



**EXTERNAL DATA
PROTECTION POLICY OF
THE ACERINOX GROUP
COMPANIES IN THE
EUROPEAN UNION**

3 November 2020

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1. INTRODUCTION

On 4 May, 2016, the 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 (hereinafter the GDPR), was published in the Official Journal of the European Union.

On 24 May, 2018 the Acerinox Group approved its Internal Data Protection Policy (hereinafter Internal Policy), amended on November 3, 2020 which presents, among other things, the essential aspects of the rights of people whose personal data is processed by the Acerinox Group companies affected by the GDPR.

This External Data Protection Policy (hereinafter External Policy) builds upon the Internal Policy regarding the rights of the holders of personal data (hereinafter Data Subjects) to be processed by the Acerinox Group companies affected by the GDPR.

2. AIM AND SCOPE

2.1. Purpose

The External Policy presents the rights of the Data Subjects.

2.2. Material scope

This External Policy applies to the fully or partially automated processing of personal data, as well as the non-automated processing of personal data contained in, or to be included in a file.

2.3 Subjective scope

This Policy applies to each and every one of the companies that make up the Acerinox Group, to whom the GDPR applies, and thus, to each and every one of the employees, managers and directors 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 Produtos 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 UK Ltd.

(hereinafter, Companies or individually, Data Controller or Controller)

3. OBLIGATORY NATURE

This instruction is compulsory and therefore all employees and managers of the Companies are bound by it as an internal conduct standard and are obliged to be familiar with it and help to implement and enforce it regardless the position they hold within the organisation, or whether they have direct contact with the materials described herein or not.

4. DEFINITIONS

A list of definitions is attached as **Annex I**.

5. DATA PROTECTION OFFICER

The Acerinox Group has decided to appoint a single Data Protection Officer (hereinafter DPO) for all companies of the Group, who will rely on the support and advice of the rest of the organisation in carrying out their functions.

The contact details of the DPO are:

Rodrigo Garcia-Vega Redondo
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

6. CONSENT FOR THE PROCESSING OF PERSONAL DATA

6.1 When is it necessary to obtain consent?

The processing of personal data requires the consent of the Data Subjects except if it is necessary:

- For the execution of a contract.
- To comply with a legal obligation.
- To protect vital interests of the interested party or another person.
- To comply with a mission carried out in public interest or in the exercising of public authority entrusted to the Controller.
- To satisfy legitimate interests of the Controller or a third party, as long as the rights of the interested party do not prevail over this interest.

Even if consent is not compulsory, there is an obligation to inform the Data Subjects.

All employees of the Companies must inform the DPO of the new procedures in obtaining personal data for subsequent processing, and which are different to those listed in this External Policy, to analyse whether it is necessary or not to obtain consent, and in both cases comply with the duty of disclosure.

6.2 Ways of obtaining consent

The Companies have approved forms and procedures for obtaining the informed consent of the interested parties for the processing of their personal data, in those cases in which the said consent is necessary.

7. DUTY OF DISCLOSURE OF THE PROCESSING

7.1 How and when is disclosure necessary?

The duty to disclose the circumstances relating to the processing of their personal data to the interested parties falls on the Controller.

The information that must be made available to the interested parties when the data is requested is the following:

- a) The identity and the contact details of the Controller, and where applicable, of their representative.
- b) The contact details of the DPO.
- c) The purposes of the processing which the personal data will undergo and the legal basis for the processing. Where appropriate, the legitimate interests of the Controller or of a third party.
- d) The recipients or categories of recipients of the personal data.
- e) Where appropriate, the intention of the Controller to transfer personal data to a third-party country or international organisation.
- f) The period in which the personal data will be stored or, when this is not possible, the criteria used to determine this period.
- g) The existence of the right to request access to the personal data relating to the interested party from the Data Controller, and its rectification or erasure, or restriction of its processing, or to oppose it being processed, as well as the right of portability of the data.
- h) Where appropriate, the existence of the right to withdraw consent at any time, without affecting the legality of the processing based on the consent prior to its withdrawal.
- i) The right to make a claim before a supervisory authority.
- j) If the communication of personal data is a legal or contractual requirement, or a necessary requirement to sign a contract, and if the interested party is obliged to provide the personal data and the possible consequences of not providing such data.
- k) The existence of automated decisions, including the creation of profiles, at least in such cases, significant information on the applied logic, as well as the importance and the predicted consequences of this processing to the interested party.

In case that the data is not obtained from the interested party, arising from a legitimate transfer, or from public access sources, in addition to the points already highlighted (except point j), the Controller is obliged to disclose, a) the categories of personal data to be processed and b) the source from which the personal data comes and, where appropriate, if it comes from public access sources.

The disclosure shall be made within a reasonable period, but, in all cases:

- Before one month from when the personal data was obtained.
- Before or during the first communication with the interested party.
- Before the data has been communicated to other recipients, if applicable.

