

Alstom Data Privacy Business Partner Notice



Ethics & Compliance Data Privacy

Alstom Data Privacy Business Partner Notice

Alstom pays due attention to the protection of your personal data, *i.e.*, any information that identifies or could identify you directly or indirectly.

This Data Privacy Business Partner Notice gives you an overall view of the Alstom Group rules and practices with respect to collecting, processing, using, modifying, reviewing, recording, storing, disclosing, and deleting the personal data Alstom collects as part of its **business activity**.

This Data Privacy Business Partner Notice describes Alstom's efforts to be compliant with the European General Data Protection Regulation 2016/679 of 27 April 2016 (the "EU GDPR") and any applicable national data protection laws.

Purposes, Legal basis, Collection and Processing of Personal Data

Alstom processes your personal data for the following purposes:

- Exchange of information, which is necessary as part of the contractually owed scope of services (especially conduct of the business relationship; conclusion of contracts; handling of orders, deliveries or services; execution of analyses and evaluations);
- Correspondence with interested parties or business partners;
- Information on Alstom's products and services;
- Marketing activities.

With regard to the legal basis,

- The primary legal basis for the processing of your personal data for the above purposes is the **performance of a contract** entered into with you or the steps taken at your request prior to entering into a contract.
- Alstom may also have a **legitimate interest** in advertising or marketing campaigns.
- Alstom ensures that your **consent**, if required by law, will be duly obtained, and will be a genuine freely given, specific, informed, and unambiguous indication of your wishes and agreement to the processing of your personal data.
- The legal basis for possible compliance activities is the **compliance with a legal obligation** and Alstom's **legitimate interests**. Alstom has a legitimate interest in having relevant infringements reported to us and compliance with current laws investigated.
- The legal basis for disclosing your personal data to other entities within Alstom Group acting as Group IT service providers is our **legitimate interests**. Alstom's legitimate interests are (i) the implementation of a centralised global IT approach using harmonised processes and (ii) the savings that can be made by centralising IT.

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- The **compliance with a legal obligation** may also apply where Alstom has to process your personal data in order to comply with a legal obligation.

Where your personal data are required in order to sign a contract or for an existing business relationship between you and us, you are required to provide us with your personal data. Should you decide not to provide us with your personal data, Alstom may not be able to enter into or conduct a business relationship with you.

The collection, use, and transfer of the personal data may be made through automated, electronic, and/or paper-based means. Alstom generally does not make decisions based solely on automated individual decision-making, including profiling, which will have any legal or other adverse effects on you. Should this be the case, Alstom will implement appropriate technical and organisational measures in order to ensure an adequate level of protection to your personal data.

Recipients and Disclosures

As a multinational group, Alstom may disclose your personal data within the Alstom Group, to affiliates/subsidiaries and/or to a trusted partner, supplier, subcontractor, data processor, other third party or an administration to the extent necessary to perform or enter into a contract with you, comply with Alstom's legal obligations or legitimate business interests.

Alstom transfers your personal data to the following categories of recipients:

- Alstom's entities/ affiliates/subsidiaries,
- IT service providers,
- disposal service providers.

Internally, the access to your personal data is limited to Alstom's departments having a **strict need to know**.

International Transfers

Your personal data are, as a general rule, processed and stored in the European Economic Area (the "**EEA**"). In cases where they are processed and/or stored outside the EEA, **appropriate safeguards** compliant with Alstom's legal obligations will be implemented as required by law.

The recipients listed above (Recipients and Disclosures section) may be located in a country outside the EEA which potentially does not have an adequate level of data protection compared to the level of data protection within the EEA.

As a rule, your data shall not be disclosed to third countries which do not have adequate data protection unless **appropriate safeguards** are duly implemented between Alstom and the third party (e.g., such as European Standard Contractual Clauses).

Only the personal data that are **strictly necessary** to the recipients will be transferred, and if required, via encrypted means.

Accuracy

Alstom takes reasonable steps to ensure that the personal data you provide are recorded in a manner that ensures accuracy and completeness. To help us with this activity, you must inform your Alstom's point of contact of any changes relating to you.

Security

Alstom is committed to the protection of your personal data by protecting them in particular against unauthorised or unlawful processing and against accidental loss, destruction, alteration or damage.

Appropriate technical and organisational measures are in place to protect the information systems and the storage area where your personal data are stored. Alstom requires its service providers, by appropriate safeguards (including contractual means), to have similar standards of protection.

Retention and Period of Storage

Your personal data are retained only for the time necessary to achieve the purpose for which it was collected and for any required or permitted period under applicable laws.

