

Privacy Policy

Thank you very much for your interest in our group of companies. The management at HOESCH Group, consisting of HOESCH Metallurgie GmbH, HOESCH Granules GmbH and HOESCH Metals and Alloys GmbH, strongly values data protection. The HOESCH Group website can generally be used without providing personal data. If the data subject wishes to use the special services offered on our company group website, it may be necessary to process personal data. If the processing of personal data is necessary and no legal basis exists for processing, we generally obtain the consent of the data subject.

Personal data, such as the name, address, email address or telephone number of a data subject is always processed in compliance with the General Data Protection Regulation and in compliance with the national data protection laws to which HOESCH Group is subject. In this privacy policy our group of companies seeks to provide the general public with information about the type, scope, and purpose of the personal data we collect, use and process. This privacy policy further provides data subjects with information about their rights.

HOESCH Group as the controller has implemented numerous technical and organisational measures to ensure the best possible protection of the personal data processed on this website. Nevertheless, online data transmissions can always have security flaws, so that absolute protection cannot be ensured. All data subjects are therefore free to transmit personal data to us using alternative means, such as via telephone.

1. Definitions

The privacy policy of HOESCH Group is based on the terminology used by the European legislative bodies when adopting the General Data Protection Regulation (GDPR). Our privacy policy is intended to be easy to read and comprehend for both the public as well as our customers and business partners. To ensure this, we would first like to define the terminology used.

This privacy policy uses the following terms, among others:

- a) Personal data

Personal data refers to any information relating to an identified or identifiable natural person (hereinafter “data subject”). An identifiable natural person is an individual 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.

- b) Data subject

The data subject is an identified or identifiable natural person whose personal data are processed by the data controller.

- c) Processing

Processing refers to any operation or set of operations performed on personal data or on sets of personal data, with or without the use of automated means, such as collecting, recording, organising, structuring, storing, adapting or altering, retrieving, consulting, using, disclosing by transmission, disseminating or otherwise making available, aligning or combining, restricting, erasing or destroying.

- d) Restriction of processing

Restriction of processing refers to the marking of stored personal data with the aim of limiting their processing in the future.

- e) Profiling

Profiling refers to any form of automated processing of personal data related to the use of personal data to evaluate certain personal aspects concerning a natural person, in particular to analyse or predict aspects regarding that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

- f) Pseudonymisation

Pseudonymisation refers to the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

- g) Data controller or data processor

The data controller is 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.

- h) Processors

Processor refers to a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

- i) Recipients

Recipient refers to a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, regardless of whether this is a third party or not. However, public authorities which may receive personal data in the context of a particular inquiry in accordance with European Union or Member State law shall not be regarded as recipients.

- j) Third parties

Third party refers to a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

- k) Consent

Consent from the data subject is any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by means of a statement or a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

2. Controller name and address

In accordance with the GDPR, as well as other directives applicable in the member states of the European Union and other guidelines pertaining to data protection, the controllers are:

HOESCH Metallurgie GmbH

and the

HOESCH Metals and Alloys GmbH,

both located at

Neue Straße 21

52382 Niederzier

Germany

Tel.: +49 2421 809-0

Website: www.hoesch-metallurgie.com

as well as

HOESCH Granules GmbH

Hansastraße 10

41460 Neuss

Germany

Website: www.hoesch-granules.com

Data Protection Officer: Thomas Jäckel

Email: datenschutz@hoesch-metallurgie.com

3. Cookies

The HOESCH Group websites use cookies. Cookies are text files, which are placed and stored on a computer system through a browser.

Many websites and servers use cookies. Many cookies have a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a string, through which web pages and servers can be allocated to the precise web browser, in which the cookie was stored. This makes it possible to distinguish the visited web pages and servers as well as the data subject's individual browser from other web browsers, which contain other cookies. A specific web browser can be recognised and identified by means of the unique cookie ID.

By using cookies, HOESCH Group can provide the users of this website with more user-friendly services, which would not be possible without using cookies.

Using cookies, the information and offers on our website can be optimised in the interest of the users. As already pointed out, cookies allow us to recognise the users of our website. The purpose of this recognition is to simplify the use of our website for the users. The user of a website that uses cookies, for example, does not have to re-enter his or her access data during each visit, because this is done by the website and the cookie placed on the user's computer. Another example are cookies for the shopping cart in online shops. An online shop uses cookies to remember the products a customer added to the virtual basket.

The data subject can prevent our website from installing cookies at any time by configuring the respective settings of the web browser being used, thus permanently objecting to cookies. Furthermore, previously placed cookies can be deleted at any time via a web browser or other software. This is possible with all standard web browsers. If the data subject deactivates the placement of cookies in the web browser being used, the full range of functions on our website may not be available.

