

## Privacy Policy

Effective Date: December 20, 2021

Mitsubishi Materials Corporation (the “**Company**” or “**we**”) manages your personal data with the utmost care in accordance with the Act on the Protection of Personal Information of Japan and other relevant laws and regulations as well as our internal rules for the protection of personal data.

In addition to this privacy policy, we have established an annex applicable to the EEA (European Economic Area) and the United Kingdom which supplements or modifies this privacy policy in order to comply with data protection regulations in the European Union, the Member States of the European Union, and the United Kingdom, specifically the “General Data Protection Regulation (2016/679)” (the “**GDPR**”). The annex is attached to this privacy policy and the applicable scope of the annex is set out therein. If there is a discrepancy between this privacy policy and the annex, the provisions of the annex will prevail.

### 1. Our Basic Policy Concerning Protection of Personal data

Recognizing the importance of personal data, we hereby declare that we will take the following measures:

- ① We observe applicable laws, regulations, and norms with respect to personal data. We have established internal rules on the management of personal data, and will practice, maintain, and improve on such internal rules, while making our employees (including directors, officers, full-time and part-time employees, temporary workers, and the like) and other related persons fully aware of such internal rules.
- ② When we acquire personal data, we will make public, or individually inform each person concerned of, our purposes of the use of such information. We will acquire personal data to the extent necessary for the said purposes.
- ③ We will appoint a manager responsible for information management in each section who will handle personal data. We will keep personal data accurate and up to date, and will take measures to prevent unauthorized access to, as well as the loss, destruction, improper alteration, leakage, and the like of, personal data.
- ④ We will use personal data for only the purposes made public or informed at the time of acquisition, and manage such information by appropriate methods. Furthermore, we will not disclose or provide personal data of any person to a third party without his or her approval, except for the following cases:
  - when we obtained his or her consent;
  - when we outsource to a third party a part of our operations that handles personal data in order to perform our operations;
  - when we present necessary information to financial institutions for procedures for payments of charges or the like; and
  - when there are special circumstances specified by any applicable law,

regulation, or the like.

- ⑤ If we jointly use personal data with a third party or if we entrust personal data to a third party in order to outsource a part of our operations, we will inquire about and examine, and further enter into necessary contracts with, such third party, and take other necessary measures required by applicable laws and regulations.
- ⑥ We acknowledge that each person has the right to make requests regarding his or her personal data, such as that the personal data be disclosed, rectified, cease being used, or deleted, and we will, without objection, promptly comply with any such request made by the person himself or herself, unless there are special circumstances specified by a law, regulation, or the like.
- ⑦ We will strictly manage personal data entrusted from other entities, and will use such entrusted personal data only for the commissioned work stipulated in the contracts with such other entities.

## **2. Our Handling of Your Personal data**

### **① Categories of personal data that we collect**

We collect and use the following categories of your personal data:

- basic business contact information (e.g., name, company name, title, email address, telephone number, and office address);
- user account data, usage history, and activity records on our Website or online services;
- records of access to our buildings and facilities; and
- records of business communication pertaining to our operations (e.g., email log, reports, audit interviews, event photos, and interviews and photos of your face on public relations magazines and the like).

### **② Purpose of using your personal data**

We lawfully use your personal data for the following purposes (Personal data in this section shall mean personal information under Act on Protection of Personal Information.):

- to provide you with products and services;
- to respond to your inquiries;
- to manage your business contact information;
- to provide you with information concerning the procurement of materials and services, new services, and the like;
- to provide you with user accounts of computer/network services and resources;
- to provide you with feedback for quality management and promote other business communication with you;
- to control your access to physical facilities and computers/networks; and
- to conduct marketing and sales promotion, and to conduct surveys and make improvements regarding service enhancement, etc.

③ Provision of personal data to third parties

We disclose specific parts of your personal data to the following entities to the extent necessary for the purposes described above:

- companies in the Company group (the list of which can be found <https://www.mmc.co.jp/corporate/en/company/group.html> );
- trading companies related to our provision of services;
- competent authorities to which we bear obligations to disclose your personal data in accordance with applicable laws and any other third party to which we are permitted to provide your personal data in accordance with applicable laws; and
- service providers of cloud computing, email and other applications, business travel arrangement services, courier services, reception services, meeting/event arrangement services, and other such service providers of the Company.

