

Data protection information of JX Metals Europe GmbH

Why does this document exist?

It is very important for JX Metals Europe GmbH to observe all applicable data protection regulations. The General Data Protection Regulation (GDPR) and the new Federal Data Protection Act (BDSG n.F.) stipulate that we fulfil comprehensive information obligations, which we consider to be correct and take this responsibility very seriously. In the following text we therefore explain to you which information, i.e. also so-called "personal data", we process about you as a business partner and inform you about the rights you have vis-à-vis JX Metals Europe GmbH with regard to your personal data.

This information should be written in such a way that even legal laymen can understand it - we hope we have succeeded. Should you find individual points unclear, please contact us - we would be pleased to explain our extensive data protection measures to you personally.

To whom is this data protection information primarily addressed?

This information is primarily intended for our business partners: "business partners" are Customers or suppliers who wish to conclude or have concluded contracts with us for the supply of products or the rendering of services. But they are also companies, Organizations or natural persons with whom we have not concluded contracts for goods or services, but with whom we have concluded information agreements regularly or in individual cases. exchange. For example, these are partner companies from the trade associations to which we are affiliated and with which we build up expertise to optimize our services and products, and improve it.

However, it is also directed at any other person whose data we process:

Our highest principle for the processing of your personal data is: We will only process personal data if we are permitted to do so by law or if the person concerned, for example you, has given us express consent to do so.

Who is responsible for data processing?

Responsible for processing your personal data according to the GDPR is our company, JX Metals Europe GmbH Neue Mainzer Strasse 20 | D-60311 Frankfurt | Tel. +49 (0) 69 21 93 65 30. When we write "we", "us" or "the company" in this data protection information, we always mean our company, JX Metals Europe GmbH.

We have appointed a **data protection officer** because we are legally obliged to do so - but also because we think this function is very important. He will be happy to answer any questions you may have about the processing of your personal data at any time. You can reach him either via our contact details above or simply via his e-mail address:

jxe-dataprotection@jx-nmm.com

What data do we process?

Of course, we can only exchange information or do business with our business partners if we process data from them: Company name and address are therefore at least necessary, but this alone is usually not personal data.

If, however, the data allow conclusions to be drawn about a natural person, they become personal data. This can already be the case, if the company name includes the name of the owner, or with registered merchants or freelancers. Irrespective of the legal form of our business partners, we usually also process data on their contact persons in the company, i.e. their names and contact data such as e-mail addresses or telephone numbers. Please therefore also make this data protection information available to the people within your organization who are involved in the business relationship with us, e.g. our contact persons in your company.

Master data:

The essential data about your company, the contact persons and our business relationship (e.g. a contract) is referred to as master data. These include, for example, the Company name, contract data and contact person names.

In particular, this includes master data:

- all information which we receive when initiating or opening a business relationship or which we have requested from our contractual partner or the contact persons (e.g. first and last name, description of function, address and other contact data, also telephone and mobile phone data, bank details, tax data),
- such data which we ourselves have collected in connection with the initiation or opening of the business relationship (in particular the details which we require in order to provide you with the information you require).
to draw up and transmit information, minutes of consultations or information concerning processes in your company, insofar as they are necessary for our work, as well as information to prepare offers or invoices or to conclude contracts).

History data:

Of course, we also process personal data that is collected during our business relationship and that goes beyond a mere change to the master data. We then call this type of data historical data.

This category includes above all:

- Data on the products and services supplied or rendered by our business partners on the basis of the contracts concluded;
- Data on products and services supplied or rendered by us on the basis of existing or concluded contracts;
- Information provided to us by our business or contact persons themselves or at our request;
- Information on the business activities of our business partners, which we receive from them themselves, the contact persons or third parties or obtained from public sources;

- Personal information that we otherwise obtain from you, our business partners, contacts or third parties or from publicly available sources.

We may also collect personally identifiable information from third parties about the master or transactional data in the legally permissible extent, such as for example information on the commercial use of the information Situation of our business partners. This can be data from credit agencies, for example, in order to assess business risks, such as possible payment defaults.

For which purposes and on which legal basis do we process personal data?

- We process master and progress data for the realization of concluded contracts with our business partners or for the implementation of pre-contractual measures, such as offers or other correspondence on the basis of Article 6 paragraph 1 b) GDPR. Regardless of the legal form of the business partner, we process master and progress data with reference to one or more contact persons in order to safeguard our legitimate interest in the business relationship in accordance with Article 6 paragraph 1 f) GDPR.
- We can also process master and progress data in accordance with Art. 6 Para. 1 lit. c) GDPR due to legal obligations to which we are subject. This category includes, in particular, mandatory declarations to tax and other authorities.
- In addition, our legitimate interest or the legitimate interest of third parties allows us to process master and process data on the basis of Art. 6 Para. 1 lit. f) GDPR. If necessary, we process information on the execution of contracts with business partners and on the fulfilment of legal obligations. Our legitimate interests include
 - the clarification of economic risks in connection with our business relationships, such as payment defaults,
 - the assertion of legal claims and the defense in the event of legal disputes. Disputes;
 - the prevention and investigation of criminal offences;
 - the management and optimization of our business activities, including risk management.
 - Insofar as we give a natural person the opportunity to give his consent to the processing of his personal data, we process the data provided by the Consent always covered data only for the purposes stated in the consent on the basis of Art.6 para.1 lit. a) GDPR.

