

 <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b> <b>EFFECTIVE DATE: May 2018</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

**We are committed to protecting your personal data in a transparent manner.**

Given our relationship of trust with our Customers, we have defined our privacy policy and recorded it in this Charter.

This Charter reflects our commitment to providing a clear explanation of the privacy rules we apply.

The main aim of this Charter is to provide clear, simple and accurate information about our data processing activities all in one place, to ensure that our Customers and Prospective Customers understand the types of personal information and data (hereinafter referred to as the “personal data”) collected, how it is used and the rights they hold in relation to their personal data.

**1. DEFINITIONS**

“**anonymisation**” is defined as resulting “from processing personal data in order to irreversibly prevent identification<sup>1</sup>”;

“**we**” refers to all Leroy Somer / Nidec group entities;

“**collect**” refers to the collection of personal data. In particular, it may be collected through questionnaires or online forms;

“**consent**” refers to your consent, meaning any freely given, specific, informed and unambiguous indication of your wishes by which you signify agreement to the processing of your personal data by a statement or by clear affirmative action;

“**personal data**” means any information relating to an identified or identifiable natural person, 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;

“**restriction of processing**” means the marking of stored personal data with the aim of limiting its

---

<sup>1</sup> G29 Opinion 05/2014 of 10 April 2014 on Anonymisation Techniques (WP216)

 <b>All for dreams</b> POLICIES AND PROCEDURES	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX:</b> <b>2018 V0CL</b>
		<b>ISSUE: 1</b> <b>EFFECTIVE DATE: May 2018</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

processing in the future<sup>2</sup>;

“**minimisation**” with reference to “data” refers to a restriction on the collection or use of information;

“**products or services**” means all products and services, including technological products and services (websites, applications and related services) that we propose, now or hereafter;

“**commercial marketing**” means any activities designed to identify new customers, with the “commercial” qualifier meaning that it relates or is connected to commerce<sup>3</sup>;

“**commercial relationship**” covers all of our relationships with our customers such as, for example, when you purchase products or services or use our after-sales service;

“**data controller**” is the person or body which, alone or jointly with others, determines the purposes and means of the processing of your personal data;

“**data processor**” is the person processing personal data on behalf of the data controller (person, structure or body);

“**third party**” refers to any person other than us and you;

“**processing of personal data**” means any operation or set of operations performed on your data, regardless of the medium through which the online services in question are provided and the process used.

## 2. COLLECTION OF YOUR DATA

Your personal data may primarily be collected:

- when you visit our website, in particular when you download our brochures, catalogues, manuals, software and drawings or use our energy savings calculator;
- for the management of our commercial relationship, including when you place orders, schedule delivery appointments, use the after-sales service or fill in our customer satisfaction surveys;
- as part of our direct marketing operations, in particular during marketing campaigns and those implemented by our subsidiaries and at trade fairs;
- when you purchase or use our products and services.

<sup>2</sup> Regulation EU No. 2016-679 of 27 April 2016, Art. 4

<sup>3</sup> Larousse Dictionary, 2017

 <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

### **3. CATEGORIES OF PERSONAL DATA WE PROCESS**

We may collect the following main categories of personal data:

#### **3.1 Declarative personal data**

Declarative personal data is data supplied by Customers or Prospective Customers when:

- they create a customer account in our information systems;
- they download the documentation we publish online;
- Prospective Customers use the energy savings calculator;
- they use our e-learning platforms;
- they use our Configurator module;
- Prospective Customers meet with our representatives at trade fairs.

That data is collected through electronic forms available on our websites and in our mobile applications or through forms in paper format or in response to questions asked by our customer services team, for example.

#### **3.2 Operational personal data for our products and services**

Some personal data is collected when you purchase and use products and services supplied by us or by our subsidiaries, for the purposes of our commercial relationship.

For example, information relating to the amount and nature of your purchases, your payment deadlines and also your relationship with the After-Sales Service are collected.

#### **3.3 Personal data collected from third parties or other services**

We may also process personal data about you collected from:

- our third-party suppliers, subcontractors or partners, where permitted under their privacy policies;
- other products or services purchased by you from third parties, where you have authorised them to share information with us.

