



## NIACET B.V. PRIVACY POLICY

### 1 Who are we?

We are Niacet B.V. We have our registered office at Tiel (the Netherlands) and our principal place of business at Papesteeg 91, 4006 WC Tiel. We are registered with the trade register of the chamber of commerce under company number 11044303.

In the context of our activities, we collect, hold, disclose and/or otherwise process personal data.

### 2 We know your privacy is important to you

We value your right to privacy and strive to protect your personal data in accordance with applicable data protection legislation and more specifically with the General Data Protection Regulation (“**GDPR**”) and its national implementing legislation (in the Netherlands the Dutch GDPR Implementation Act).

In this privacy policy we set forth how we collect your personal data, how and for what purposes we may use your personal data and to whom your personal data may be disclosed by us. Further, this privacy policy includes important information regarding your rights with respect to the processing of your personal data. Therefore, we encourage you to read this privacy policy very carefully.

From time to time, we may need to change this privacy policy. The most recent version of this privacy policy is available on our website [www.niacet.com](http://www.niacet.com). We encourage you to regularly review this privacy policy. You may also ask us to send you a copy of the most recent version of this privacy policy. See contact details in paragraph 10. Attention: By using our services and by sharing your personal data with us, you acknowledge that your personal data will be processed in the manner as described in this privacy policy.

Note: this does not constitute your ‘consent’ to the processing of your personal data. We do not process your personal data on the basis of your consent, unless specifically indicated.

### 3 Whose personal data do we collect?

We collect personal data of the relations we are (considering) doing business with, such as, but not limited to, customers, suppliers and service providers.

### 4 How do we collect personal data relating to you?

We may collect information about you in various ways:

- Directly from you, when you provide us your details directly via phone or email.
- From the following third parties, when such third party provides us your details:
  - o Consultants, suppliers, distributors

**5 What personal data do we collect and for what purposes do we use your personal data?**

We collect the following information about you and we use it for the following purposes:

<b>Personal data:</b>	<b>Purposes:</b>
Your contact information (name, address, telephone number, email address or other contact details and job title).	<ul style="list-style-type: none"> <li>- customer administration</li> <li>- supplier administration</li> <li>- administration and management of intermediaries</li> <li>- to deliver the products you ordered</li> <li>- for administrating payment of invoices</li> <li>- for marketing purposes</li> <li>- in the context of a possible business transaction</li> <li>- to handle disputes and ensure our legal position herein</li> <li>- to comply with legal obligations, such as tax requirements or requests from authorities</li> <li>- for making decisions about selecting you as a vendor</li> </ul>

The legal grounds used for these processing activities are legal obligations, the execution of an agreement and our legitimate interest. Our legitimate interests are to provide you with information about our (new) products] and to investigate the possibilities to do business with you.

**6 With whom do we share your personal data?**

In the context of the purposes as listed above, we may share your personal data with third parties, such as service providers we use (e.g. IT service providers or business consultants). Your personal data can also be disclosed to our affiliated company Niacet Corporation.

We will ensure that, where relevant, contractual safeguards are implemented to ensure the protection of your personal data when disclosing your personal data to a third party. For example, we will enter into data processing agreements with relevant parties (providing for restrictions on the use of your personal data and obligations with respect to the protection and security of your personal data).

The parties to whom we may disclose your personal data as referred to above may be located in countries outside the European Union (EU), which countries may offer a lower level of data protection than in the Netherlands. For example, such shall be the case in the following situation: transfer of personal data to Niacet Corporation and our IT service provider, responsible for our software, server and IT installations.

In such case, it shall be ensured that adequate measures are taken to ensure adequate protection of your personal data in accordance with applicable data protection legislation. More specifically, we have implemented the following measures: a data transfer agreement according to European Commission Decision C(2004)5721 is in place with Niacet Corporation, a data processing agreement is in place with the IT service provider.

Your personal data and/or person profiles shall not be rented, nor sold to third parties without your prior explicit consent.

