduct and Good Practices.

Subsequently, and as a result of the publication in 2016 in the Official Journal of the European Union of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 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 ("**GDPR**"), the Acerinox Group approved its External Data Protection Policy. Article 11 of this policy includes, inter alia, the essential aspects of the rights of those individuals whose personal data are processed by Acerinox Group companies affected by the GDPR.

These Internal Instructions expand on the contents of the Code of Conduct and Good Practices of Acerinox, S.A. and the External Data Protection Policy, detailing the procedure for the exercise of the rights recognised in the GDPR for data subjects.

2. AIM

These Internal Instructions apply to the exercise of the rights recognised in the GDPR for data subjects, concerning fully or partially automated data, and non-automated personal data included or intended to be included in a file.

3. SCOPE AND OBLIGATION

These Internal Instructions are applicable to each and every one of the Acerinox Group companies to which the GDPR applies and, therefore, must be applied by each and every one of the employees, executives and members of the management bodies of the following companies:

- Acerinox, S.A.
- Acerinox Europa, S.A.U.
- Roldan, S.A.
- Inoxfil, S.A.U.
- Inoxidables de Euskadi, S.A.U.
- Inoxcenter, S.L.U.
- Inoxcenter Canarias, S.A.U.
- Metalinox Bilbao, S.A.U.
- Cedinox
- Acerinox Benelux SA-NV
- Acerinox Deutschland GmbH
- Acerinox France S.A.S.
- Acerinox Italia S.R.L.
- Acerinox Polska SP Z.O.O.
- Acerinox Scandinavia AB
- Acerinox UK, Ltd.
- Acerol - Comércio e Indústria de Aços Inoxidáveis, Unipessoal, Lda.
- Inoxplate - Comércio de Productos de Aço Inoxidável, Sociedade Unipessoal, Lda.
- InoxRe S.A.
- VDM Metals Holding GmbH
- VDM Metals International GmbH
- VDM Metals GmbH
- VDM Metals Austria GmbH
- VDM Metals Benelux B.V.
- VDM Metals France S.A.S.
- VDM Metals Italia S.r.l.
- VDM Metals U.K. Ltd.

4. CHANNELS TO RECEIVE REQUESTS

The data subjects may submit requests to exercise their rights through three channels:

- **Email address.** Requests may be sent to the email address dpo@acerinox.com. This email account is managed by the ACERINOX Group's Data Protection Officer ("DPO"), whose contact details are the following:

E-mail: dpo@acerinox.com

Address: Calle Santiago de Compostela, 100, 28035, Madrid, Spain. –

Tel.: +34 91 398 51 05

However, for VDM, the contact data of the DPO are:

Prof. Dr. Boris Reibach

Adenauerallee 136, 53113 Bonn, Germany

E-mail: datenschutz.vdm@acerinox.com

Tel.: +49 228 227 2260

- **In person.** Requests may be received by any employee of the ACERINOX group at any of its offices or centres. This request will then be forwarded by the employee to the DPO without undue delay.

- **Postal mail.** Requests may be received at calle Santiago de Compostela, 100, 28035, Madrid (Spain). However, for VDM, the requests may be received at: Adenauerallee 136, 53113, Bonn, Germany

- **Verbally.** Requests may be presented verbally (by telephone or in person). The DPO's contact details are:

Calle Santiago de Compostela, 100, 28035, Madrid, Spain.

Tel.: +34 91 398 51 05

However, for VDM, the contact data of the DPO are:

Prof. Dr. Boris Reibach

Adenauerallee 136, 53113 Bonn, Germany

E-mail: datenschutz.vdm@acerinox.com

Tel.: +49 228 227 2260

Appendix I to this document includes a template that may be used by the data subject to present the exercise of their rights. However, it is important to highlight that the NON-use of this template by the data subject to exercise their right does not imply the direct rejection of their request.

5. MANAGEMENT OF REQUESTS

Requests shall be managed by the ACERINOX Group's **Data Protection Officer**.

If the request to exercise the right is submitted by the data subject to a data processor of the ACERINOX Group or a third party, the latter must inform the DPO of this fact without undue delay and collaborate in any way requested. In the case of a data processor, this obligation shall be regulated contractually.

Once the request has been received, the DPO shall confirm to the data subject of the receipt and registration of the request and will then carry out a detailed study thereof.

