

PRIVACY POLICY

1. Introduction

Pursuant to the General Data Protection Regulation (“GDPR”) which will be compulsory from May 25, 2018, we provide you below with information on the processing of your personal data by SMC España S.A.

SMC España S.A. is fully committed to your privacy and to the protection of your personal data.

2. General information

This policy is applicable to any individual whose personal data is processed by SMC España S.A..

3. Identification of the controller

SMC España S.A., with registered office in Vitoria (Álava), at calle Zuazobidea, 14, and email marketing@smc.smces.es, is the controller of your data.

4. Categories of personal data

SMC España S.A. will process the following categories of personal data that are considered necessary to comply with the purposes set out in point 5 below:

- a. first and last names
- b. title / position
- c. commercial contact information
- d. name of the company that you represent, where applicable
- e. communication channel
- f. website registration and details of use

- g. services provided or products offered
- h. history of commercial relations

5. Purpose of the processing and legal basis

Your personal data may be processed by SMC España S.A. for the following purposes:

- a. To execute, manage, and implement the pre-contractual and/or contractual relationship. The legal basis for this processing is the execution of the preliminary contract and/or contract.
- b. To engage in commercial activities, for which purpose we may send you commercial communications, including electronically, on offers, events and/or products sold by SMC España S.A. The legal basis for this processing is the consent given, in this case, by you.
- c. To perform activities to safeguard security and prevent fraud. The legal basis for this processing is to comply with legal obligations.
- d. To store your data for a period of 12 months in the event that the contractual relationship is not finally implemented. The legal basis for this processing is a legitimate interest in managing and addressing your future queries or requests. However, you may exercise your right to object to the processing of your data in the event that the contractual relationship is finally not implemented.

SMC España S.A. requires your personal data in order to perform and execute the pre-contractual and/or contractual relationship. Therefore, if you do not provide this information, such relationship will not be possible.

6. Categories of recipients

Your personal data may be disclosed to the categories of recipients set out below:

- a. Other SMC group companies, in order to centralize the management of the relationship and for reporting purposes.
- b. Public bodies (i.e., public authorities, courts), to comply with applicable legislation.

The following may also have access to your personal data as data processors:

- a. Providers of professional services (i.e., external advisors, auditors);
- b. Providers of IT services; and
- c. Network of product distributors.

SMC España S.A. requires data processors that access your data to ensure and undertake

- a. To process such data only for the purposes of the contractual relationship due to which they have access and pursuant to the instructions received from SMC España, S.A.
- b. To apply the security measures necessary to maintain an adequate level of protection of your personal data and process such data confidentially.

7. International data transfers

Your personal data may be transferred and processed by the recipients indicated in the preceding paragraph and may be located both within and outside the European Union ("EU").

For recipients located outside the EU, SMC España S.A. has taken the necessary measures to comply with applicable data protection legislation in order to guarantee that international transfers of data outside the EU, comply with an adequate level of protection, by implementing an agreement based on the standard clauses of the European Commission, Privacy Shield Certification (US),

approved codes of conduct, or approved certification mechanisms (article 42 GDPR).

You can obtain a copy of these guarantees by writing to:

SMC España S.A., Marketing Department
c/ Zuazobidea 14
01015 Vitoria (Spain)
Tel. 945 18 41 00
E-Mail: marketing@smc.smces.es

8. Storage period

In accordance with data protection legislation, your personal data may be stored by SMC España S.A. for the period that is strictly necessary in order to comply with the above purposes.

In principle, SMC España S.A. must eliminate or erase your personal data where they are not necessary for the purposes indicated, although it may store them for the statute of limitations period of applicable criminal, civil, tax or commercial regulations.

9. Technical and organizational measures

SMC España S.A. has adequate technical and organizational security measures in place to ensure an adequate level of protection of your personal data and minimize the risk of any circumstance arising that may infringe your rights and freedoms (i.e., unauthorized disclosure or access, loss, destruction, alteration or damage to your personal data).

These measures are subject to continuous review, analysis, updates and adaptation according to how the processing of your data evolves and to legislative and technological developments.

10. Rights of data subjects

We inform you that you may exercise the following rights in relation to personal data processed by SMC España S.A.:

- a. Request access to your personal data to know which data are being processed and the processing operations carried out with your data.
- b. Request the rectification of your personal data if they are inaccurate or incomplete.
- c. Request the erasure of your personal data.
- d. Object to the processing of your personal data, i.e., request that your data not be processed for reasons related to your personal situation.
- e. Request the restriction of the processing of your personal data in certain circumstances, (i.e., if you contest the accuracy of your data, while such accuracy is being verified).
- f. Request the portability of your data, that is, receive the personal data you have provided to the co-controllers in a structured, commonly used and machine-readable format and transmit those data to another controller.
- g. You may also withdraw your consent if it constitutes the legal basis for the processing of your data.

The exercise of the above rights is free of charge.

Should you have any queries regarding this privacy policy or wish to exercise the above rights please contact SMC España S.A., by writing to the following address:

SMC España S.A., Marketing Department
c/ Zuazobidea 14
01015 Vitoria (Spain)
Tel. 945 18 41 00
E-Mail: marketing@smc.smces.es

To exercise your rights, please indicate in your request, your full name and the right you are exercising and attach a copy of your national ID card or equivalent document evidencing your identity.

If you consider that data protection legislation has been breached in the processing of your personal data, you may lodge a complaint with the Spanish Data Protection Agency (www.agpd.es).