## **7 How long do we store your personal data?**

Your personal data will not be stored for longer than is necessary in relation to the purposes for which we process them (we refer to the purposes as listed above in paragraph 5). Your data will be deleted 5 years after our last contact. Only where we are legally obliged to, or where this is necessary for defending our interests in the context of judicial proceedings (e.g. in case of a dispute), we will store the personal data for longer periods.

## **8 How do we protect your personal data?**

We will implement the necessary administrative, technical and organizational measures for ensuring a level of security appropriate to the specific risks that we have identified. We protect your personal data against destruction, loss, alteration, unauthorized disclosure of or access to personal data transmitted, stored or otherwise processed.

Further, we seek to ensure that we keep your personal data accurate and up to date. In view thereof, we kindly request you to inform us of any changes to your personal data (such as a change in your contact details).

## **9 What are your rights and how you can exercise them?**

You have the right to:

- information about and access to your personal data;
- rectify your personal data;
- erasure of your personal data ('right to be forgotten');
- restriction of processing of your personal data;
- **object to the processing of your personal data;**
- receive your personal data in a structured, commonly used and machine readable format and to (have) transmit(ted) your personal data to another organization.

To read more about these rights, and circumstances under which you can use these rights, in particular your **right to object**, see the Annex.

Finally, you have the right to lodge a complaint with the Dutch Data Protection Authority relating to the processing of your personal data by us.

## **10 Contact**

If you have any questions, comments or complaints in relation to this privacy policy or the processing of your personal data by us, please feel free to contact us at the email address [privacy@niacet.nl](mailto:privacy@niacet.nl).

## Annex

<b>Right to information and right to access your personal data</b>	You may at any time request more information on our processing activities and the personal data that we are keeping from you.
<b>Right to rectification of inaccurate or incomplete personal data of</b>	You have the right to require us to, without undue delay, rectify or complete any of your personal data that is inaccurate or incomplete.
<b>Right to deletion of your personal data ('right to be forgotten')</b>	<p>You may request us to delete (part of) your personal data in the following situations:</p> <ul style="list-style-type: none"> <li>– when the processing is no longer necessary for achieving the purposes for which they we collected or otherwise processed these; or</li> <li>– when the processing was based on your consent and you have decided to withdraw that consent;</li> <li>– when you have other reasonable grounds to object to the processing of your personal data;</li> <li>– when we would unlawfully process your personal data;</li> <li>– when your personal data have to be erased in compliance with a legal obligation directed to us.</li> </ul> <p>We note that in some case, we may refuse to delete your personal data: (i) for exercising the right of freedom of expression and information; (ii) for compliance with a legal obligation; or (iii) for the establishment, exercise or defence of legal claims.</p>
<b>Right to restriction of processing</b>	<p>You may request us to (temporarily) restrict the processing of your personal data in the following situations:</p> <ul style="list-style-type: none"> <li>– when you have contested the accuracy of your personal data, for a period enabling us to verify this accuracy; or</li> <li>– when the processing appears to be unlawful and you request us the restriction of use of your data instead of the deletion of this data; or</li> <li>– when we no longer need the personal data for the purposes of the processing, but you need them for the establishment, exercise or defence of legal claims; or</li> <li>– pending verification whether our legitimate grounds override yours in the framework of an objection.</li> </ul>
<b>Right to object to the processing of your personal data (free of charge)</b>	<p>You may under certain circumstances object to the processing of your personal data, when such processing is based on our “legitimate interests”. If we agree, we will no longer process your personal data, unless we have compelling legitimate grounds to do so, or because such a processing is necessary.</p> <p>Where we process your personal data for <i>direct marketing</i> purposes, you may at any time object to the processing thereof or withdraw your consent thereto. You also have the right not to be subject to <i>profiling</i> for direct marketing purposes.</p>
<b>Right to data portability</b>	In some cases, you have the right to receive all your personal data in a structured, commonly used and machine-readable format and have the

right to transmit those data to another controller. This right applies:

- in case the processing is based on consent or on the necessity for the performance of a contract; and
- in case the processing is carried out by automated means.