Your right to revoke your consent

Article 7 of the Basic Data Protection Regulation (GDPR) grants you a comprehensive right to Revocation of your consent. It is particularly important that

- the granting of consent to us is always voluntary;

- if you do not wish to give us your consent or if you wish to revoke a consent you have given us which may have certain consequences about which we will inform you before or when you give your consent,
- a consent given to us can be revoked at any time with effect for the future. You can do this, for example, by sending a message by post, fax or e-mail via one of the contact options listed above under "Who is responsible for data processing?"

Is there an obligation to provide personal data?

We cannot establish a business relationship with you without data. Therefore, it is always necessary to collect or provide the above master and historical data unless we specify otherwise when collecting the data.

If we collect any additional personal data, we will inform you at the time of collection whether the provision of such information is required by law or contract, or for the conclusion of a contract is necessary. As a rule, we identify those data which you can provide voluntarily and the collection of which is not based on an obligation or is not necessary for the conclusion of a contract.

Who receives personal data from us?

Your personal data will be processed within our company. Depending on the specific nature of the personal data, only the departments and
Persons in our company have access to the data to the extent that they need to carry out the purpose of the processing. In order to guarantee this, we use a role and
Authorization Concept. The main departments are Accounting and Sales and Distribution.
The service department and, depending on the type of service agreed, the various service departments. Since we usually process data with the help of our EDP system, our internal IT employees also process personal data to a limited extent.

To the extent permitted by law, we may also disclose personal data to third parties outside of our control.
of our company. These external recipients may include in particular

- Companies affiliated with us, insofar as this is permissible within the framework of the purposes and legal bases set out under "For what purposes and on what legal bases do we process personal data?"
- The service providers engaged by us, who provide services for us on a separate contractual basis, which may also include the processing of personal data on behalf, as well as the subcontractors of our service providers engaged with our consent;
- Non-public and public bodies, insofar as we are obliged to transmit your personal data due to legal obligations.

Do we use automated decision making?

For our business relationships, we do not use automated decision making in the sense of Article 22 GDPR; this includes profiling in particular. If we do use such procedures in individual cases, we will inform the data subjects to the extent required by law.

If data are transferred to countries outside the EU or to international organizations?

The processing of personal data usually takes place within the EU or the European Union. European Economic Area.

Personal data will only be transferred to countries outside the EEA (European Economic Area) or to an international organization if this is necessary to process your enquiry or to fulfil a contract or if you have given us your consent or if the transfer is required by law. In these cases, the recipients include the companies of the JX Metals Group in Japan or the USA affiliated with us.

For Japan, the EU Commission has issued an adequacy decision pursuant to Art. 45 GDPR; we have concluded agreements pursuant to Art. 46 para. 2 lit c) with our sister company in the USA, the contents of which we will be pleased to inform you about upon request.

How long will personal data be stored?

Personal data are stored by us in principle, as long as we are at the storage have a legitimate interest and do not outweigh the interests of the person concerned in not continuing the storage.

We may also store the data without legitimate interest if we are legally obliged to do so, for example to fulfil tax retention obligations. Personal data will be deleted by us as soon as they are no longer necessary for the fulfilment of the purpose of the processing or the storage is otherwise legally inadmissible. Deleting without the person concerned having to ask us to do so.

As a rule, we store master data and history data at least until the business relationship has ended. The data will be deleted at the latest when the purpose of storage has been fulfilled, even if this only occurs after termination of the business relationship. If we have to store personal data in order to fulfil our storage obligations, it will be stored until the end of the respective storage obligation. If we store data only for the purpose of fulfilling the storage obligations, they are usually blocked so that processing is only necessary for the purpose of the storage obligation (e.g. for disclosure to financial authorities).

What rights do data subjects have?

Any person concerned shall have the right to

- for information on the personal data stored about them in accordance with Article 15 DSG-VO;
- the correction of inaccurate or incomplete data pursuant to Art. 16 GDPR;
- deletion of personal data in accordance with Art. 17 GDPR;

- restriction of processing in accordance with Art. 18 GDPR;
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- data transferability, pursuant to Art. 20 GDPR, and
- to object to the processing of your personal data pursuant to Art. 21 GDPR.

In order to exercise your rights, you or the person concerned may contact us at any time, e.g. via one of the contact channels mentioned in the section "Who is responsible for data processing?"

If you or the person concerned have any questions regarding the processing of personal data, you can contact our data protection officer at any time.

A data subject is also entitled, in accordance with Art. 77 GDPR, to lodge a complaint with an the competent supervisory authority for data protection.

You can find the contact details of all German supervisory authorities under this link at the Federal Commissioner for Data Protection and Freedom of Information (BFDI):

<https://bfdi.bund.de>

Thank you for your interest in our data protection information.

Your JX Metals Europe GmbH