

Privacy Policy for Customers

Information pursuant to Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)

The purpose of this Privacy Policy is to inform customers of Heraeus about how Heraeus uses their data and what rights they have under the GDPR regarding these data.

The type of customer data processed and used by Heraeus largely depends on the business relationship between Heraeus and each individual customer.

1. Who is responsible for the processing of data and who is the point of contact at Heraeus for customers?

The legal entity responsible for the processing of data is the Heraeus company that maintains, or seeks to establish, a business relationship with the customer (hereinafter referred to as "Heraeus"). The exact name and address of the relevant Heraeus company will be stated in each offer or order confirmation. Any inquiries or requests for information under data protection law must be addressed directly to the Heraeus company responsible for the processing of data. If the responsible Heraeus company has its registered office in Germany, any inquiries or requests for information under data protection law may also be directed to the Heraeus Data Protection Officer.

The Heraeus Data Protection Officer may be contacted at datenschutzbeauftragter@heraeus.com or

Data Protection Officer
Heraeus Business Solutions GmbH
Heraeusstraße 12-14
63450 Hanau, Germany

2. What sources are used and what data are processed by Heraeus?

Heraeus primarily processes data that are directly provided by customers or their employees within the scope of a business relationship. Heraeus also processes data that originate from public sources (e.g., commercial registers, press releases, websites, social media etc.) or that may be legitimately obtained from third parties, e.g., credit reporting agencies.

Relevant personal data are personal details of Heraeus customers (name, address and other contact data) and personal data of the customers' employees (name, title, position and function at the customer's company, business address and other business contact data) and all data relevant for the business relationship, whether or not these

data can be attributed to a specific person, if these data are necessary for the initiation, the conclusion, the execution or the termination of contracts. Heraeus processes the private addresses and other private contact details as well as the date of birth, place of birth, nationality and religious affiliation of customers or their employees only if such processing is required by mandatory law.

Furthermore, Heraeus processes data regarding the creditworthiness of customers as well as advertising and sales data (documentation data, data from public registers, data regarding the use of telemedia offered by Heraeus, e.g., time of access to websites, apps or newsletters, Heraeus websites viewed) and other similar data of customers and their employees.

3. Where does Heraeus store customer data?

Heraeus stores customer data in the IT systems of Heraeus and of any third-party data processors commissioned by Heraeus, to the extent that these data are necessary for the initiation, conclusion, execution or termination of contracts with customers. Heraeus also stores data in a Customer Relationship Management System (CRM system) to the extent that this is necessary for the initiation of new business, for after sales service or for client servicing activities involving newsletters or trade fair invitations.

4. For which purpose does Heraeus process data and on which legal basis?

Heraeus processes personal data in accordance with the provisions of the General Data Protection Regulation (GDPR) and other applicable laws requiring and/or authorizing Heraeus to process data:

4.1 For the performance of contractual obligations pursuant to Art. 6 (1) b) GDPR

Personal data are primarily processed for the initiation, the conclusion, the execution and the termination of contracts with customers.

The purpose for which the data are processed in each case depends on the specific transaction (e.g., provision of products, services, research and development services etc.) and may include, inter alia, credit assessments and creditworthiness checks. Further details regarding the purpose of the data processing will be stipulated in the written or oral contract or other documents pertaining to the individual transactions.

4.2 For the safeguarding of legitimate interests pursuant to Art. 6 (1) f) GDPR

Furthermore, Heraeus processes data beyond the actual performance of any contract to safeguard legitimate interests pursuant to Art. 6 (1) f) GDPR, in particular in the following cases:

- a) Processing of names, positions, functions and contact addresses of customers' employees disclosed by customers or their employees that are required for the initiation, conclusion, execution and termination of business transactions with these customers, including after sales service and other client servicing activities, such as the mailing of newsletters or trade fair invitations;
- b) consultation of, and exchange of data with, information offices to determine credit and default risks;
- c) assessment and optimization of procedures for demand analysis and direct customer approach, especially by performing direct marketing activities;
- d) advertising, or market and opinion research, to the extent that the relevant customers have not objected to the use of their data;
- e) assertion of legal claims and defense in legal disputes;
- f) prevention and investigation of criminal offenses including investigations under anti-money laundering and counter-terrorism legislation;
- g) video surveillance of entrance areas and traffic routes on the Heraeus business premises, as well as building and plant security measures (e.g., access controls), protection of domestic authority, and all measures relating to IT security at Heraeus;
- h) transmission of customer data to other Heraeus companies that manufacture and sell products which may be of interest to the customer based on an existing business relationship, provided that the respective customer has not objected to the use of such data for the relevant purpose;
- i) transmission of customer data to Heraeus Business Solutions GmbH or other Heraeus companies to the extent that such transmission serves the purpose of complying with legal or statutory obligations (e.g., transmission of data to the legal department, the tax department, the corporate controlling department, the corporate communication department etc.);

- j) transmission of customer data to third parties who assist Heraeus in the performance of its legal obligations (such as tax consultants, auditors, external lawyers etc.);
- k) measures for business management and the further development of products and services.

4.3 Based on consent given pursuant to Art. 6 (1) a) GDPR

Heraeus also processes personal data for purposes to which customers have expressly consented.

Any consent already given may be withdrawn at any time. This right of withdrawal also applies to any consent given prior to the effective date of the GDPR. Such withdrawal of consent is only of effect for the future and does not affect the processing operations that were performed prior to such withdrawal.

4.4 For compliance with legal obligations (pursuant to Art. 6 (1) c) GDPR) or for the performance of a task carried out in the public interest (Art. 6 (1) e) GDPR)

As a business enterprise, Heraeus is subject to various statutory obligations, e.g., obligations under anti-money laundering, counter-terrorism or minimum wage legislation, etc. Heraeus processes data to ensure compliance with these laws (e.g., in connection with identity verification measures, the prevention of fraud and money laundering, the fulfilment of tax control and reporting obligations and the assessment and management of legal risks).

5. To whom are the data of customers and their employees disclosed?

Within the Heraeus Group, the disclosure of customer data is limited to those employees who have a need to know such data in order to comply with contractual and legal obligations. Customer data will also be disclosed to other Heraeus companies if they are involved in the conclusion and/or the execution of business transactions with customers or if their assistance is required in fulfilling any legal and statutory obligations towards customers or third parties. The foregoing provision also applies to third-party processors within the meaning of Art. 28 GDPR. These processors are, in particular, companies active in the fields of IT, logistics, telecommunications, payment transactions and sales, marketing and communication. Heraeus also transmits data to other Heraeus companies that provide products or services to customers or offer products or services which may be of interest to customers based on an existing business relationship with Heraeus, provided that the respective customer has not objected to the transmission of such data. Data are also transmitted to other Heraeus companies if such transmission is deemed expedient for the proper delivery by

Heraeus, for instance because these other Heraeus companies are involved in the manufacture or the sale of the products or services to be provided to the customers.

In addition, Heraeus is under the legal obligation to transfer customer data to public authorities or third parties who assist Heraeus in the performance of its legal or statutory obligations (such as legal and tax consultants and auditors).

However, Heraeus will not disclose customer data to third parties for address trading purposes.

6. How long will customer data be stored?

For the determination of the storage period for personal customer data, Heraeus follows the applicable statutory retention and documentation requirements. As a rule, the statutory retention and documentation periods range from two to ten years, and generally commence at the end of the calendar year in which Heraeus received the data.