#### **3.4 Exclusion of special categories of personal data**

The collection of special categories of personal data is excluded, meaning data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, personal genetic data, personal biometric data for the purpose of uniquely identifying a natural person, personal data concerning health or personal data concerning a natural person's sex life or sexual orientation.

 <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

We agree not to process those special categories of personal data.

#### **4. PERSONAL DATA PROCESSED**

We process the following main types of personal data:

- title, surname, forename;
- company, position held, your company's postal address, email address, landline or mobile number;
- your reference language;
- your orders and order tracking;
- the results of the use of our online modules.

#### **5. OUR USE OF YOUR PERSONAL DATA**

We use your data in accordance with the provisions of this Charter and the general terms and conditions of sale or use for our products or services, as part of a continuous effort to ensure transparency and the security of your data.

We generally collect your personal information for the following purposes and sub-purposes:

- to manage our commercial relationship;
- to retain and update our customer records;
- to offer our services, process your purchases and orders and those of our partners;
- to deliver products and services;
- to communicate with you about your orders, products, services and promotional offers;
- to propose appropriate, customised services, in particular when changes are made to our products and services;
- to enhance our customers' experience and help us get to know our customers better;
- to analyse data to enable us to customise our products and services to adapt them to our customers' needs;
- to suggest innovative services and products or complementary or promotional offers as part of our marketing activities;
- to carry out direct marketing and develop our business;
- to generate analyses and statistics and create tracking, measurement and reporting tools to allow us to adapt our commercial and marketing activities.

#### **6. LEGAL BASIS OF OUR PROCESSING**

We will only process data if at least one of the following applies:

 <p><b>POLICIES AND PROCEDURES</b></p>	<p><b>GENERAL</b></p>	<p><b>PAGES: 14</b></p>	<p><b>INDEX: 2018 V0CL</b></p>
		<p><b>ISSUE: 1</b></p> <p><b>EFFECTIVE DATE: May 2018</b></p>	
	<p><b>SUBJECT: PRIVACY CHARTER (GDPR)</b></p>		

## 6.1 Customer consent

We may process data where Customers or Prospective Customers have consented to the processing of their personal data for one or more specific purposes.

That consent may be given by a written statement, including by electronic means, or an oral statement.

## 6.2 Performance of the contract or pre-contract steps

Data will be processed where it is necessary for the performance of the contract, the General Terms and Conditions or the Special Terms and Conditions or in order to take steps at the request of Customers or Prospective Customers prior to entering into a contract.

For example, data will be processed for the purposes of the performance of the contract when you place an order or contact the After-Sales Service team.

## 6.3 Statutory and regulatory obligations

Data will be processed where it is necessary for compliance with our statutory or regulatory obligations. Those statutory or regulatory obligations include, for example, our anti-fraud obligations.

## 6.4 Our legitimate interests

Our legitimate interests or a third party's legitimate interests may provide a legal basis for our processing of a Customer or a Prospective Customer's personal data.

We have various legitimate interests including:

- getting to know our Customers better for marketing purposes;
- improving products and services.

When performed, that processing must take into account the interests and fundamental rights of Customers or Prospective Customers. To that end, it must be performed with measures and safeguards protecting the interests and rights of Customers or Prospective Customers to enable a balance to be struck with our legitimate interests.

## 7. RETENTION PERIODS FOR YOUR PERSONAL DATA

Your data is retained for the entire duration of our commercial relationship and for the mandatory statutory period.

 <b>All for dreams</b> <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

## **8. RECIPIENTS OF YOUR DATA**

Your personal data, including any personal data that may subsequently be collected, is collected for our use, in our capacity as the data controller.

We will ensure that your personal data may only be accessed by authorised persons and only where necessary for the performance of our commercial relationship.

Our service providers will also receive data for the provision of the services we have asked them to perform.

Some personal data may be transferred to third parties, to fulfil our statutory, regulatory or contractual obligations, or to the legally competent authorities.

## **9. DATA POOLING**

Your data may be reconciled, pooled or shared with all our entities.

It may be communicated to all our entities for the purposes authorised in this Charter.

Those operations are covered with contracts between the various entities receiving your data, to protect your data and safeguard your rights.

## **10. OUR SECURITY AND CONFIDENTIALITY COMMITMENTS**

Safeguarding your right to the protection, security and confidentiality of your data is our first and foremost concern.