4. Collection of general data and information

The HOESCH Group website collects a series of general data and information each time a data subject or automated system accesses the website. These general data and information are stored in the log files of the server. Storage may pertain to (1) browser types and version used, (2) the accessing operating system used, (3) the originating website from which a system accesses our website (so-called referrer), (4) the sub-pages, which direct the accessing system to our website, (5) the date and time of access to our website, (6) an Internet protocol address (IP address), (7) the Internet Service Provider of the accessing system and (8) other similar data and information that serve the aversion of threats in case of attacks on our information technology systems.

HOESCH Group does not draw conclusions about the data subject when using the general data and information. Rather, this information is required (1) to properly deliver the contents of our website, (2) to optimize the contents of our website as well as the advertising for it, (3) to ensure the permanent functionality of our information technology systems and the technology of our website as well as to (4) provide law enforcement authorities with the necessary information in the event of a cyber attack. On the one hand, the data and information is anonymously collected by the HOESCH Group for the purpose of statistical analysis and with the objective of increasing data

protection and data security in our group of companies, in order to ultimately ensure an ideal level of protection for the personal data we process. The anonymous data from the server log files are stored separately from all personal data indicated by a data subject.

5. Contact option via the website

Due to legal provisions, the HOESCH Group website contains information, which enables swift electronic contact as well as direct communication with our company, which also includes a general address and electronic mail (email) address. If a data subject contacts the data controller via email or the contact form, the personal data submitted by the data subject are automatically stored. Such personal data submitted by the data subject to the data processor on a voluntary basis are stored for the purpose of processing or contacting the data subject. These personal data are not transmitted to third parties.

6. Routine erasure and blocking of personal data

The data processor processes and stores the data subject's personal data only for the time period needed to achieve the purpose of storage or if this is prescribed by the European legislative bodies, or any other legislator of laws or regulations to which the processor is subject.

In the event that the purpose of storage no longer applies, or if a limitation period prescribed by the European legislative bodies or any other competent legislator applies, the personal data are routinely blocked or erased in accordance with the legal provisions.

7. Data subject's rights

- a) Right to confirmation

Every data subject has the right granted by the European legislative bodies to obtain from the data processor confirmation whether the personal data relating to him or her was processed. If a data subject wishes to exercise the right to confirmation, he or she may contact our data protection officer or any other staff member employed by the processor at any time.

- b) Right of access

The European legislative bodies grant every data subject the right to obtain from the data processor information regarding the data stored relating to him or her and to receive a copy of this information free of charge. Furthermore, the European legislative bodies grant the data subject the right to access the following information:

- the purposes of processing
- the categories of personal data being processed
- the recipients or categories of recipients, to whom the personal data was disclosed, in particular in the case of recipients in third countries or in the case of international organisations,

- if possible, the duration for which the personal data are intended to be stored; if this is not possible, the criteria for the determination of this duration,
- the existence of a right to correction or deletion of the personal data pertaining to the data subject or to a restriction of processing by the controller or a right of objection to this processing,
- the existence of the right to lodge a complaint with a supervisory authority;
- if the personal data was not collected from the data subject: All available information on the origin of the data,
- the existence of an automated decision making including profiling pursuant to Article 22(1) and (4) of the GDPR and — at least in these cases — conclusive information on the logistics involved as well as the consequences and the pursued objectives of such a processing for the data subject

Furthermore, the data subject has a right to obtain information regarding the transmission of personal data to a third country or an international organization. If this is the case, the data subject also has the right to receive information on adequate guarantees in connection with the transmission.

If a data subject wishes to exercise the right to information, he or she may contact our data protection officer or any other staff member employed by the processor at any time.

- c) Right to rectification

The European legislative bodies grant every data subject the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject further has the right to have incomplete personal data completed, including by means of providing a supplementary statement.

If a data subject wishes to exercise the right to correction, he or she may contact our data protection officer or any other staff member employed by the processor at any time.

- d) Right to erasure (right to be forgotten)

The European legislative bodies grant every data subject the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies and if processing is not required:

- The personal data was collected for purposes or otherwise processed, for which it is no longer required.
- The data subject withdraws his/her consent, on which the processing was based pursuant to Article 6(1)(a) of the GDPR or Article 9(2)(a) of the GDPR and there is no other legal basis for said processing.
- The data subject files an objection to the processing pursuant to Article 21(1) of the GDPR and there are no paramount legitimate reasons for said

processing or the data subject files an objection to the processing pursuant to Article 21(2) of the GDPR.