④ Transfer of personal data abroad

As a result of the sharing and disclosure described above, your personal data may be transferred to the following countries.

- Republic of Korea
- United States of America
- Kingdom of the Netherlands
- United Kingdom
- Republic of Chile
- Russian Federation

In such cases, the Company will implement appropriate safeguards required by the personal data protection regulations of each country.

⑤ Measures for security control of personal data

We responsibly and strictly managing your personal data and take measures to prevent unauthorized access to, as well as the loss, leakage, destruction, improper alteration, or the like of, your personal data and will continue to improve the methods of protection and proper management of personal data. In addition, we may outsource to third parties parts of our operations for the purposes described above. When we do so, the scope of your personal data which we provide to an outsourcee is limited to the extent necessary for the outsourced operations, and the outsourcee will be contractually obligated to appropriately and strictly manage your personal data.

⑥ Storage period for personal data

We will retain your personal data for as long as we have a business relationship with you. After such time, we will retain your personal data for a term not exceeding 7 years, except to the period of time required under the company laws, tax laws, or the like or until we receive an objection from you about our retention of your personal data.

⑦ Inquiries, requests for disclosure, etc., and complaints, etc. with regard to personal data

Please contact the inquiry desk of the Company stated below if you wish to (i) make any inquiry in respect of your own personal data, (ii) make a request for notification of the purpose of use of, disclosure of, rectification or the like of, or cessation of the use or the like of, your own personal data or otherwise exercise your rights pertaining to your own personal data permitted by applicable laws and regulations concerning personal data, or (iii) lodge a complaint or conduct any similar acts in relation to your own personal data.

⑧ Collection of personal data from Websites

- Cookies

The Websites set up by us may use cookies. Cookies are small information files which are exchanged between your computer and our Websites. They help our Websites to recognize useful information when you make another visit to the Website set up by us and are used only for the purpose of enabling you to use our Websites in an optimal manner. If you do not wish to use cookies, you can change the settings on your browser to disable them. In this case, you may become unable to use parts of our services.

- Web beacons

The Websites set up by us may use Web beacons. Web beacons are technologies to help us to ascertain the status of access from your computer by using cookies and compile the statistics regarding the activity rate or the like of a particular Web page. We use them mainly for the purpose of improving our products and support services. We do not collect your personal data through Web beacons, but if you wish to reject them, you can do so by setting your browser to restrict acceptance of cookies.

**3. Desk for Inquiring about Personal data**

3-2-3, Marunouchi, Chiyoda-ku, Tokyo 100-8117 Japan

Marunouchi Nijubashi Building

Mitsubishi Materials Corporation

<https://www.mmc.co.jp/corporate/en/company/>

Recycling Business Department, Metallurgy Division, Metals Company

03-5252-5411

**4. Change to Privacy Policy**

We may update this privacy policy and the annex from time to time. If we make changes to this privacy policy or the annex, we will comply with the necessary procedures required under their respective applicable laws and regulations (e.g., notifying you, obtaining your consent, and the like).

## **Annex Applicable to EEA (European Economic Area) and the United Kingdom**

This annex applies to you if you are residing or located in the EEA (European Economic Area) or the United Kingdom.

### **1. Legal Bases for Processing**

The legal bases for our processing of personal data under the GDPR or UK GDPR (collectively, the “**GDPR**”) are as follows.

- (1) When processing is required for the performance of a contract under which we shall provide you with products and services (Article 6, Paragraph 1, Item (b) of the GDPR)

We acquire and process your personal data for the following purposes because it is required for the performance of a contract under which we shall provide you with products and services:

- to provide products and services; and
- to respond to your inquiries.

- (2) When processing is required for the purposes of legitimate interests (Article 6, Paragraph 1, Item (f) of the GDPR)

We process your personal data for the following purposes on the basis that it is required for the purposes of legitimate interests (Article 6, Paragraph 1, Item (f) of the GDPR). We may sometimes obtain some form of consent from you in regard to your personal data, but even in this case the legal basis for processing is “when processing is required for the pursuit of legitimate interests,” except for the case in (3) below:

- to manage your business contact information;
- to provide you with information concerning the procurement of materials and services, new services, and the like;
- to provide you with user accounts of computer/network services and resources;
- to provide you with feedback for quality management and promote other business communication with you;
- to control your access to physical facilities and computers/networks; and
- to conduct marketing and sales promotion, and to conduct surveys and make improvements regarding service enhancement, etc.