We undertake to adopt appropriate security measures that are proportional to the sensitivity of the personal data, to protect it from any malicious intrusion and from any loss, alteration or disclosure to unauthorised third parties.

As all personal data is confidential, it may only be accessed by our employees or service providers acting on our behalf on a need-to-know basis, for the purposes of the performance of their duties or services. All persons with access to your data are bound by a duty of confidentiality and will face disciplinary and/or other action if they fail to comply with those obligations.

## **11. STORAGE OF YOUR DATA**

Your data is stored in our information systems or in those used by our data processors, subcontractors or service providers.

We undertake to choose data processors, subcontractors and service providers providing sufficient guarantees, in particular in terms of expert knowledge, reliability and resources, for the implementation of technical and organisational measures, including for the security of processing.

 <b>All for dreams</b> <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

We normally prefer to use technical solutions and store personal data in data centres located in Europe. Otherwise, we will adopt the measures required to ensure that our data processors, subcontractors and service providers adopt adequate security and protection measures.

## **12. TRANSFERS TO AND ACCESSIBILITY FROM NON-EU COUNTRIES**

The personal data that you provide to us for the agreed purposes may be transferred to an EU or a non-EU country for various reasons.

If transferred to a non-EU country, rules ensuring the protection and security of that information will have been implemented.

Those transfers of personal information or data to non-EU countries may potentially be carried out and governed by non-EU legislation or regulations.

For example, some personal data may be hosted in the United States. In such cases, the hosting company will have certified that it adheres to the Privacy Shield.

We transfer data to the following non-EU countries and entities:

- China and India, to group subsidiaries, for the purposes of reporting and business analysis operations;
- group subsidiaries located worldwide to manage our After-Sales Service, in order to identify which country providing the required after-sales services is closest to the Customer;
- the Customer's country, for the processing of the Customer's authorisation for access to the product selection and configuration tool;
- commercial agencies in a Prospective Customer's country to follow up contacts made at trade fairs, using the data collected at those fairs;
- group subsidiaries located worldwide, for the data provided by Prospective Customers using the energy savings calculator, in order to forward their request to the relevant subsidiary;
- the United States, as we use American companies to conduct direct marketing and host some types of data.

## **13. PERSONAL DATA PROTECTION MECHANISMS**

We have adopted in-house policies and processes and implement measures meeting the principles of personal data protection by design and personal data protection by default.

When developing, designing, selecting and using applications, services and products that are based on the processing of personal data, we take into account the right to personal data protection when designing

 <b>All for dreams</b> <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

them or check, with their publishers, that they meet the applicable statutory requirements and protect the data processed in them.

## **14. SAFEGUARDING RIGHTS HELD BY CUSTOMERS AND PROSPECTIVE CUSTOMERS**

We are particularly committed to safeguarding the rights held by our Customers and Prospective Customers and in accordance with applicable legislation and regulations, we ensure that our Customers and Prospective Customers are able to exercise the following rights for the personal data we process:

- right to be informed;
- right of access;
- right to rectification;
- right to erasure, also known as the right to be forgotten;
- right to data portability;
- rights to object;
- right to restrict processing;
- right to query;
- right to provide instructions for the retention, erasure and disclosure of their personal data after their death.

### **14.1 Exercise of data subject rights**

You may exercise those rights by emailing your request to: **InformatiqueetLibertes.IALS@mail.nidec.com** or by sending it by post with proof of your identity to Carine Lemoine at: Boulevard Marcellin Leroy, CS 10015, 16915 Angoulême Cedex 9 France.

However, if you exercise your right to be informed, we are not required to respond if you already possess the information requested or if the recording or disclosure of your personal data is expressly laid down by law or if the provision of information proves to be impossible or would involve a disproportionate effort.

### **14.2 Your information**

You acknowledge that this Charter has given you sufficient information about the purposes, the legal framework, the interests, the recipients or categories of recipients who may receive your personal data and the possibility that your personal data may be transferred to a third country or an international organisation.

In addition to that information, and in an effort to ensure fair and transparent processing, you represent that you have also received information on:

- the retention period for your personal data;
- the existence of your rights to request access to and rectification or erasure of your personal data, to request a restriction of processing, to object to the processing of your personal data and to

 <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

request data portability.