- The personal data was processed illegally.
- The erasure of personal data is required to meet a legal obligation according to EU law or the laws of member states, which the controller is subject to.
- The personal data was collected with regard to the offered services of the information society pursuant to art. 8 sec. 1 of the GDPR.

If one of the above-mentioned grounds applies and a data subject wishes to exercise the right to erasing the data stored by HOESCH Group, he or she may contact our data protection officer or any other staff member employed by the data controller at any time. The data protection officer of HOESCH Group or another staff member will immediately respond to the erasure request.

If HOESCH Group published the personal data and our group of companies is obligated to erase the personal data in accordance with Article 17(1) of the GDPR, then HOESCH Group shall take reasonable steps under consideration of available technology and the cost of implementation, including technical measures, to inform other controllers of the personal data about the data subject's request to erase any links to, or copies or replications of those personal data by such processors, if processing is not necessary. The data protection officer of HOESCH Group will immediately respond as appropriate on a case-by-case basis.

- e) Right to restriction of processing

According to the European legislative bodies, every data subject has the right to request the restriction of processing from the controller if one of the following requirements is given:

- The data subject disputes the accuracy of the personal data and does so for a period, which enables the controller to review the accuracy of the personal data.
- The processing is illegal, the data subject objects to the erasure of the personal data and instead demands the restricted use of the personal data.
- The controller no longer requires the personal data for the purpose of processing; however, the data subject requires the data to assert, exercise or defend legal claims.
- The data subject has filed an objection to the processing pursuant to Art. 21 (1) of the GDPR and it is yet to be determined if the controller's legitimate reasons outweigh those of the data subject.

If one of the above-mentioned prerequisites applies and a data subject wishes to exercise the right to limiting the personal data by HOESCH Group, he or she may contact any staff member employed by the controller at any time. The HOESCH Group staff member will immediately initiate the limitation of processing.

- f) Right to data portability

According to the European legislative bodies, every data subject has the right to receive all personal data pertaining to the data subject, which was made available to a controller by the data subject, in a structured, conventional and machine-readable format. Furthermore, the data subject has the right to transmit this data to another controller without being hindered by the controller to whom the personal data was made available to, provided that processing is based on consent pursuant to Article 6(1)(a) of the GDPR or Article 9(2)(a) of the GDPR or on a contract pursuant to Article 6(1)(b) of the GDPR and processing is conducted with the help of automated processes, provided that processing is not required for the performance of a task, which is in the public interest or takes place in exercising public authority, which was transferred to the controller.

Further, pursuant to Article 20(1) of the GDPR, the data subject, in exercising his or her right to data portability, also has the right to achieve that the personal data is directly transferred from one controller to another controller, insofar as this is technically feasible and provided that this does not affect the rights and freedoms of other persons.

To exercise the right to data portability, the data subject may contact any employee of HOESCH Group.

- g) Right to object

According to the European legislative bodies, every data subject has the right to object to the processing of personal data concerning the data subject at any time, on grounds relating to his or her particular situation based on Article 6(1)(e) or (f) of the GDPR. This also applies to profiling based on these provisions.

In the event of an objection, HOESCH Group shall no longer process the personal data unless we demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defense of legal claims.

If HOESCH Group processes personal data for the purpose of direct advertising, the data subject has the right to file an objection to the processing of personal data for the purpose of such advertising. This also applies to profiling, provided that it is linked to such direct advertising. If the data subject objects to the processing by HOESCH Group for purposes of direct advertising, HOESCH Group will no longer process the personal data for these purposes.

Furthermore, the data subject has the right, for reasons resulting from his or her special situation, to object to the processing of personal data pertaining to the data subject, which takes place at HOESCH Group for scientific or historical research purposes or for statistical purposes pursuant to Article 89 (1) of the GDPR, unless such processing is required for the fulfillment of a task, which is in the public interest.

To exercise the right to object, the data subject may directly contact any employee of HOESCH Group. Irrespective of Directive 2002/58/EC, the data subject has the option, in connection with the use of information society services,

of exercising his or her right to object via automated procedures that use technical specifications.

- h) Automated individual decision-making, including profiling

According to the European legislative bodies, every data subject whose personal data are processed has the right not to be subject to a decision based solely on automated processing — including profiling —, which takes effect in view of the data subject or significantly comprises the data subject in a similar manner, provided that the decision (1) is not required for the conclusion or fulfillment of a contract between the data subject and the data controller, or is permissible (2) based on the legal guidelines of the European Union or member states, to whose laws the data controller is subject and these legal guidelines contain appropriate measures of maintaining the rights and freedom, as well as the legitimate interest of the data subject, or (3) with explicit consent of the data subject.