This duty must be fulfilled without having to be requested, and the Controller must be able to subsequently prove that the duty of disclosure has been satisfied.

All employees of the Companies must inform the DPO of the new transfers of personal data that they receive and of the new collections of personal data from public access sources that they carry out, in both cases for their subsequent processing, in order to comply with the obligation of information.

7.2 When is it not necessary to make a disclosure?

It will not be necessary to make a disclosure only when the interested party already has the information, nor will it be necessary in the event that the data does not come from the interested party when:

- The disclosure becomes impossible or requires a disproportionate effort.
- Disclosure is expressly laid down by the applicable regulations.
- When the data must continue to be considered to have a confidential nature according to the legal duty of confidentiality.

7.3 Information in layers

To make the higher demand for disclosure introduced by the GDPR and the conciseness and comprehension in the way it is presented compatible, when possible, the Companies will adopt the model of disclosure of information by layers or levels that the data protection authorities recommend adopting.

This multilevel focus of information consists of:

- Presenting the Data Subjects with basic information on a first level (first layer), in summary, at the same time and via the same means in which the data is collected.
- Sending additional information on a second level (second layer), where the rest of the information will be presented in detail in a more suitable means for its presentation, comprehension and if desired, storage.

8. SAMPLE OF INFORMATION CLAUSE TO CLIENTS AND SUPPLIERS

In order to comply with the duty to inform to the legal representatives and interlocutors of the clients and suppliers attached to this External Policy as **ANNEX II** is a sample clause to be included in the contract documents.

The information concerning other data processings should be drafted by the DPO.

9. INFORMATION CONCLUDING REFERENCE

As a closing measure the Legal Notice section of the corporate emails relating to data protection must be changed, or the following text must be incorporated into the email footers of employees of the Companies who do not have it in place:

You may consult the policies and other information on Data Protection on our website www.acerinox.com

10. PROCEDURE FOR INTERESTED PARTIES TO EXERCISE THEIR RIGHTS

The rights of the Data Subjects are:

- Right of access. This is the right to obtain confirmation from the Data Controller on whether or not personal data concerning them is being processed, and if so, the right to access the personal data.
- Right to rectification. This is the right to the rectification of incorrect personal data.
- Right to erasure (“right to be forgotten”). It is the right to obtain in specific cases, the erasure of personal data.
- Right to restriction of the processing. This is the right to obtain the restriction of the processing of data in certain circumstances, so that this data may only be subject to processing, with the exception of its storage, with the consent of the interested party or for the formulation, execution or defence of claims, or with a view to protecting the rights of another physical or legal person or for reasons of public interest.
- Right to portability. This is the right to receive, in specific cases, the personal data relating to them or that has been provided to the Data Controller, in a structured, commonly used, machine-readable format, and to transmit it to another data controller.
- Right to object. This is the right to object at any time, for reasons related to your individual situation, that personal data concerning you are subject to processing, including the creation of profiles based on these dispositions.
- Creation of profiles. This is the right to not be subject to a decision that produces legal effects or that significantly affects you based solely on automated processing, including the creation of profiles.

The procedure which is subject to an Internal instruction will begin through a request by the interested party that may be made in writing or orally to the following address:

Calle Santiago de Compostela, 100, (28035), Madrid, Spain.
E-mail: dpo@acerinox.com
Tel.: +34 91 398 51 05

However, for VDM, request by the interested party may be made to the following address:

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

When the DPO has any reasonable doubts regarding the identity of the natural person who pursues the request, they may request that they provide them with the necessary additional information in order to confirm the identity of the interested party.

The information and the correspondence will be concise, it will preferably be provided in Spanish or English and will be transparent, intelligible and easy to access, using clear and simple language.

The information will be provided in writing and/or by other means, including electronically. The information may be provided verbally as long as the interested party requests it and if their identity is accredited. If the request is presented electronically the information will be provided by such means whenever possible, except if the interested party requests it to be made by other means.

The maximum response time will be one month from when the request is received and may be extended to two months when considering the complexity and number of requests made. The interested party will be notified of the extension and its reasoning within the first month.

The decision to not pursue a request must be notified within a maximum period of one month from when it is received, indicating the reasons for not taking action and the possibility to present a claim to the supervisory authority and to take legal action.

The information provided, as well as all correspondence and any action undertaken will be free. When the requests are clearly unfounded or excessive, especially if they are repeated, the Controller may a) impose a fee according to the administrative costs encountered to provide the information or communicate or carry out the requested action, or b) refuse to act on the request. The Controller will take responsibility for demonstrating the clearly unfounded or excessive nature of the request.

The Controller will communicate any rectification or erasure of personal data or restriction of the processing carried out to every one of the recipients to whom the personal data has been transferred, except if it is impossible or requires a disproportionate effort. The Controller will inform the interested party about the said recipients, if they request it.