In particular, the following retention periods apply:

- a) six years for commercial correspondence, commencing at the end of the calendar year in which the relevant item of correspondence was received or sent, unless such item of correspondence qualifies as supporting document or record, in which case a ten-year retention period applies;
- b) ten years for master and contact data that are repeatedly needed in an ongoing business relationship with customers for the conclusion, performance and termination of contracts; such retention period commencing at the end of the calendar year in which the business relationship with the customer is discontinued;
- c) two years for data that qualify neither as commercial correspondence nor as supporting documents, unless shorter or longer retention periods apply in individual cases;
- d) a significantly shorter retention period applies to video recordings. This period is specified on the video surveillance signs on the Heraeus premises.
- e) a statutory retention period of generally three years (but up to thirty years in individual cases) for data required by Heraeus to take any legal action. The retention period for ongoing legal disputes is six months from the date on which such dispute was finally adjudicated.

7. Are data transferred to third countries?

Data will be transferred to third countries (countries outside the European Economic Area – EEA) if such transfer is necessary for the initiation, the conclusion, the execution or termination of business transactions with a customer, if such transfer is required by

law or if a customer has given his/her consent to such transfer. For the avoidance of doubt: Heraeus companies outside the EEA have access to data stored by Heraeus companies located within the EEA to the extent that such access is necessary to ensure the proper delivery or provision of products or services by Heraeus or if these Heraeus companies manufacture or offer products which may be of interest to Heraeus customers based on the existing business relationship with Heraeus, provided that the respective customer has not objected to the transfer of such data. Such data transfer is executed in accordance with the technical and organizational data protection measures that apply to the data transfer between Heraeus companies located within the EEA.

8. What data protection rights do customers have?

Customers have a right to information and access pursuant Art. 15 GDPR, a right to rectification pursuant to Art. 16 GDPR, a right to erasure pursuant to Art. 17 GDPR, a right to restriction of processing pursuant to Art. 18 GDPR and a right to data portability pursuant to Art. 20 GDPR. Regarding the right to information and access and the right to erasure, the restrictions of Secs. 34 and 35 of the German Federal Data Protection Act [BDSG], or similar regulations of other countries, apply. In addition, customers have the right to lodge a complaint with a supervisory authority.

9. Are customers obliged to make available personal data to Heraeus?

Within the scope of a business relationship, customers only have to provide those personal data to Heraeus which are necessary for the initiation, execution and termination of the business relationship or data which Heraeus is legally required to collect. Without these data, Heraeus will not be able to perform any contract. Furthermore, regarding certain transactions (e.g., precious metal transactions), Heraeus may be required under anti-money laundering or counter-terrorism regulations to ascertain the identity of customers and, where applicable, their employees before establishing a business relationship, and to obtain from its customers certain data required by law.

10. Does Heraeus use automated decision-making processes?

As a matter of principle, Heraeus does not use fully automated decision-making processes within the meaning of Art. 22 GDPR for the initiation and execution of business transactions with customers. If Heraeus should use such automated decision-making processes in individual cases in the future, Heraeus will inform the relevant customers separately if so required by law. The same applies to profiling (scoring).

11. Information on your right of objection pursuant to Art. 21 GDPR

Customers are entitled to object to the processing of their personal data at any time for reasons arising from their particular situation if the processing of their data is carried out pursuant to Art. 6 (1) e) or Art. 6 f) GDPR (data processing for the safeguarding of interests). This right of objection also applies to employees of customers if these employees made available their personal data to Heraeus directly or through the customer and if these data are processed by Heraeus in the public interest or for the safeguarding of interests. It is the customers' responsibility to instruct their employees about this right of objection.

Based on a customer's objection, Heraeus will stop processing such customer's personal data unless Heraeus can prove that the processing of the data is necessary for compelling legitimate reasons which outweigh the customer's interests, rights and freedoms, or if the processing of the customer's data serves the assertion, exercise or defense of legal claims.

Heraeus processes personal data of customers for direct marketing purposes. Customers have the right to object to the processing of their personal data for direct marketing purposes at any time.

Based on such objection, Heraeus will stop processing the customer's personal data for the purposes of direct marketing.

The objection may be informal and should be addressed to:

Widerspruch@heraeus.com

Customers are asked to state as precisely as possible to which specific data processing operation they wish to object.

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