

# Privacy Policy

Niagara Refining LLC (hereinafter, the “Company”) declares that, concerning the personal data processed in its operations, we observe the laws, regulations, and other rules regarding the protection of personal data. We also establish rules and systems of our own, and provide, implement, and maintain our privacy policy as mentioned below.

## 1. Principles of processing personal data

The Company shall process personal data in accordance with the following principles.

The Company shall:

- Process personal data lawfully, fairly and in a transparent manner in relation to a data subject.
- Process personal data only to the extent necessary for achieving the purposes specified in advance.
- Store personal data for the period necessary for achieving the purposes.
- Maintain personal data accurately and kept up to date to the extent necessary for the purposes.
- Process personal data by implementing appropriate technical and organisational measures.

## 2. The purposes of personal data processing

The purposes of processing the personal data processed by the Company are as follows:

- *For personal data of customers or business partners*
  - (1) *Promotion of our products and services including provision of related information (such as catalogue delivery)*
  - (2) *Sales/supply of our products and services, and customer support*
  - (3) *Product development*
  - (4) *Fulfilment of contracts*
  - (5) *Business negotiations, meetings, and other forms of communication*
  - (6) *Provision of information on seminars, exhibitions, and other events*
  - (7) *Response to inquiries and requests*
  - (8) *Surveys and analyses*
  - (9) *Providing personal data to Sumitomo Electric Industries, Ltd., BTI Holdings Inc. and their subsidiaries and affiliates (hereinafter, collectively, the “SEI Group and BTI Group”) for achieving one or more of the purposes (1) through (8) above.*
- *For personal data of employment applicants*
  - (1) *Provision of employment information to applicants and communication with them about selection procedures, etc.*
  - (2) *Providing personal data to the SEI Group and BTI Group for achieving the purpose (1) above*
- *For personal data of employees of the Company and the SEI Group and BTI Group (including but not limited to employees directly employed by the Company, officers, corporate advisors, staff seconded from staffing agencies, employees of other companies working at the premises of the Company or the SEI Group and*

*BTI Group)*

- (1) Engaging in work management, employee welfare, and health and safety*
- (2) Providing education and training*
- (3) Communication and notifications*
- (4) Providing personal data to the SEI Group and BTI Group or subcontractors engaged by the Company for achieving one or more of the purposes (1) through (3) above*

3. Legal basis of processing personal data

The Company shall process personal data based on one of the following legal bases:

- The Company has obtained the consent of the data subject or has communicated required matters to the data subject in accordance with applicable laws and regulations.
- The processing is necessary to perform the obligations under the contract with the data subject.
- The processing is necessary for the Company to fulfil its legal obligations.
- The processing is necessary to secure legitimate interests pursued by the Company.

4. Providing personal data to a third party

- If the Company provides personal data concerning a data subject to a third party, it shall communicate the information of the recipient to the data subject as part of the processing of personal data based on the applicable legal basis.
- If the Company transfers personal data from the territory of European Economic Area (EEA) to outside the EEA, it shall implement safeguards required under applicable laws and regulations.

5. Taking actions on the rights of data subjects

The Company shall take appropriate actions on the data subject's requests on the processing of personal data concerning him or her in accordance with applicable laws and regulations.

For personal data of EEA residents, the Company shall respond to requests of the data subject specified below:

- Access to the personal data
- Rectification or erasure of the personal data
- Restriction on the processing of the personal data
- Lodging a complaint against the processing of the personal data
- Data portability of the personal data
- Withdrawal of consent on the processing of the personal data
- Contest against the processing of the personal data

6. Safeguards for the protection of personal data

- The Company shall implement appropriate, necessary measures including measures against, including but not limited to, illegal access, computer viruses to prevent incidents such as loss, destruction, manipulation or leakage of personal data. The Company shall also provide appropriate, necessary supervision over its employees, and subcontractors to ensure the protection of personal data.

7. Continuing initiatives to maintain and improve the system

- Aiming to implement this policy, the Company shall establish necessary internal rules, provide education and training, and thoroughly communicate details of this declaration with its employees for strict adherence to ensure and maintain implementation of the policy.

8. Inquiry contacts

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Established as of May 23, 2018

Niagara Refining LLC

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