The first assessment to be made shall determine whether the request includes:

- The identification of the data subject (providing accrediting documentation).
- The identification of the legal or voluntary representative of the data subject. In this case, accrediting documentation must be provided for both the representative and the legal or voluntary representation. Accrediting documentation of the data subject must also be presented.
- The identification of the child's legal representatives. In this case, providing the accrediting documentation of the legal representative would be sufficient.
- The right the data subject wishes to exercise.

If the request includes the aforementioned information, the procedure must continue in accordance with the specific right being exercised. If this is not the case, additional information must be requested in order to ensure that the person requesting the exercise of the right is in fact entitled to.

5.1. Right of access

The **right of access** (regulated by article 15 of the GDPR) is the data subject's right to obtain confirmation as to whether or not his or her personal data are being processed, and to access the information relating to the processing of his or her personal data:

- a. the purposes of the processing,
- b. the categories of personal data processed,
- c. the recipients or categories of recipient,
- d. the retention periods,
- e. the existence of the right to rectification, erasure, restriction, objection and to lodge a complaint with the competent Data Protection Authority,
- f. the source of the data (when the data has not been collected from the data subject),
- g. the existence of automated decision-making, and
- h. the appropriate guarantees where data are transferred to a third country or to an international organisation.

Once a request for the right of access has been received, the DPO shall proceed to collect all the information necessary for this purpose, with him being entitled to request information from other departments if deemed necessary, which must be provided without undue delay. However, when the data controller processes a large amount of data relating to the data subject and the data subject exercises his or her right of access without specifying whether it relates to all or part of the data, the data controller may request, before providing the information, that the data subject specify the data or processing activities to which the request relates.

When the relevant data have been collected, the data controller shall provide a copy of the personal data processed in a commonly used electronic format if the data subject has submitted his or her request by electronic means. If the data subject selects a different means that involves a disproportionate cost, the request shall be considered excessive and the data subject will therefore bear the excess costs that his or her choice entails.

In the event that no data has been retained on the data subject, the data subject shall be informed that no personal data is being processed.

Specialities of domestic legislation

a) Spain

- Spanish legislation stipulates that the right of access will be understood as granted if the data controller provides the data subject with a system of remote, direct and secure access to the personal data that guarantees the data subject's permanent access in its entirety to such data.
- If the data subject wishes to receive another copy, the data controller may charge a reasonable fee based on the administrative costs incurred. Thus, Spanish legislation considers the exercise of the right of access to be repetitive when this request is repeated on more than one occasion during a six-month period, unless there is a legitimate reason for repeating the request.

b) Germany

- German national law lists certain cases in which the exercise of the right of access by the data subject is not justified.
- In certain cases in which the data controller restricts or refuses the data subject the exercise of his or her right of access, the controller must inform the data subject of the reason for the restriction or refusal and must also inform him or her of his or her right to exercise the right of access again before the competent data protection authority (which is the Federal Commissioner in Germany).

5.2. Right to rectification

The **right to rectification** (regulated by article 16 of the GDPR) consists of the data subject's right, without undue delay, to complete incomplete data or rectify inaccurate data.

Once the request has been received, the DPO must assess the request and, if appropriate, collect the information he considers relevant to determine whether the exercise of the right should be granted or refused.

Once the rectification has been made, or the incomplete personal data has been completed, the DPO must inform the data subject of the granting of his or her right.

Where appropriate, the data controller will also communicate any rectification of the personal data to each of the recipients to whom the personal data have been communicated, unless this is impossible or requires a disproportionate effort and does not necessarily require a technological solution. The data controller will inform the data subject of these recipients, if this has been requested.

Specialities of domestic legislation

- c) Common to the laws in Spain, France, Portugal, Italy, Germany and Poland

When exercising the right to rectification due to the inaccuracy of personal data, the data subject must indicate in their request what data they are referring to and the correction to be made. Where necessary, the request must be accompanied by documentation justifying the inaccuracy or incompleteness of the data undergoing processing.

- d) Germany

German national law specifies the data controller's obligation to communicate the rectification of the personal data to both the third parties from whom the personal data has been received, if appropriate, and to the third parties to whom the inaccurate personal data has been communicated.

5.3. Right to erasure

The **right to erasure** (regulated by article 17 of the GDPR) is the data subject's right to erase his or her data where one of the following grounds applies:

- a. Where the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
- b. Where the data subject withdraws consent and there is no other legal ground for the processing.
- c. Where the only legitimate basis for the processing of the personal data is the legitimate interest of the data controller and the data subject opposes the processing, without other legitimate grounds prevailing for the processing.
- d. Where the data have been unlawfully processed.
- e. Where the data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.
- f. Where the data is processed with the consent of a child in relation to information society services.

