

## SOJITZ GENERATION DMCC PRIVACY NOTICE

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This privacy notice describes how Sojitz Generation DMCC ('**Sojitz**', '**we**' or '**us**') collects and processes personal information about an individual in the European Economic Area ('**Personal Information**'), how we use and protect your Personal Information, and your rights in relation to your Personal Information.

This privacy notice applies to all Personal Information we collect or process about you. Personal Information is information, or a combination of pieces of information that could reasonably allow you to be identified.

#### 1. **PERSONAL INFORMATION WE USE**

We will collect Personal Information about you from a variety of sources. We may collect your Personal Information from you directly (e.g. when you contact us) or from other sources such as public registrars, credit research agencies, recruiting agencies, employment screening agencies.

##### 1.1 **Information we collect directly from you**

The categories of information that we collect directly from you are:

- (a) personal details (e.g. name, date of birth)
- (b) contact details (e.g. phone or mobile number, email address, postal address)
- (c) educational details (e.g. educational history, qualifications, certifications, skills)
- (d) citizenship or immigration information
- (e) professional experience
- (f) any other information you may choose to provide us in your dealings with us.

We may be required by law or as a consequence of any contractual relationship we have with you to collect certain Personal Information from you. In such case, your failure to provide the information may prevent or delay the fulfilment of our obligations under the law or the contract.

## 1.2 Information we collect from other sources:

The categories of information that we collect about you from other sources are:

- (a) personal details (e.g. name, date of birth)
- (b) contact details (e.g. phone number, email address, postal address or mobile number)
- (c) background check information
- (d) publicly available professional profiles on websites or social media (e.g. LinkedIn)
- (e) information about your creditability or reputation

## 1.3 Special categories of Personal Information

Some of the categories of information that we collect are special categories of Personal Information (also known as sensitive personal information). In particular, we may process Personal Information that may reveal your racial or ethnic origin, religion or that may relate to your health, such as your medical history and reports on medical diagnoses, injuries and treatment.

We collect such kind of Personal Information only when you give us an explicit consent or as permitted or required by law.

## 2. PURPOSES AND LEGAL BASIS OF OUR USE OF YOUR PERSONAL INFORMATION

2.1 We use your Personal Information to:

- (a) perform and enforce any contractual obligation under a contract with us
- (b) provide and personalise our services
- (c) deal with your enquiries and requests
- (d) comply with legal obligations to which we are subject and cooperate with regulators and law enforcement bodies
- (e) contact you with marketing and offers relating to products and services offered by us and/or other members of Sojitz Group Companies (defined in section 4) (unless you have opted out of marketing, or we are otherwise prevented by law from doing so)
- (f) personalise the marketing messages we send you to make them more relevant and interesting

2.2 We must have a legal basis to process your Personal Information. In most cases the legal basis will be one of the following:

- (a) to fulfil our contractual obligations to you, for example to provide the services, to ensure that invoices are paid correctly, and to ensure you are able to access our premises when required

- (b) to fulfil our contractual obligations to you, for example your contact details and bank account details
- (c) to comply with our legal obligations, for example obtaining proof of your identity to enable us to meet our anti-money laundering obligations
- (d) to comply with our legal obligations to you, for example health and safety obligations while you are on our premises or to a third party (e.g. the taxation authorities)
- (e) to meet our legitimate interests, for example screening your background for anti-corruption purpose or to understand how you use our services or products and to enable us to derive knowledge from that enable us to develop new services or products. When we process Personal Information to meet our legitimate interests, we put in place robust safeguards to ensure that your privacy is protected and to ensure that our legitimate interests are not overridden by your interests or fundamental rights and freedoms
- (f) to protect your or another person's vital interests, for example by providing your health information to a doctor in case of a medical emergency situation.
- (g) when you gave us consent to the processing of your Personal Information for the specific purposes (When the legal basis to process your Personal Information is based on your consent, you may withdraw your consent at any time by contacting us using the details at the end of this privacy notice.)