If we wish to process your data for any other purposes, you will be informed accordingly.

### **14.3 Your right of access and right to rectification**

You may exercise your right to request access to and rectification of your personal data by emailing your request to: [InformatiqueetLibertes.IALS@mail.nidec.com](mailto:InformatiqueetLibertes.IALS@mail.nidec.com).

Under those rights, you have the right to obtain confirmation as to whether or not your personal data is being processed, and, where that is the case, access to your personal data and information on:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipient to whom the personal data has been or will be disclosed, in particular recipients in third countries or international organisations;
- where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- the existence of the right to request from the data controller rectification or erasure of personal data or a restriction of processing of personal data concerning the data subject or to object to such processing;
- the right to lodge a complaint with a supervisory authority;
- where the personal data is not collected from the data subject, any available information as to its source;
- the existence of automated decision-making, including profiling, and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

You may ask us to rectify or complete your personal data, as appropriate, if it is inaccurate, incomplete, ambiguous or outdated.

### **14.4 Your right to erasure, also known as your right to be forgotten**

You may ask us to erase your personal data where one of the following grounds applies:

- the personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
- if you withdraw consent;
- if you object to the processing of your personal data and there are no legal grounds for the processing;
- if the processing of personal data does not comply with the provisions of the applicable legislation

 <b>All for dreams</b> <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

and regulations;

- if your personal data has been collected in relation to the offer of information society services for children under 16 years of age.

However, please note that you may not exercise that right to erasure if the retention of your personal data is required under applicable legislation or regulations, including, for example, for the establishment, exercise or defence of legal claims.

#### **14.5 Your right to data portability**

From 25 May 2018, you have the right to request the portability of your personal data.

Your right to data portability may be exercised for the following categories of personal data:

- your personal data only, meaning that your right to data portability cannot be exercised for anonymised personal data or data concerning another data subject;
- declarative personal data and operational personal data that we have collected in connection with our services; and
- provided that your personal data does not adversely affect the rights or freedoms of third parties such as those protected under trade secret obligations.

However, that right is restricted to processing based on consent or on a contract and to personal data generated by you directly.

That right may not be exercised in relation to derived, inferred personal data that we have created.

#### **14.6 Your right to object**

You have the right to object to the processing of your personal data where the processing is based on the legitimate interests of the data controller.

#### **14.7 Your right to restrict processing**

You may request a restriction of the processing of your personal data in the cases permitted under the applicable legislation and regulations.

#### **14.8 Your right to redress**

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, for example the CNIL in France.

#### **14.9 Your right to provide instructions for after your death**

 <b>All for dreams</b> <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

You have the right to provide instructions on the retention, erasure and disclosure of your personal data after your death to a certified trusted third party, instructed to ensure that the deceased's wishes are respected in accordance with the statutory criteria.

## **15. YOUR RIGHT TO FAIRNESS AND TRANSPARENCY**

We undertake to provide you with fair, clear and transparent information on the following main points:

- the general terms and conditions governing the use of the products and services available as part of our intermediation operations, for example in connection with our marketplace operations;
- terms governing the listing, ranking and delisting of the content, goods or services thus posted online.

If listed companies influence the ranking or listing of the content, goods or services proposed or posted online, we will inform you of the existence of any:

- contractual relationship with those persons;
- capital ties with those persons; or
- remuneration paid to them.

## **16. OUR PERSONAL DATA PROTECTION OFFICER**

We have appointed a Personal Data Protection Officer.  
Contact: [InformatiqueetLibertes.IALS@mail.nidec.com](mailto:InformatiqueetLibertes.IALS@mail.nidec.com).

## **17. DIRECT MARKETING**

As part of our close relationship with our Customers and Prospective Customers, we may contact them to propose new products and services that appear better suited to their needs or expectations or provide new features.

Where personal data is processed for the purposes of direct marketing, Customers and Prospective Customers have the right to object to such processing, including profiling to the extent that it is related to such direct marketing, whether with regard to initial or further processing, at any time and free of charge.

### **17.1 Direct marketing by email**

We may email direct marketing to Customers or Prospective Customers provided that they gave their consent when we collected their email address or personal details by checking a box opting them in for commercial marketing.