There are five reasons for which, despite one of the above grounds arising, the right to erasure may be refused:

- a. Where processing is necessary for exercising the right of freedom of expression and information.
- b. Where the processing is necessary for compliance with a legal obligation which requires processing by Union or Member State law or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- c. For reasons of public interest in the area of public health.
- d. Where the processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as the right is likely to render impossible or seriously impair the achievement of the objectives of that processing.
- e. Where the processing is necessary for the establishment, exercise or defence of legal claims.

Once the request has been received, the DPO must determine whether the aforementioned requirements are met and whether any of the above exceptions apply.

If the requirements for the exercise of the right are met, the DPO will inform the appropriate processors of the duty to erase the information without undue delay. Once the information has been erased, the data subject shall be informed that their right has been granted and that the requested information has been deleted. Furthermore, where appropriate, the data controller will communicate the erasure of the personal data to each of the recipients to whom the personal data have been communicated, unless this is impossible or requires a disproportionate effort and does not necessarily require a technological solution. The data controller will inform the data subject of these recipients, if this has been requested.

However, if the requirements for the exercise of the right are not met, the data subject shall be notified and refused the exercise of the right.

Specialities of domestic legislation

e) Spain

For Spain in particular, in the event that the right to erasure is due to the data subject's opposition to the processing of their data for direct marketing purposes, the data controller may store the data subject's identification data in order to prevent future processing for these purposes.

f) Germany

German national law determines certain cases in which data may be limited rather than erased. These are cases in which (i) the erasure of the personal data may infringe the legitimate interest of the data subject; (ii) the personal data are stored only as evidence in case of possible future complaints; (iii) the erasure of the personal data is impossible or involves a disproportionate effort.

5.4. Right to data portability

The **right to data portability** (regulated by article 20 of the GDPR) is the data subject's right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit directly those data to another controller where technically feasible, where the processing is legitimised by the consent of the data subject or by the performance of a contract or pre-contractual measures and is carried out by automated means.

Once the exercise of the right to data portability has been received, it must be determined whether the necessary requirements for sending the data have been met.

If the requirements for the exercise of the right are met, the data subject will be notified of the granting of their right and the transmission of the information requested.

If the requirements for the exercise of the right are not met, the data subject shall be notified and refused the exercise of the right.

5.5. Right to restriction of processing

The **right to restriction of processing** (regulated by article 18 of the GDPR) is the data subject's right to request the retention of the register in which his or her personal data is recorded where one of the following applies:

- a. Where the accuracy of the data is contested by the data subject, during the period to verify the accuracy of the data.
- b. Where the processing is unlawful and the data subject opposes the erasure of the data and requests the restriction of their use instead.
- c. Where the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of claims.
- d. Where the data subject has objected to processing pursuant to Article 21.1 of the GDPR, pending the verification of whether the legitimate grounds of the controller override those of the data subject.

Once the request for the right has been received, the DPO will collect the information regarding the circumstances surrounding the processing in order to determine whether the right should be granted.

If the requirements are met, the information shall be retained and access thereto limited in the shortest possible time, so that it is retained only for the purposes of complying with the data subject's request. Therefore, this means that only those individuals who are essential for this purpose will have access to the register. Once this has occurred, the DPO will inform the data subject of the granting of the request to exercise the right.

Thus, the personal data of the data subject may not be processed, except for its retention, for any purpose whatsoever, except with the data subject's consent or for the establishment, exercise or defence of legal claims of the Acerinox Group, or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a given Member State.

However, if the requirements are not met, the DPO shall inform the data subject that his or her request to exercise the right has been refused.

a) Germany

German national law includes specific provisions for cases in which the data controller uses an automatic data collection system, and obliges the data controller to ensure that this system restricts the processing of the data to the purpose for which it was introduced and excludes the possibility of further processing.

5.6. Right to object

The **right to object** (regulated by article 21 of the GDPR) consists of the data subject's right to object to the processing of his or her personal data where the interests or fundamental rights and freedoms of the data subject override the interests of the controller in the processing of personal data for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, or where processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.

The right shall not be granted where compelling legitimate grounds for the processing are demonstrated which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing. In this case, the data subject's right to object shall always prevail.

Once the request has been received, the DPO must assess the request and, if appropriate, collect the information he considers relevant to determine whether the right should be granted or refused.