### **3. YOUR RIGHTS OVER YOUR PERSONAL INFORMATION**

You have certain rights regarding your Personal Information, subject to local law. These include the following rights to:

- access your Personal Information
- rectify your Personal Information
- erase your Personal Information
- restrict our use of your Personal Information
- object to our use of your Personal Information
- receive your Personal Information in a usable electronic format and transmit it to a third party (right to data portability)
- withdraw your consent where our processing is based on your consent
- lodge a complaint with your local data protection authority.

We encourage you to contact us to update or correct your information if it changes or if the Personal Information we hold about you is inaccurate.

We will contact you if we need additional information from you in order to honour your requests.

If you would like to discuss or exercise such rights, please contact us at the details below.

#### 4. INFORMATION SHARING

We may share your Personal Information with third parties under the following circumstances:

- Service providers and business partners. We may share your Personal Information with our service providers and business partners that perform marketing services and other business operations for us. For example, we may partner with other companies to process secure payments, fulfil orders, optimize our services, send newsletters and marketing emails, support email and messaging services and analyse information.
- Our group companies. We work closely with other businesses and companies that fall under Sojitz Corporation (1-1, Uchisaiwaicho 2-chome, Chiyoda-ku, Tokyo 100-8691, Japan) (**'Sojitz Group Companies'**). We may share your Personal Information with Sojitz Group Companies for marketing purposes or anti-corruption compliance purposes.
- Law enforcement agency, court, regulator, government authority or other third party. We may share your Personal Information with these parties where we believe this is necessary to comply with a legal or regulatory obligation, or otherwise to protect our rights or the rights of any third party.
- Asset purchasers. We may share your Personal Information with any third party that purchases, or to which we transfer, all or substantially all of our assets and business. Should such a sale or transfer occur, we will use reasonable efforts to try to ensure that the entity to which we transfer your Personal Information uses it in a manner that is consistent with this privacy notice.

Because we operate business globally, the recipients referred to above may be located outside the jurisdiction in which you are located (or in which we provide the services). See section 6 (International Data Transfer) for more information.

#### 5. INFORMATION SECURITY AND STORAGE

We implement reasonable technical and organisational measures to ensure a level of security appropriate to the risk to the Personal Information we process. These measures are aimed at ensuring the on-going integrity and confidentiality of Personal Information. We evaluate these measures on a regular basis to ensure the security of the processing.

We will keep your Personal Information for as long as we have a relationship with you. Once our relationship with you has come to an end, we will retain your Personal Information for a period of time that that in our opinion will enable us to:

- Maintain business records for analysis and/or audit purposes
- Comply with record retention requirements under the law or under applicable record retention policies
- Defend or bring any existing or potential legal claims
- Deal with any complaints regarding the services, to the extent it is reasonably possible for us

We will delete your Personal Information when it is no longer required for these purposes. If there is any information that we are unable, for technical reasons, to delete entirely from our systems, we will put in place appropriate measures to prevent any further processing or use of the data.

## 6. **INTERNATIONAL DATA TRANSFER**

Your Personal Information may be transferred to, stored, and processed in a country that is not regarded as ensuring an adequate level of protection for personal information by the European Commission.

We have and shall put in place appropriate safeguards (such as contractual commitments) in accordance with applicable legal requirements to ensure that your personal information is adequately protected. For more information on the appropriate safeguards in place, please contact us at the details below.

## 7. **CONTACT US**

Ryuji Kikuchi (Unit 2403, 24th Floor, JBC-2, Cluster-V, Jumeirah Lakes Towers, Dubai, UAE) is the controller responsible for your Personal Information we collect and process.

If you have questions or concerns regarding the way in which your personal information has been used, please contact: [kikuchi.ryuji@sojitz.com](mailto:kikuchi.ryuji@sojitz.com) .

We are committed to working with you to obtain a fair resolution of any complaint or concern about privacy. If, however, you believe that we have not been able to assist with your complaint or concern, you have the right to make a complaint to the data protection authority in your country.

## 8. **CHANGES TO THIS PRIVACY NOTICE**

We may modify or update this privacy notice from time to time.

If we change this privacy notice, we will notify you of the changes. Where changes to this privacy notice will have a fundamental impact on the nature of the processing or otherwise have a substantial impact on you, we will give you sufficient advance notice so that you have the opportunity to exercise your rights.

19 March, 2019