

Nippon Gases UK Limited

Privacy Statement for Business Contacts

February 2019

Key points:

- **Our use of your personal data:** We use your personal information to conduct and manage our business relationship with you.
- **Sharing your data:** We may share your data with third parties, including third-party service providers and other entities in the group.
- **Security:** We respect the security of your data and treat it in accordance with the law.
- **International transfer:** We may transfer your personal information outside the EU and, if we do, you can expect a similar degree of protection in respect of your personal information.

1 WHAT IS THE PURPOSE OF THIS PRIVACY STATEMENT?

- 1.1 Under data protection legislation Nippon Gases UK Limited (**Nippon**) are required to explain to our business contacts why we collect information about you, how we intend to use that information and whether we will share your information with anyone else.
- 1.2 This statement applies to all former and current business contacts. We may update this statement at any time.
- 1.3 It is important that you read this statement so that you know how and why we use information about you. It is also important that you inform us of any changes to your personal information so that the information which we hold is accurate and current.

2 WHO ARE WE?

- 2.1 Nippon Gases UK Limited (**Nippon**), a company registered in England and Wales under company number 09938383 and with our registered office at Gresley Way, Immingham Docks, Immingham, North East Lincolnshire, DN40 2NT, a wholly owned subsidiary of Nippon Deutschland Holding GmbH.
- 2.2 Nippon is a "data controller" in respect of the information we hold about you. This means that we are responsible for deciding how we use that personal information about you.

3 OUR DATA PROTECTION CHAMPION

- 3.1 We have appointed a data protection champion (DPC) who is responsible for overseeing what we do with your information and monitoring our compliance with data protection laws. This person is not a Data Protection Officer as defined by the GDPR.
- 3.2 If you have any concerns or questions about our use of your personal data, you can contact our DPC by writing to June Wass, HR Manager, Nippon Gases UK Limited, Gresley Way, Immingham Docks, Immingham, North East Lincolnshire, DN40 2NT or by e-mail to june.wass@nippongases.com.

4 TYPES OF PERSONAL INFORMATION WE USE

- 4.1 We are collecting information about you which is relevant to our business relationship with you. This includes:
- 4.1.1 **personal and contact details** (such as your name, work address, work telephone number and work email address);
- 4.1.2 **organisation-related information** (such as your place of work and your job title);

5 SOURCE OF YOUR PERSONAL INFORMATION

- 5.1 The above information which we collect about you will be obtained through a variety of sources which include:
- 5.1.1 from you directly as part of our business relationship;
- 5.1.2 from other members of your organisation; and
- 5.1.3 from publicly available resources.

6 HOW AND WHY WE USE YOUR PERSONAL DATA

- 6.1 We use the types of personal data listed above for a number of purposes, each of which has a "lawful basis". In accordance with the data protection laws, we need a "lawful basis" for collecting and using information about you. There are a variety of different lawful bases for using personal data which are set out in the data protection laws.
- 6.2 We have set out below the different purposes for which we collect and use your personal data, along with the lawful bases we rely on to do so.

Why we use your information	Our lawful basis for using your information
<p>Communicating with you: to communicate with you about products, services and projects, including responding to any inquiries or requests.</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Legitimate interests: It is necessary pursuant to our legitimate commercial interests (and your interests and fundamental rights do not override those).</p>
<p>Planning and administering our relationship with you: such as entering into and performing a contract, performing transactions and orders of products or services, billing and processing payments, auditing and arranging shipments and deliveries.</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p>
<p>Compliance with legal obligations: such as record keeping obligations and money laundering checks.</p>	<p>Legal obligations: It is necessary to meet legal / regulatory obligations.</p>
<p>Resolving disputes: such as enforcing contractual arrangements, entering into dispute resolution processes and establishing, exercising or defending legal claims.</p>	<p>Contract: It is necessary in order for us to perform our contract with you.</p> <p>Legitimate interests: It is necessary pursuant to our legitimate commercial interests (and your interests and fundamental rights do not override those).</p>
<p>Marketing and surveys: such as customer surveys, marketing campaigns and market analysis.</p>	<p>Legitimate interests: It is necessary pursuant to our legitimate commercial interests (and your interests and fundamental rights do not override those).</p>

7 WHAT MAY HAPPEN IF YOU DO NOT PROVIDE YOUR PERSONAL INFORMATION?

- 7.1 If you refuse to provide certain information when requested, we may not be able to do business with you, enter into a contractual relationship with you or we may be prevented from complying with our legal obligations (such as the requirement to conduct money laundering checks).