If the requirements necessary for granting the right are met, the use of existing information must be regulated as swiftly as possible. Once the data have been erased, the DPO must inform the data subject of the granting of their right.

If the requirements necessary for granting the right are not met, the data subject must be informed of this fact and of the refusal to grant the right.

5.7. Right not to be subject to automated individual decision-making, including profiling

The **right not to be subject to automated individual decision-making, including profiling** (regulated by article 22 of the GDPR) is every data subject's right not to be subject to a decision based solely on automated processing, which produces legal effects concerning him or her or similarly significantly affects him or her.

This right shall NOT be granted where any of the following circumstances occur:

- a. Where the processing is necessary for entering into, or the performance of, a contract between the data subject and the data controller.
- b. If the processing is authorised by Union or Member State law to which the data controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, or
- c. Where the processing is based on the data subject's explicit consent.

However these exceptions shall not be taken into account when processing special categories of personal data unless this processing is covered by the data subject's explicit consent or by the public interest.

If the aforementioned exceptions are NOT applicable, the right shall be granted and the processing of personal data in a way that involves automated processing for individual decision-making will be stopped. Once the data processing has been stopped, the DPO must inform the data subject of the granting of their right.

If the aforementioned exceptions are applicable, the data subject must be informed of this fact and of the refusal to grant the right. However, where exception (a) or (c) applies, the data controller shall safeguard at least the data subject's right to obtain human intervention to express his or her point of view and to contest the decision.

6. RESPONSE TO THE EXERCISE OF RIGHTS OF THE DATA SUBJECTS

In view of the above, the DPO must respond to the data subject regarding the granting or refusal of his or her exercise of data protection rights.

The information provided and communications made by the DPO shall be concise, preferably in Spanish or English, and shall be in a transparent, intelligible and easily accessible form, using clear and plain language.

The information shall be provided in writing and/or by other means, including by electronic means. In principle, and unless the data subject requests otherwise, the data subject shall be answered in the same way in which he or she has presented the exercise of the right, and a documented record of the answer shall always be made.

The maximum period for responding is one month from the date of receipt of the request. However, this period may be extended to two months, taking into account the complexity and number of the requests. The extension, together with the reasons shall be communicated to the data subject within the first month.

Furthermore, the decision not to act on a request shall be communicated at the latest within one month of receipt of the request, stating the reasons for not taking action and on the possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy.

The information provided, as well as any communication and any action taken shall be provided free of charge. However, where requests from a data subject are manifestly unfounded or excessive, in particular because of their repetitive character, the data controller may a) charge a reasonable fee taking into account the administrative costs of providing the information or communication or taking the action requested, or b) refuse to act on the request. The data controller shall bear the burden of demonstrating the manifestly unfounded or excessive character of the request.

In any of the aforementioned cases, the DPO shall keep a record of the requests received and the replies made.

Approval body: Chief Executive Officer of Acerinox, S.A.

Date of approval: 3 November 2020

Prepared by: Compliance Department

Standard ID: PD-5

Version: 1-21

Date of last approved version: 18 September 2020

APPENDIX I. EXERCISE OF RIGHTS REQUEST FORM

DATA CONTROLLER TO WHOM THE REQUEST IS ADDRESSED*

Specify the entity to which the request is addressed

DATA SUBJECT*

Mr/Mrs/Ms _____, with National Identity Card or passport number _____

A photocopy of the data subject's valid National Identity Card or passport must be attached.

REPRESENTATIVE *(where appropriate)*

Mr/Mrs/Ms _____, with National Identity Card or passport number, _____. acting on behalf of the data subject, as evidenced by _____

A photocopy of the representative's valid National Identity Card or passport, as well as documentation certifying the representation, must be attached.

