

PRIVACY NOTICE



WHO ARE WE?

We are CMC - Coal Marketing DAC (CMC) with company number 359984 and registered office address in Fumbally Square, New Street, Dublin 8, D08 XYA5, Ireland.

We are the exclusive marketer of thermal steam coal from the Cerrejón mining complex in northern Colombia.

We understand that your privacy is very important to you. The protection of your privacy is very important to us and we are fully committed to safeguarding any personal data which you give to us, in accordance with applicable Data Protection legislation. In this Notice, we explain why we might collect and use some of your personal data and your rights in respect of personal data which we hold. We will always process your personal data pursuant to this Notice and our internal policies.



WHAT PERSONAL DATA DO WE COLLECT FROM YOU?

You may give us personal data:

- by corresponding with us by phone, email or otherwise in the course of carrying out business with us. We ask you to disclose only as much information as is necessary to provide you with our services.
- by filling in forms on www.cmc-coal.ie (our web site), such as the contact us form at www.cmc-coal.ie/contact.html.
- for the purpose of carrying out our standard due diligence process. We may request contact details and pertinent details of the directors or management of the company, including names, country of residence and date of birth. Anti-money laundering and anti-corruption and sanctions legislation to which we are subject, such as the US FCPA and the UK Bribery Act, require us to obtain such information to carry out necessary due diligence checks.
- in order to facilitate visits to the mine in Colombia which may include passport information.
- In order to facilitate the witnessing of coal loading and testing.
- In order to comply with international maritime regulations (e.g. ship's crew list).
- by applying to work with us. You may provide information such as your CV, a cover letter, your name, address, e-mail address and phone number. CVs should be limited to information relevant to

your employment history and education (degrees obtained, places worked, positions held, relevant awards, and so forth). We ask that you do not disclose sensitive personal information (e.g. medical information, religion, philosophical or political beliefs, financial data) in your application.



WHY DO WE COLLECT PERSONAL DATA?

We collect and use your personal data:

- if you are applying for a job, to consider you for the role you have applied for;
- to communicate with you about business we are conducting with you or which we are planning to conduct with you;
- to provide products and services;
- to facilitate visits to the mine;
- to contact you about events;
- to comply with our legal obligations and regulatory compliance;
- to run our business smoothly and efficiently where our interests in doing so are not overridden by your interests or fundamental rights or freedoms which require the protection of your personal data.

The legal bases for the processing of your data could be any of the following:

1. you have provided consent for the processing for one or more specific purposes, e.g. consent to us sending you material about our goods and services; or
2. the processing is necessary for the performance of a contract which you or your company/employer have entered into with us or to take steps at your request prior to entering into a contract; or
3. the processing is necessary for compliance with a legal or regulatory obligation to which we are subject; or
4. the processing is necessary for the purposes of the legitimate interests which we pursue e.g. marketing our services to you, or in providing you with quotes and proposals about our services prior to contract where such interests are not overridden by your interests or fundamental rights or freedoms which require the protection of your personal data.



WHO MIGHT WE SHARE YOUR PERSONAL DATA WITH?

We may share your personal data with our selected business associates, suppliers and contractors to provide you with our services.

In addition, we may disclose your personal data to third parties:

- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of use and other agreements; or to protect our rights, property, or safety, or that of our customers or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and protection from money-laundering.
- If we or substantially all of our assets are acquired by a third party, in which case information held by us about our customers may be one of the transferred assets.

We have set out below a list of third parties with whom we may share your data and the reason for such sharing:

No	Third party description	Purpose
1.	Cerrejón mining complex (Marketing event, compliance, ad-hoc travel)	To help us to run our business effectively and to provide you with the products under the terms of our contract with you.
2.	Cloud Service Providers / IT Back-up Providers/ IT Service Providers	To store information held by the company, for our legitimate business purposes.
3.	Archive / shredding companies	To retain information as required, for our legitimate business purposes.

	4.	Purchasers or potential purchasers	In relation to the acquisition of any part of our business.
	<p>HOW LONG DO WE KEEP HOLD OF YOUR PERSONAL DATA?</p> <p>The time periods for which we retain personal data depend on the type of data and the purposes for which we use it. We will keep your data for no longer than is required or permitted from a legal or statutory basis. If you would like more information on how long your data is kept please contact us using the details below.</p>		
	<p>DO WE TRANSFER YOUR PERSONAL DATA OUTSIDE THE EUROPEAN UNION OR EUROPEAN ECONOMIC AREA?</p> <p>We may transfer your information outside the European Union or European Economic Area if necessary to satisfy the purpose for which you have given us the information. For example, this may occur if you have given us the information in order to carry out business with us, in relation to travel bookings and where it is necessary to transfer the information to the Cerrejón mining complex in Colombia for security purposes. Moreover if you would like to participate in our marketing events taking place in countries outside of the European Union or European Economic Area, it may be necessary to transfer some of your information to bodies in those countries for logistical purposes.</p> <p>In such circumstances where your data is transferred, the company will take appropriate steps to ensure your data is protected and is only provided to legitimate third parties. We will ensure that adequate measures are taken to safeguard the rights and freedoms of data subjects where any personal data is transferred outside of the EEA, for example, by using EU approved standard contractual clauses.</p>		
	<p>WHAT ARE YOUR RIGHTS WITH RESPECT TO YOUR PERSONAL DATA?</p> <p>You have the following rights:</p> <ul style="list-style-type: none"> • to access the personal data we hold about you; • to require us to rectify any inaccurate personal data about you without undue delay.; 		

- to request the restriction of the processing of your personal data;
- to object to us processing personal data about you such as processing for direct marketing;
- to require us to erase any personal data we hold about you in circumstances such as where it is no longer necessary for us to hold the personal data for your use of our services or if you have withdrawn your consent to the processing; and
- to ask us to provide your personal data to you in a portable format.

Where our processing of your personal data is based on your consent to that processing, you have the right to withdraw that consent at any time but any processing that we have carried out before you withdrew your consent remains lawful.

You may exercise any of the above rights by sending a request to dataprotection@cmc-coal.ie. If we cannot fulfil a request from you to exercise one of your rights under the applicable data privacy laws, we will write to you explaining our reasons for the refusal.

You may lodge a complaint with your local supervisory authority with respect to our processing of your information. In Ireland, the Supervisory Authority is the office of the Data Protection Commission (the “DPC”). The DPC’s website is www.dataprotection.ie.

When you become our customer, the processing of your personal data will become a condition of the contract between us as we require certain information in order to be able to provide you with our services (e.g. contact information). In those circumstances, if you do not wish us to process your information we may be unable to provide our services to you.



WHAT WILL HAPPEN IF WE CHANGE OUR PRIVACY NOTICE?

This Notice may change from time to time, and any changes will be posted on our web site and will be effective when posted. Please review this Notice each time you use our web site or our services. This Notice was last updated in May 2018.



HOW CAN YOU CONTACT US?

You can contact us:

by email: dataprotection@cmc-coal.ie