8 COMPLYING WITH DATA PROTECTION LAW

- 8.1 We will comply with data protection law. At the heart of data protection laws are the "data protection principles" which say that the personal information we hold about you must be:
- 8.1.1 used lawfully, fairly and in a transparent way;
 - 8.1.2 collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
 - 8.1.3 relevant to the purposes we have told you about and limited only to those purposes;
 - 8.1.4 accurate and kept up to date;
 - 8.1.5 kept only as long as necessary for the purposes we have told you about; and
 - 8.1.6 kept securely.

9 SHARING YOUR INFORMATION

- 9.1 We may share your personal information with third parties where we have a lawful basis for doing so.
- 9.2 Some "third parties" are service providers (including contractors and designated agents) carrying out activities on our behalf. Other third parties will be data controllers in their own right. This means that they are not required to act on our instructions and they are solely responsible for ensuring that they comply with the law when using your personal data. We are not responsible for their use of your data if we are acting lawfully whenever we share your data with them.
- 9.3 The types of third parties with whom we share your personal data are as follows:
- 9.3.1 Other entities in our group;
 - 9.3.2 our professional advisors (such as our lawyers);

10 TRANSFERRING INFORMATION OUTSIDE THE EU

- 10.1 We may transfer the information which you provide to us to Japan. We may transfer that information to Japan because our parent company, Taiyo Nippon Sanso Corporation (**TNSC**), is based in Japan.
- 10.2 We shall only share your personal data with **TNSC** where it is necessary to do so in order to conduct business with you.

11 SECURITY OF YOUR INFORMATION

- 11.1 We have put in place measures to protect the security of your information.
- 11.2 We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know.

12 CAN WE USE YOUR INFORMATION FOR ANY OTHER PURPOSE?

- 12.1 We typically will only use your personal information for the purposes for which we collect it. It is possible that we will use your information for other purposes as long as those other purposes are compatible with those set out in this policy. If we intend to do so, we will provide you with information relating to that other purpose before using it for the new purpose.
- 12.2 We may use your personal information without your knowledge or consent where such use is required or permitted by law.

13 STORING YOUR INFORMATION AND DELETING IT

- 13.1 We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available on request from the DPC (contact details above) in writing.
- 13.2 To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- 13.3 In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

14 YOUR RIGHTS

- 14.1 Under certain circumstances, by law you have the right to:
 - 14.1.1 **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

- 14.1.2 **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- 14.1.3 **Request erasure** of your personal information in certain circumstances. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- 14.1.4 **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) or public interest as our lawful basis for processing and there is something about your particular situation which leads you to object to processing on this ground. You also have the right to object if we are processing your personal information for direct marketing purposes.
- 14.1.5 **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- 14.1.6 **Request the transfer** of your personal information to another party in certain circumstances.

14.2 If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact DPC (contact details above) in writing.

15 **RIGHT TO WITHDRAW CONSENT**

15.1 In the event we are to rely on your consent as our lawful basis to process your data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact DPC (contact details above) in writing. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

16 **RIGHT TO COMPLAIN TO THE ICO**

16.1 You also have the right to complain to the Information Commissioner's Office (the "ICO") if you are not satisfied with the way we use your information. You can contact the ICO by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

17 CHANGES TO THIS PRIVACY STATEMENT

- 17.1 We reserve the right to update this privacy statement at any time, and we will provide you with a new privacy statement when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.