Usually, we retain your personal data for the contractual term of our business relationship with you. When our business relationship ends, we retain your personal data for a further period of **ten (10) years**, unless otherwise required by applicable national laws, for the establishment, exercise or defence of legal claims, or you request to deleting them.

You have always the opportunity to give your consent for us to keep your personal data for a longer period.

Your Rights as a Business Partner

Pursuant to the EU GDPR and applicable national data protection laws, you have the **right to be informed** of your rights as a Business Partner.

You can exercise your rights as specified below, provided that Alstom is in a position to identify you. Also, your request must be reasonable, which means that it may be denied when it is manifestly unfounded or excessive (e.g., repetitive character of your requests).

Subject to the above paragraph, you will find below the summary of your rights:

- **Right of Access**

You have the right to ask for information about the processing of your personal data and/or for copies of your personal data. Your request may be denied to protect another individual's rights.

- **Right to Rectification**

You have the right to ask for rectification of personal data you think is inaccurate and to ask Alstom to complete information you think is incomplete.

▪ **Right to Erasure (“Right to be forgotten”)**

Your right to erasure is not absolute, *i.e.*, you have the right to ask Alstom to erase your personal information in certain circumstances, which are the following:

- Alstom no longer needs your personal data;
- you initially consented to the use of your personal data, but have now withdrawn your consent;
- you have objected to the use of your personal data, and your interests outweigh those of Alstom;
- Alstom would have processed your personal data unlawfully;
- Alstom would have a legal obligation to erase your personal data.

Alstom shall deny your request (i) when the processing of your personal data is necessary for compliance with a legal obligation or (ii) for the establishment, exercise or defence of legal claims.

▪ **Right to Restriction of Processing**

Your right to restriction is not absolute, *i.e.*, you have the right to ask Alstom to restrict the processing of your personal data in certain circumstances, which are the following:

- You can ask Alstom to temporarily limit the use of your personal data when Alstom is considering (i) a challenge you have made to the accuracy of your data, or (ii) an objection you have made to the use of your data.
- You may also ask Alstom to limit the use of your personal data rather than delete it if (i) Alstom processed your data unlawfully but you do not want it deleted, or (ii) Alstom no longer needs your personal data but you want Alstom to keep it in order to create, exercise or defend legal claims.

Alstom may use restricted data for (i) the establishment, exercise or defence of legal claims or (ii) the protection of another individual’s rights.

▪ **Right to Object**

You can object to processing when Alstom is processing your personal data for Alstom’s legitimate interests. You have right to object to such processing that is not (i) required by law or for the establishment, exercise or defence of a legal claim, or (ii) needed by Alstom for compelling purposes that would override your objection.

When your personal data are processed for direct marketing purposes, you have the right to object at any time to this processing.

▪ **Right to Withdraw your Consent**

Alstom might need your consent in specific cases. In these cases, Alstom would provide you with a way to withdraw your consent as easy as the way you gave consent in the first place.

▪ **Right to Data Portability**

Your right to data portability is not absolute, *i.e.*, you have the right to ask to receive your personal data and/or have Alstom transfer your personal data to another company, where technically feasible, provided that:

- you have given Alstom your consent for the processing or
- the processing is necessary of the performance of a contract between you and

Alstom or in order to take steps at your request prior to entering into a contract and

- the processing is carried out by automated means. Your request may be denied to protect another individual's rights.

Alstom Controller

ALSTOM Transport SA, which is a French *société anonyme*, having its registered office in France, at 48 rue Albert Dhalenne, 93400 Saint-Ouen, is the **Controller** for the Group ("**ATSA**"). It is responsible for all processing activities and serves as the main contact point with our lead supervisory authority (the French CNIL - *Commission Nationale de l'Informatique et des Libertés*) and the data protection supervisory authorities. ATSA will work with local Alstom's affiliates/subsidiaries for compliance with specific local rules related to local processing of your personal data. Alstom's affiliates/subsidiaries may act as Joint Controllers, depending on the nature of the processing and the autonomy of these entities.

How to Ask Questions and Exercise your Rights

If you want to exercise your rights, if you have any questions about this Alstom Data Privacy Business Partner Notice or if you believe that your personal data is not handled in accordance with the applicable law or this Notice, you can contact the Alstom Ethics & Compliance Department by sending an email to data.privacy@alstomgroup.com.

When you contact us, Alstom strives to give you full satisfaction when it comes to the protection of your personal data. Nevertheless, should you remain dissatisfied, you are also entitled to contact any competent data protection supervisory authority, such as the CNIL (*Commission Nationale de l'Informatique et des Libertés*) in France.

For more information on Alstom's global approach to the processing of your personal data, please consult the [Alstom Data Privacy Charter](#).

Effective Date

Version A – 6 December 2018
Version B – April 2019