

Privacy and Personal Data Protection Policy

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1 Introduction

In its everyday business operations NGK Ceramics Europe SA makes use of a variety of data about identifiable individuals, including data about:

- Current, past and prospective employees
- Customers
- Users of its websites
- Subcontractors
- Other stakeholders

In collecting and using this data, the organization is subject to a variety of legislation controlling how such activities may be carried out and the safeguards that must be put in place to protect it.

The purpose of this policy is to set out the relevant legislation and to describe the steps NGK Ceramics Europe SA is taking to ensure that it complies with it.

This control applies to all systems, people and processes that constitute the organization's information systems, including board members, directors, employees, suppliers and other third parties who have access to NGK Ceramics Europe SA systems.

2 Privacy and Personal Data Protection Policy

2.1 The General Data Protection Regulation

The General Data Protection Regulation 2016 (GDPR) is one of the most significant pieces of legislation affecting the way that NGK Ceramics Europe SA carries out its information processing activities. Significant fines are applicable if a breach is deemed to have occurred under the GDPR, which is designed to protect the personal data of inhabitants of the European Union. It is NGK Ceramics Europe SA's policy to ensure that our compliance with the GDPR and other relevant legislation is clear and demonstrable at all times.

2.2 Definitions

Definitions with respect to this policy are as follows:

'Personal data' is defined as:

any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

'Special categories of personal data' mean:

personal data (also known as 'sensitive data') pertaining to or revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership; data concerning health or sex life and sexual orientation; genetic data or biometric data;

'Processing' means:

any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

'Controller' means:

the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

‘Data protection authority’ means:

an independent Public Authority responsible for monitoring the application of the relevant Data Protection regulation set forth in national law;

‘Employee’ means:

an individual who works part-time or full-time for NGK Ceramics Europe SA under a contract, whether oral or written, express or implied, and has recognised rights and duties. Includes temporary employees and independent contractors;

‘Third party’ means:

an external organisation with which NGK Ceramics Europe SA conducts business and is also authorised to, under the direct authority of NGK Ceramics Europe SA, process the personal data of NGK Ceramics Europe SA employees.

2.3 Principles Relating to Processing of Personal Data

1. *Personal data shall be:*

*(a) processed lawfully, fairly and in a transparent manner in relation to the data subject (**‘lawfulness, fairness and transparency’**);*

*(b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes (**‘purpose limitation’**);*

*(c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (**‘data minimisation’**);*

*(d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (**‘accuracy’**);*

(e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and

organisational measures in order to safeguard the rights and freedoms of the data subject (**'storage limitation'**);

(f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (**'integrity and confidentiality'**).

2. The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 (**'accountability'**).

NGK Ceramics Europe SA must ensure that it complies with all of these principles both in the processing it currently carries out and as part of the introduction of new methods of processing such as new IT systems.

2.4 Rights of the Individual

The data subject also has rights under the GDPR. These consist of:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object

Each of these rights must be supported by our **Data Subject Request Procedure** that allow the required action to be taken within the timescales.

These timescales are shown in Table 1.

Data Subject Request	Timescale
The right to be informed	When data is collected (if supplied by data subject) or within one month (if not supplied by data subject)
The right of access	One month
The right to rectification	One month
The right to erasure	Without undue delay
The right to restrict processing	Without undue delay
The right to data portability	One month
The right to object	On receipt of objection

Table 1 - Timescales for data subject requests

2.5 Consent

Unless it is necessary for the following reasons allowable in the GDPR, explicit consent must be obtained from a data subject to collect and process their data:

- Processing is necessary for the performance of a contract.
- Processing is necessary for compliance with a legal obligation.
- Processing is necessary in order to protect the vital interests of the data subject or of another natural person.
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller.
- Processing is necessary for the purposes of the legitimate interests pursued by the data controller or by a third party.

In general, processing of special categories of personal data is prohibited but it is allowed where a data subject expressly consents to such processing or where one of the following conditions apply:

- The processing relates to personal data which has already been made public by the data subject.
- The processing is necessary for the establishment, exercise or defence of legal claims.
- The processing is specifically authorised or required by law.
- The processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent.
- Further conditions, including limitations, based upon national law related to the processing of genetic data, biometric data or data concerning health.

In case of children below the age of 16 parental consent must be obtained.

Transparent information about our usage of their personal data must be provided to data subjects at the time that consent is obtained and their rights with regard to their data explained, such as the right to withdraw consent. This information must be provided in an accessible form, written in clear language and free of charge.