- (3) When obtaining your consent in advance (Article 6, Paragraph 1, Item (a) of the GDPR)

Other than cookies that are strictly necessary in order to provide services to you, we will only use cookies after obtaining your prior consent. Before engaging in direct marketing with you, we will obtain your consent if required by laws and regulations. You have the right to withdraw your consent at any time by a method that will be separately designated when we seek your consent. However, your withdrawal of consent will not affect the legality of our processing for using cookies and directing marketing conducted based on your consent before its withdrawal.

## **2. Transfer of Personal Data outside of the EEA**

- (1) Some of our recipients as in Article 2 ② of the privacy policy are located in countries that may not – by law – provide the same level of data protection as you are used to in the European Economic Area (“EEA”). If that is the case, we will ensure that adequate safeguards are in place to duly protect your personal data and we guarantee that we are able to and have mechanisms in place to respect the level of data protection required by EU data protection laws and that we shall refrain from processing personal data in the event of a breach of the concluded safeguarding measures or if we (or our recipients) are no longer able to honor them
- (2) If transferring personal data to countries outside the EEA or the United Kingdom, as for transfer to countries in which an adequacy decision (Article 45 of the GDPR) is adopted, we will transfer your personal data based on an adequacy decision. For transfer to other countries, we will implement appropriate safeguards by executing with the transferee the standard data protection clauses (Article 46, Paragraph 2, Item c and Paragraph 5 of the GDPR) approved by the European Commission.

## **3. Your Rights**

- (1) You have the following rights:
  - Right to withdraw consent: insofar our processing of personal data is based on your sent, you have the right to withdraw consent at any time (Article 7 of the GDPR).
  - Right of access:: You have the right to obtain from us confirmation as to whether personal data concerning you are being processed, and, if so, then access to the personal data and certain related information (Article 15 of the GDPR).
  - Right to rectification: You have the right to have us rectify inaccurate personal data concerning you without undue delay and the right to have us complete any incomplete personal data (Article 16 of the GDPR).
  - Right to erasure: You have the right to have us delete personal data concerning you without undue delay (Article 17 of the GDPR).
  - Right to restriction of processing of personal data: If certain conditions are satisfied, you will have the right to have us restrict processing of personal data concerning you (Article 18 of the GDPR).
  - Right to object : If certain conditions are satisfied, you will have the right to object to processing of personal data concerning you (Article 21 of the GDPR).
  - Right to data portability: If certain conditions are satisfied, you will have the right to receive personal data concerning you in a structured, commonly used, and machine-readable format and the right to transfer those data to another controller without hindrance from us (Article 20 of the GDPR).
  - The right not to be subject to automated decision-making: If certain conditions are satisfied, you will have the right not to be subject to automated decision-making (without human involvement) that produces any legal or similar material effect on you (Article 22 of the GDPR). In this respect, please be informed that when processing your personal data, we do not make use of automated decision-making.

- Right to complaint: You may lodge a complaint in relation to our processing of your personal data with the Data Protection Supervisory Authority of the Member State of your habitual residence, place of work, or place of the alleged infringement (Article 77 of the GDPR).
- (2) The exercise of the abovementioned rights is free of charge and can be carried out by phone or by e-mail via the contact details displayed below. If requests are manifestly unfounded or excessive, in particular because of the repetitive character, we will either charge you a reasonable fee or refuse to comply with the request.
- (3) We may request specific information from you to help us confirm your identity before we comply with a request from you concerning one of your rights.
- (4) We will provide you with information about the follow-up to the request without undue delay and in principle within one month of receipt of the request. Depending on the complexity of the request and on the number of requests, this period can be extended by another two months. We will notify you of such an extension within one month of receipt of the request. The applicable privacy legislation may allow or require us to refuse your request. If we cannot comply with your request, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

#### **4. Contact Details of Representatives**

The contact details of our representatives are as follows:

- EEA Representative

MM Metal Recycling B.V.

Kilojoule 2, 4791 PE Klundert, the Netherlands

Tel: +31-168-745-555

- UK Representative

Mitsubishi Materials Corporation, London Office

First Floor, Staple Inn Buildings South, Holborn,

London WC1V7QH, United Kingdom

Tel: +44-20-7405-5252