



# **Safe Harbor Data Protection and Privacy Policy**



**Allnex USA Inc. (*Allnex*); Safe Harbor Data Protection and Privacy Policy dated July 17, 2014**

Allnex may, in the ordinary course of business, process personal data of employees and third parties residing in the European Economic Area to facilitate its internal and external operations. “**Personal Data**” as used herein means any information relating to an identified or identifiable natural person residing in the European Economic Area (“**Data Subject**”) and “**Processing**”, “**Process**” or “**Processed**” as used herein means any operation performed upon Personal Data such as collection, organization, storage, alteration, consultation, use, disclosure, making available, alignment or combination, blocking, erasure or destruction.

Allnex cares deeply about the privacy of its customers and commercial partners. To that end, Allnex shall comply with the following

***Safe Harbor Data Protection and Privacy Policy:***

This policy complies with the requirements of the U.S.-EU Safe Harbor Framework as set forth by the U.S. Department of Commerce. The Safe Harbor Framework requires certified organizations to comply with the Safe Harbor Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement. To learn more about the Safe Harbor program, please visit <http://www.export.gov/safeharbor>.

**Notice & Choice:**

The purpose of Processing Personal Data must be legitimate and pre-defined. Allnex may Process Personal Data for purposes which are either explicitly authorized by applicable statutory laws or which have been pre-approved by the Data Subject in writing. This may include the following exemplary categories: human resource management including global enterprise headcount reporting, statistics, compensation planning, career development, staffing, compensation and payroll, health & safety management, governmental agency and judicial inquiries, regulatory compliance, usage of company property, intellectual property, medical case management, mergers & acquisitions, business transactions. Data Subjects shall be informed about the Processing of Personal Data. If Allnex intends to Process Personal Data for other purposes than authorized by applicable statutory law or for other purposes than approved by the Data Subject, then Allnex must collect an additional written approval of the Data Subject prior to the Data Processing. With the exception of applicable statutory law allowing the Data Processing, the Data Subject may at any time choose that its Personal Data shall not be Processed (opt out).



If Allnex collects and uses sensitive Personal Data related to medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership or the sexual orientation of individuals, then Allnex shall inform Data Subject of the purposes for which the sensitive Personal Data will be Processed and seek the Data Subject's prior written consent (opt-in) unless mandatory statutory requirements, administrative decisions or court orders dispense Allnex from seeking Data Subject's prior written consent.

**Onward Transfer:**

In the ordinary course of business and subject to entering into data Processing agreements, ensuring an adequate level of data protection and defining the purpose of data Processing, Allnex may transfer Personal Data to third party service providers. Such third party service provider may only disclose Personal Data to its personnel with a need to know such in the performance of their work for Allnex, and only if permitted to do so by its contract with Allnex. The third party must adopt effective technical, physical and organizational measures that achieve these results.

**Data Security:**

- (i) Allnex shall take reasonable steps to protect the security, integrity, and confidentiality of Personal Data. To that end, Allnex shall maintain appropriate physical, electronic, and managerial procedures to safeguard Personal Data. Allnex shall review these procedures regularly to ensure that Allnex complies with the U.S.-EU Safe Harbor Framework.
- (ii) In the event that Allnex reasonably believes that there is any unauthorized or unlawful access to, use of, disclosure of, or other compromise of Personal Data, Allnex shall promptly notify the affected Data Subjects of the incident.

**Data Integrity:**

- (iii) Allnex shall only Process Personal Data in a way that is relevant to the purposes for which it was collected and authorized. Allnex shall take reasonable steps to ensure that Personal Data is accurate, complete, current, and reliable. When transferring Personal Data, Allnex shall take appropriate measures to ensure that the recipient of the Personal Data protects Data Subject's privacy and the integrity of the Personal Data transferred.

**Access:**

- (iv) All Personal Data remains the sole property of the relevant Data Subject. Allnex shall allow Data Subjects to access their Personal Data upon reasonable request. Data Subjects may also request that Allnex amend, delete, return, mask, encrypt, and/or destroy their Personal Data, and Allnex shall comply provided the request was made in a reasonable manner and does not fall under one of the exceptions provided for in paragraph (v).



- (v) Allnex is not obligated to respond to a Data Subject's request made pursuant to paragraph (iv) where: (1) the burden or expense of responding would be disproportionate to the risks to the privacy of the Data Subject involved; (2) the rights of other individuals would be violated; or (3) Allnex is otherwise prohibited by law from responding to the request.
- (vi) Allnex shall restrict access to Personal Data to only those who need such Data to perform their job duties. If Data Subject's Personal Data ceases to be required by Allnex for the purposes for which it was collected and authorized, the data will be destroyed.

**Enforcement:**

- (vii) Allnex is committed to resolving any complaints that arise involving the privacy of Data Subjects. If you feel that Allnex has failed to meet its obligations under this Safe Harbor Data Protection and Privacy Policy or the U.S.-EU Safe Harbor Framework, you should contact Allnex at:

Robert Luss ([robert.luss@allnex.com](mailto:robert.luss@allnex.com)), or

Andreas Mestel ([andreas.mestel@allnex.com](mailto:andreas.mestel@allnex.com))

In the event that a complaint is not sufficiently resolved by an Allnex representative, you may contact the Data Protection Authorities in the EU Member State in which you reside or are employed. Allnex will cooperate with such Data Protection Authorities in accordance with the provisions of the Safe Harbor Framework.

**Amendments:**

This Safe Harbor Data Protection and Privacy Policy may be amended from time to time. If the Policy is amended, Allnex shall provide an updated version of the Policy to the U.S. Department of Commerce for inclusion on the Safe Harbor List.

**Link to the U.S.-EU SAFE HARBOR LIST:** <https://safeharbor.export.gov/list.aspx>

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