If the decision (1) is required for the conclusion or fulfillment of the contract between the data subject and the data controller, or (2) the data subject provides explicit consent, HOESCH Group will take appropriate measures to protect the rights and freedoms as well as the legitimate interests of the data subject, which at least include the right of obtaining the intervention of a person on the part of the controller, explanation of one's own point of view and contesting the decision.

If a data subject wishes to exercise his or her rights relating to automated decisions, he or she may contact any staff member employed by the processor at any time.

- i) Right to revoke data privacy consent

The European legislative bodies grant every data subject whose personal data are being processed the right to revoke from the controller without undue delay his or her consent to the processing of his or her personal data.

If a data subject wishes to exercise his or her right relating to revoking consent, he or she may contact any staff member employed by the processor at any time.

8. Data protection and applications

The controller collects and processes the personal data of applicants for application process purposes. Data may also be processed electronically. This particularly applies if an applicant submits the respective application documents to the controller electronically, for example by email or using the web form on the website. If the controller enters into an employment contract with an applicant, the transmitted data will be saved for the employment purposes in compliance with statutory provisions. If the controller does not enter into an employment contract with the applicant, the application documents will automatically be erased two months after communicating the rejection unless required for other legitimate interests of the controller. Legitimate interest in this context also includes, for example, the burden of proof for proceedings under the German General Act on Equal Treatment (AGG).

9. Legal basis for processing

Article 6 (I) (a) of the GDPR serves our group of companies as a legal basis for processing operations, for which we obtain consent for a specific processing purpose. If the processing of personal data is required for the fulfillment of a contract, whose contracting party is the data subject, as is the case, for example, for processing operations required for the delivery of services or return services, Article 6 (I) (b) of the GDPR serves as the basis for processing. The same applies to processing operations required for the implementation of pre-contractual measures, for instance in cases of enquiries regarding our products or services. If our company is subject to a legal obligation requiring the processing of personal data, for instance for the fulfillment of fiscal obligations, said processing is based on Article 6 (I) (c) of the GDPR. In rare cases, the processing of personal data may become necessary to protect the vital interests of the data subject or another natural person. For example, this may be the case if a visitor is injured on our premises and his or her name, age, insurance information, or other vital information would need to be shared with a doctor, a hospital, or other third parties. Then, processing would be based on Article 6 (I) (d) of the GDPR. Finally, processing operations could be based on Article 6 (I) (f) of the GDPR. Processing operations, which are not covered by any of the aforementioned legal bases, are based on this legal basis if processing is required to protect a legitimate interest of our group of companies or third party, provided that the interests, basic rights and fundamental freedom of the data subject are not predominant. We are entitled to these types of processing operations in particular because they are specifically mentioned by the European legislative bodies. The legislative bodies assume legitimate interest if the data subject is a customer of the data controller (Recital 47, Sentence 2 of the GDPR).

10. Legitimate interest in the processing pursued by the controller or a third party

Based on the processing of personal data pursuant to Article 6 (I) (f) of the GDPR, our legitimate interest is the operation of our business to benefit all of our employees and shareholders.

11. Duration for which the personal data are stored

The criterion for the storage period of personal data is the respective retention period stipulated by law. After the expiration of this retention period, the data are routinely erased if they are no longer needed for the fulfilment of the contract or contract conclusion.

12. Legal or contractual provisions regarding the provision of personal data; necessity for the conclusion of a contract; obligation of the data subject to provide the personal data; possible consequences of failure to provide the data

We hereby point out that the provision of personal data is in part prescribed by law (e.g. tax law) or may emerge from contractual requirements (e.g. information about the contractual partner). In the context of concluding a contract, it may be necessary that a data subject provides us with personal data, which we are then required to process. For example, the data subject is required to provide us with personal data if one of the aforementioned companies of our group of companies concludes a contract with him or her. Failure to provide the personal data may make it impossible to conclude the contract with the data subject. Before the data subject provides personal data, the data subject shall contact one of our staff members. Our staff

member will inform the data subject on a case-by-case basis, whether the provision of the personal data is legally or contractually required and whether there exists a requirement to provide the personal data, as well as the consequences that result from the failure to provide the personal data.

13. Existence of automated decision-making

As a responsible company, we do not engage in automated decision-making or profiling.

This privacy policy was produced using the privacy policy generator of DGD Deutsche Gesellschaft für Datenschutz GmbH (a data protection audit was conducted), in cooperation with the media law firm WILDE BEUGER SOLMECKE.