Each email will contain a link to allow the Customer or Prospective Customer to opt out from the mailing

 <b>All for dreams</b> <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

list.

Customers and Prospective Customers may object to the use of their personal data collected for direct marketing by fax or using an auto-dialler system, free of charge, simply by contacting our communications department at: Boulevard Marcellin Leroy, CS 10015, 16915 Angoulême Cedex 9 France.

### **17.2 Direct marketing by telephone**

We may also market our products and services to Customers and Prospective Customers by telephone.

Pursuant to Article L. 223-2 of the French Consumer Code (*Code de la consommation*), Customers and Prospective Customers may register with a telephone preference service called *Bloctel*, to opt out of direct marketing calls. However, even if you are listed on the opt-out register, you may still receive direct marketing calls from us if we have an ongoing contractual relationship, unless you object.

## **18. SPECIAL PROCESSING FOR SPECIFIC TECHNOLOGIES**

### **18.1 Video Surveillance**

We use video surveillance systems as part of our security measures in compliance with the rules set out in the French National Security Code (*Code de la sécurité intérieure*) and, in particular, the authorisations issued by the relevant Prefectures and the French Data Protection Act (*Loi informatique et libertés*).

Customers and Prospective Customers are informed that those images are recorded and archived and may be used to identify the persons filmed, through the systems implemented or by the officers with access to the images.

Signs in the relevant areas inform Customers and Prospective Customers of the existence of that type of system, the person in charge of the system and the procedures for exercising their right to access any visual recordings in which they appear.

Images will not be retained for more than one month, unless criminal proceedings may be issued. If criminal proceedings are issued, the images will be extracted from the system (after recording that operation in a specific log) and retained for the duration of the proceedings.

### **18.2 Cookies and other trackers**

Cookies and other trackers refer to the trackers installed and read when you consult a website, read an email or install or use software or a mobile application for example, on any type of device.

 <b>All for dreams</b> <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

Accordingly, the term “cookie” covers, in particular, HTTP cookies, flash cookies, the results of fingerprinting calculations, web bugs or any other identifier generated by a piece of software or an operating system.

Cookies and other trackers are generally used for web analytics (browsing and traffic on our website) for advertising or security purposes.

Cookies are generally split into different categories such as targeting cookies, performance cookies and social sharing cookies.

Cookies and other trackers are pieces of data stored on a user’s device, used by our website to send information to the user’s browser and allow that browser to send information back to the original website (for example, a session identifier, language preferences or a date).

Cookies and other trackers may be used to retain stateful information, for their period of validity, when a browser accesses various pages of a website or when the same browser subsequently returns to that website.

There are different types of cookies and other trackers:

- session cookies which are deleted as soon as a user leaves the website;
- persistent cookies which remain on a user’s device until they expire or until the user erases them using the features available in the user’s browser.

Customers and Prospective Customers are informed that cookies and other trackers may be installed on their device when they visit our website.

### **18.3 Telephone recordings**

Our conversations with Customers or Prospective Customers may be recorded for training or assessment purposes or to improve the quality of our products and services.

We will always inform Customers or Prospective Customers before recording our conversations. For that purpose, we have implemented a system of access rights for computer access to those recordings, logging all relevant activity.

We will retain the original recordings or copies for periods that are proportionate to the purpose of the relevant recording.

 <b>All for dreams</b> <b>POLICIES AND PROCEDURES</b>	<b>GENERAL</b>	<b>PAGES: 14</b>	<b>INDEX: 2018 V0CL</b>
		<b>ISSUE: 1</b> <b>EFFECTIVE DATE: May 2018</b>	
	<b>SUBJECT: PRIVACY CHARTER (GDPR)</b>		

## 19. AMENDMENTS AND CONTACTS

Amendments may be made to this Charter to ensure a higher level of protection for our Customers and their personal data.

Customers and Prospective Customers should email any questions to: [InformatiqueetLibertes.IALS@mail.nidec.com](mailto:InformatiqueetLibertes.IALS@mail.nidec.com) or send them to our Personal Data Protection Officer at Boulevard Marcellin Leroy, CS 10015, 16915 Angoulême Cedex 9 France.