

1.1 Privacy Statement

Please read this privacy notice carefully as it sets out how ASM Modular Systems, Inc. (“ASM”) uses your personal information.

At ASM, we are committed to processing personal information about our customers in ways that comply with our legal obligations as well as being clear with our customers about what we do with their personal information. We share your concern about the protection of your personal information and are committed to safeguarding your privacy.

We will be the “controller” of the personal information which you provide to us or which we collect from you.

What is personal information?

Personal information is information relating to an identified or identifiable individual. This document covers information we collect about you

Some of the key points of ASM’s privacy statement are:

- **We will never** sell your data to third parties
- **We will** make it easy for you to manage your information, and you can change your communication preferences at any time
- **We do** use data to help us provide great customer service, which includes tailoring the information we share with you to help ensure that it’s relevant, useful and timely

1. Personal information that we collect

In the course of your dealings and interaction with ASM we process personal information to allow us to complete our service and commitment to you as a customer.

The types of personal information we may process include, but are not limited to:

- Identification data e.g. name
- Contact details e.g. postal address, telephone/email, job title, company name, company type, your role
- Project details e.g. project name, project address, project type, size of opportunity
- Website usage data including your web visits and IP address
- Marketing preferences and communication with you for marketing purposes as well as information we infer when we combine information to determine how best to interact with you
- Surveys you have completed
- Any other personal information that you choose to provide to us when you complete our online contact forms or otherwise make contact with us.

There may also be situations where we collect information that reveals your gender.

2. Sources of personal information

Usually you will have provided the information we hold about you but there may be situations where we collect personal information from other sources. The following are the types of information we may collect about you and the source of the information:

- Your delivery address and contact details supplied by our direct customer base whom we are delivering on behalf of
- Other group companies may pass your details onto us if you have contacted them by mistake for products that we manufacture

3. How we use your personal information

We use your personal information as follows:

- To comply with our legal obligations;
- To investigate and respond to potential violations of law or of our website policies as well as potential breaches of relevant third parties' systems and networks;
- To identify you and communicate with you;
- To keep internal records;
- To develop products and services; occasionally we may contact you with service and product surveys. We may contact your company and individuals within your company to complete a survey.
- To fulfil your requests and answer your queries or complaints;
- For market research and to assess marketing strategies and campaigns;
- If you already are a customer or other contact of ours, to update our information about our contact with you on our customer relationship management system;
- To deliver our own products and services to you;
- To market our own products and services to you; through means such as newsletters and invitations to events.

4. Marketing

We would like to provide you with information about ASM's products and services, and other information from ASM which we think you may find interesting. We may send you such information by mail, email, and/or telephone.

If at any time you do not want your information used for direct marketing purposes by ASM, please contact us so that we can unsubscribe you from our marketing lists. If you have received email marketing from ASM and decide that you no longer wish to receive marketing emails from us, you will be able to opt out of receiving further email marketing by following an unsubscribe link in the email, or by such other means as we may communicate to you, including but not limited to telephone and mail.

We do not provide your personal information to external organisations (i.e. to contractors, merchants, distributors and retailers, which are outside of ASM) for their own direct marketing.

5. How we share your personal information

In addition to the sharing of information mentioned above under section 4 (Marketing), we may share your personal information with third parties as follows:

- in order for us to process payments that are due to us, in doing so we provide bank card details to such providers;
- to receive services from our providers, such as our IT service providers, and therefore may access or receive personal data in the context of providing services to us;
- to licensed credit reference agencies, debt collection agencies and lawyers when we carry out credit checks, to report on your payment performance and/or or seek to recover debts due to us;
- to our accountants, auditors, lawyers or similar advisers when we ask them to provide us with professional advice;
- to any Government Department, public body or other third party where we believe in good faith that the law requires this; in the interests of public health and safety; or in order to protect the rights, property, or safety of ASM, its employees or others;
- with other third parties to comply with our legal obligations, including where necessary to abide by law, regulation or contract, or to respond to a court order, administrative or judicial process, or to meet national security or law enforcement requests, including, but not limited to, a subpoena or search warrant
- as necessary to establish, exercise or defend against potential, threatened or actual litigation
- in connection with the sale, assignment or other transfer or all or part of our business; and
- for the purpose of mutual business opportunities with others.

6. Legal basis for processing personal information

Our legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it.

However, we will normally collect personal information from you only where we have your consent to do so, where we need the personal information to perform a contract with you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms.

In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person.

Mostly, however, we process contact information for our legitimate business interests in the context of providing or receiving services to customers or from our service providers or in the case of partners, for the purpose of the collaboration or partnership. If we collect and use your personal information in reliance on anything other than our legitimate interests, we will make clear to you at the relevant time. For example, if we ask you to provide personal information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as of the possible consequences if you do not provide your personal information).

If you have questions about or need further information concerning the legal basis on which we collect and use your personal information, please contact us using the contact details provided under the “Contact us” heading below.

7. How long we keep your personal information

We retain your personal information for no longer than is necessary for the purposes for which the personal information is collected, taking into account, but not limited to, any legal obligations and applicable tax and accounting requirements we have to retain data for certain periods of time and contractual obligations such as in order to fulfill warranty/product guarantee obligations.

Thereafter we will erase your information securely once it is no longer needed unless erasure is not possible (for example, because your personal information has been stored in backup archives), and in which case we will securely store your personal information and isolate it from any further processing until deletion is possible.

8. International data transfers

ASM holds and shares data with Kingspan Holdings, affiliates and relevant third parties who are compliant with our data policies.

Your personal information may be transferred to, and processed in, countries other than the country in which you are a resident. These countries may have data protection laws that are different to the laws of your country.

Specifically, our core infrastructure is located in the US and Canada and our third party service providers and partners operate in the US, Canada and Europe. This means that when we collect your personal information we may process it in any of these countries.

However, we have taken appropriate safeguards to require that your personal information will remain protected in accordance with this Privacy Statement.

9. Security

Kingspan is committed to ensuring that your personal information is secure. In order to prevent unauthorised access or disclosure we have put in place suitable physical, electronic and managerial procedures where relevant to safeguard and secure the information we collect.

10. Your rights.

You have the right to be informed that we hold your personal data, the right of access to that data we hold, the right to rectification of any errors in that data, the right to erasure, sometimes referred to the right to be forgotten, the right to restrict how we process your data, the right to data portability and the right to object to how we process your data. You also have the right to opt out of marketing communications at any time.

These rights can be exercised at any time. They are not absolute and are subject to certain exceptions and/or qualifications.

If we have collected and process your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.

If you do have any concerns about how we process your personal data you can also contact us using the contact details at the end of this Privacy Statement.

11. Updating this statement

We review our privacy practices from time to time. We ask that you bookmark and periodically review this page for updates to our Privacy Statement.

12. Contact us

For further information regarding these rights, about this Privacy Statement generally or to make a complaint please contact us at kagdpr@kingspan.com.

Before assessing your request, we may request additional information in order to identify you. If you do not provide the requested information and, as a result we are not in a position to identify you, we may refuse to action your request.