If the personal data is not obtained directly from the data subject then this information must be provided within a reasonable period after the data are obtained and definitely within one month.

2.6 Privacy by Design

NGK Ceramics Europe SA has adopted the principle of privacy by design and will ensure that the definition and planning of all new or significantly changed systems that collect or process personal data will be subject to due consideration of privacy issues, including the completion of one or more data protection impact assessments.

The data protection impact assessment will include:

- Consideration of how personal data will be processed and for what purposes
- Assessment of whether the proposed processing of personal data is both necessary and proportionate to the purpose(s)
- Assessment of the risks to individuals in processing the personal data
- What controls are necessary to address the identified risks and demonstrate compliance with legislation

Use of techniques such as data minimization and pseudonymisation should be considered where applicable and appropriate.

2.7 Transfer of Personal Data

Transfers of personal data outside the European Union must be carefully reviewed prior to the transfer taking place to ensure that they fall within the limits imposed by the GDPR. This depends partly on the European Commission's judgement as to the adequacy of the safeguards for personal data applicable in the receiving country and this may change over time.

NGK Ceramics Europe SA will only transfer Personal Data to, or allow access by, Third Parties when it is assured that the information will be processed legitimately and protected appropriately by the recipient. When NGK Ceramics Europe SA is outsourcing services to a Third Party (including Cloud Computing services), it will identify whether the Third Party will process Personal Data on its behalf and whether the outsourcing will entail any Third Country transfers of Personal Data, especially in respect of technical and organisational measures they have in place. In such a case, it will make sure to include adequate provisions in the outsourcing agreement for such Processing and Third Country transfers.

The transfer to a third country will be managed in accordance with our ***Procedure for International Transfers of Personal Data***.

2.8 Data Protection Officer

To demonstrate our commitment to data protection, and to enhance the effectiveness of our compliance efforts, NGK Group has appointed a Data Protection Officer (DPO) who reports to the NGK Board of Directors. The duties of the DPO include:

- Informing and advising NGK Ceramics Europe SA and its employees who carry out processing pursuant to data protection regulations and national law;
- Ensuring the alignment of this policy with data protection regulations and national law;
- Providing guidance with regards to carrying out Data Protection Impact Assessments (DPIAs);
- Acting as a point of contact for and cooperating with Data Protection Authorities (DPAs);

- Determining the need for notifications to one or more DPAs as a result of NGK Ceramics Europe SA's current or intended personal data processing activities;
- Making and keeping current notifications to one or more DPAs as a result of NGK Ceramics Europe SA's current or intended personal data processing activities;
- The establishment and operation of a system providing prompt and appropriate responses to data subject requests;
- Informing senior managers, officers, and directors of NGK of any potential corporate, civil and criminal penalties which may be levied against NGK Ceramics Europe SA and/or its employees for violation of applicable data protection laws.
- Ensuring establishment of procedures and standard contractual provisions for obtaining compliance with this policy by any third party.

2.9 Breach Notification

It is NGK Ceramics Europe SA's policy to be fair and proportionate when considering the actions to be taken to inform affected parties regarding breaches of personal data. In line with the GDPR, where a breach is known to have occurred which is likely to result in a risk to the rights and freedoms of individuals, the relevant Data Protection Authority (DPA) will be informed within 72 hours. This will be managed in accordance with our ***Information Security Incident Response Procedure*** which sets out the overall process of handling information security incidents.

2.10 Addressing Compliance to the GDPR

The following actions are undertaken to ensure that NGK Ceramics Europe SA complies at all times with the accountability principle of the GDPR:

- The legal basis for processing personal data is clear and unambiguous
- A Data Protection Officer is appointed with specific responsibility for data protection in the organization
- All staff involved in handling personal data understand their responsibilities for following good data protection practice
- Training in data protection has been provided to all staff
- Rules regarding consent are followed
- Routes are available to data subjects wishing to exercise their rights regarding personal data and such enquiries are handled effectively
- Regular reviews of procedures involving personal data are carried out
- Privacy by design is adopted for all new or changed systems and processes
- The following documentation of processing activities is recorded:
 - Organization name and contact details of the Controller
 - Consent from a data subject
 - Purposes of the personal data processing
 - Categories of individuals and personal data processed
 - Categories of personal data recipients

- Agreements and mechanisms for transfers of personal data to non-EU countries including details of controls in place
- Personal data retention schedules
- Relevant technical and organisational controls in place