The DPO will maintain a registry that provide a record of the requests received and the responses provided.

11. APPROVAL

This External Policy has been approved by the Steering Committee of Acerinox, S.A. on November 3, 2020.

ANNEX I: DEFINITIONS

For the purposes of this External Policy the following terms will mean:

- 1) **“personal data”**: all information on an identified or identifiable natural person (“the interested party”); an identifiable natural person will be considered to be any person whose identity can be determined, directly or indirectly, in particular via an identifier, like for example a name, identification number, location data, and online identifier or one or several aspects of physical, physiological, genetic, psychological, economic, cultural or social aspect of the said person.
- 2) **“processing”**: any operation or set of operations performed on personal data, either through automated procedures or not, such as the collection, recording, organisation, structuring, conservation, adaptation or modification, extraction, consulting, use, communication by transmission, diffusion or enabling any other form of access, comparison or interconnection, restriction, erasure or destruction.
- 3) **“restriction of the processing”**: the labelling of stored personal data in order to restrict it from being processed in the future.
- 6) **“file”**: any structural set of personal data, accessible according to specific criteria, whether centralised, decentralised or functionally or geographically spread.
- 7) **“data controller” or “controller”**: the natural or legal person who, solely or with others, determines the purposes and means of the processing.
- 8) **“data processor” or “processor”**: the natural or legal person who processes the personal data on behalf of the data controller.
- 9) **“recipient”**: the natural or legal person, public authority, service or other entity to which the personal data, processed or not, of a third party is transferred.
- 10) **“third party”**: natural or legal person, public authority, service or other entity other than the interested party, the data controller, the data processor and the people authorised to process personal data under direct authority of the controller or the processor.
- 11) **“consent of the interested party”**: any demonstration of free, specific, informed and unequivocal will by which the interested party accepts, through a declaration or a clear affirmative action, the processing of personal data that concerns them.

ANNEX II: INFORMATIVE CLAUSE MODEL TO BE INSERTED INTO THE CONTRACTS WITH CLIENTS AND SUPPLIERS

Information on the processing of data of the signatories of this contract and the interlocutors designated by the parties for its execution:

1) Personal data controller

The data controller of this data will be the Company [REDACTED] ("the Controller") with CIF [REDACTED]. The contact details of the Controller are: [REDACTED]

Acerinox, S.A., parent company of the Group, has appointed a Data Protection Officer for the Group, to whom you may pose any questions relating to the processing of your personal data and whose contact details are the following:

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

2) Purpose of the personal data processing

The contact data of the signatories of this contract and interlocutors designated by the parties for its execution and any further personal data provided in the future will be processed in order to allow the correct maintenance, development and control of the contractual relation, and the defence of the legitimate interests of the controller.

The data will be stored by the controller for the duration of the contractual relationship and, once this has ended, until the applicable statutes of limitation have passed.

3) Legitimacy for the personal data processing

The legal basis for the processing of personal data is the execution of this contract and the legitimate interests of the controller. In this sense the legal representatives and contact persons of the clients and suppliers if needed must provide their contact details. In the event that these are not provided, it will not be possible to enter and/or execute this contract.

4) Recipients of the personal data

The personal data may be transferred to Public Administrations and Entities when so required by the applicable regulations.

Likewise, they may be communicated to external auditors to comply with financial obligations, and to public notaries in the case of the contract being elevated to a public deed.

In addition, the Acerinox Group of companies and third parties may access the personal data exclusively for internal administrative purposes and for the contract's management. We hereby inform of the possible storing of personal data in servers located in the US, a country without an adequacy decision. Notwithstanding the foregoing the international transfer of data will be done in fulfilment of the applicable Law.

El interesado tendrá derecho a obtener una copia de las garantías y medios adoptados para realizar estas transferencias de forma adecuada.

The Data Subject will have a right to obtain a copy of the security measures put in place in order to make those transfers compliant with the Law.

5) Rights of the Data Subjects relating to the processing of their personal data

The Data Subjects have a right to access their personal data, as well as to request the rectification of incorrect data or, where applicable, request its erasure when the data is no longer necessary for the purposes for which it was collected.

In certain circumstances, the Data Subjects may request the limitation of the processing of their data, in which case it will only be stored for the execution or defence of claims.

In certain circumstances and for reasons related to their individual situation, Data Subjects may oppose to the processing of their data. The Controller will no longer process the data, except in cases in which it is necessary to continue with the processing for legitimate reasons, or for the execution or defence of possible claims.

When established by law, the Data Subjects have the right to receive the personal data relating to them or which has been provided to the Data Controller, in a structured, commonly used and machine-readable format, and to transmit it to another data controller.

They may exercise their rights of access, rectification, erasure and portability of their data, and the restriction and opposition to the processing of their data by contacting the Controller at the following address:

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 are:

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

Data Subjects are hereby informed of their right to present claims to the respective supervisory authority regarding data protection.