REASON FOR THE REQUEST*

THE EXERCISE OF DATA PROTECTION RIGHTS*	
<input type="checkbox"/> Access	The right of access (regulated by article 15 of the GDPR) is the data subject's right to obtain confirmation as to whether or not his or her personal data are being processed, and to access the information relating to the processing of his or her personal data.
<input type="checkbox"/> Rectification	The right to rectification (regulated by article 16 of the GDPR) consists of the data subject's right, without undue delay, to complete incomplete data or rectify inaccurate data. Please indicate which data is incorrect or incomplete
<input type="checkbox"/> Erasure	The right to erasure (regulated by article 17 of the GDPR) is the data subject's right to erase their data where certain grounds apply. Please indicate the reasons for this request
<input type="checkbox"/> Objection	The right to object (regulated by article 21 of the GDPR) consists of the data subject's right to object to the processing of his or her personal data where the interests or fundamental rights and freedoms of the data subject override the interests of the controller in the processing of personal data for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, or where processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.
<input type="checkbox"/> Restriction of processing	The right to restriction of processing (regulated by article 18 of the GDPR) is the data subject's right to request the retention of the register in which his or her personal data is recorded where certain grounds apply. Please indicate the reason for requesting the exercise of this right.
<input type="checkbox"/> Portability	The right to data portability (regulated by article 20 of the GDPR) is the data subject's right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit directly those data to another controller where technically feasible, where the processing is legitimised by the consent of the data subject or by the performance of a contract or pre-contractual measures and is carried out by automated means. The data subject must indicate whether he or she wishes that his or her data be communicated to a controller or directly to the data subject
<input type="checkbox"/> Automated decision-making	The right not to be subject to automated individual decision-making, including profiling (regulated by article 22 of the GDPR) is every data subject's right not to be subject to a decision based solely on automated processing, which produces legal effects concerning him or her or similarly significantly affects him or her.

NOTIFICATION*
<i>(indicate the means by which you wish to exercise your right, if appropriate)</i>
Email:
Postal address:

BASIC INFORMATION ON THE PROCESSING OF YOUR PERSONAL DATA

At the Acerinox Group, we have a firm commitment to comply with regulations and, in this respect, with EU data protection legislation.

According to this regulation, the processing of your personal data for the purpose of managing the request to exercise data protection rights is based on the compliance with a legal obligation applicable to the data controller. Hence, although the processing is not based on consent, it is necessary to previously inform you of the processing of your personal data.

a) Personal data controller

For the purpose of processing your request to exercise the data protection right, the data controller of your personal data will be the respective Acerinox Group company to which you address your request. Details of all the Group's companies are available on the website www.acerinox.com.

Acerinox, S.A., the Parent of the Group, has appointed a Data Protection Officer for the Acerinox Group, to whom you may raise any questions concerning the processing of personal data, and whose contact details are as follows:

Calle Santiago de Compostela, 100 (28035) Madrid, Spain.

E-mail: dpo@acerinox.com

Tel.: +34 91 398 51 05

However, for VDM, the contact data of the DPO are:

Prof. Dr. Boris Reibach

Adenauerallee 136, 53113 Bonn, Germany

E-mail: datenschutz.vdm@acerinox.com

Tel.: +49 228 227 2260

b) Purpose of the processing and storage of personal data

The personal data will be processed for the purpose of correctly handling your request to exercise the data protection right.

The data will be stored by the controller until the final processing of your exercise of the right and, once this has been completed, your data will be stored in accordance with the legal requirements regarding data protection for a period of up to 3 years.

c) Legal grounds for the processing of personal data

The legal grounds for the processing of personal data is the compliance with a legal obligation applicable to the data controller. If this application is not sent duly completed and with your valid signature, it will not be possible to handle your request.

d) Recipients of the personal data

Your personal data will not be transferred to third parties, except to Public Authorities and Bodies only when required by the applicable regulations.

Furthermore, Acerinox Group companies and third parties may access personal data exclusively for internal administrative and management purposes. For these purposes, the data subject is informed of the possible storage of their personal data on servers located in the United States, this being a country that does not have an adequacy decision. In any case, the international transfer of personal data will be made in compliance with the applicable regulations at all times. The data subject will have the right to obtain a copy of the guarantees and means adopted to carry out these international transfers appropriately.

e) The data subject's rights

In addition to the right you have exercised through this request, please be advised that you have the right to exercise, at any time, any of the rights granted to you by data protection legislation.

In this regard, you may exercise your right to access, rectification, erasure, objection, restriction of processing, portability of your personal data or objection to the automated processing of your personal data, by sending a photocopy of your National Identity Card, or a similar legally valid document proving your identity, and indicating which right you wish to exercise, to the following address: Calle Santiago de Compostela, 100, 28035 Madrid (Spain) or via the following email address: dpo@acerinox.com

However, for VDM, you should send your request to:

Prof. Dr. Boris Reibach
Adenauerallee 136, 53113 Bonn, Germany
E-mail: datenschutz.vdm@acerinox.com
Tel.: +49 228 227 2260

You also have the right to file complaints with the respective data protection supervisory authority.

SIGNATURE*

At _____, on ____ 202__.

Signed.: Mr/Mrs/Ms _____