



Customer Privacy Notice

Scope and Overview

As an existing customer or partner of Thomas Hardie Commercials it is important that you read the information below regarding changes to your existing contract with us to accommodate the General Data Protection Regulation (GDPR).

New data protection legislation is due to come into force during May 2018, which aims to protect the privacy of all EU citizens and prevent any data breaches of EU citizen's personal data. It will apply to any public or private organisation processing personal data.

Established key principles of data privacy will remain relevant in the new data protection legislation but there are also a number of changes. Amongst the changes, the new GDPR specifies that any processing of personal data by a Data Processor should be governed by a contract with certain provisions included.

This will involve both your organisation and ours updating our existing contract terms and conditions (Prime Agreement) and ensuring we agree a schedule to clarify the roles and responsibilities between your organisation as the Data Controller and Thomas Hardie Commercials as the Data Processor.

If you do not sign and return this document but continue to work with Thomas Hardie Commercials as per the Prime Agreement we have between us, you will be deemed to have agreed it. Nevertheless, as it is a statutory requirement for both organisations to update their contracts as required and be able to evidence this, we would appreciate you returning a signed copy of this document to acknowledge your consent to the new provisions.

Thomas Hardie Commercials is committed to protecting the privacy and security of your personal data under the GDPR Ruling. This Privacy Notice describes how Thomas Hardie Commercials and its subsidiaries, affiliates, and related entities (collectively, "Thomas Hardie Commercials," "we," or "us") collect and process personal data about your Company. This Privacy Notice applies to New, current and former Customers. This privacy notice applies to customers located in the EU (including the UK)

This Privacy Notice describes the categories of personal data that we collect, how we use your personal data, how we secure your personal data, when we may disclose your personal data to third parties, and when we may transfer your personal data outside of your home jurisdiction. This Privacy Notice also describes your rights regarding the personal data that we hold about you including how you can access, correct, and request erasure of your personal data.

We will only process your personal data in accordance with this Privacy Notice unless otherwise required by applicable law. We take steps to ensure that the personal data that we collect about you is adequate, relevant, not excessive, and processed for limited purposes.

Collection of Personal Data

For purposes of this Privacy Notice, personal data means any information about an identifiable individual. Personal data excludes anonymous or de-identified data that is not associated with a particular individual. To carry out our activities and obligations as a supplier of goods and/or services, we may collect, store, and process the following categories of personal data, which we require for the purpose of administering the supplier relationship with you:

- Contact details such as Company name, company contacts, titles, addresses, telephone numbers, and email addresses, Vat Numbers and VOSA Operator Licence number.
- Information relating to your vehicles.
- Financial information relating to finance agreements and bank account.
- Digital information including IP detail if you use our online services.

The personal data identified above is mandatory in order for us to administer the supplier relationship. Failure to provide or allow us to process mandatory personal data may affect our ability to accomplish the purposes stated in this Privacy Notice.

Use of Personal Data

We only process your personal data where applicable law permits or requires it, including where the processing is necessary for the performance of our Supplier contract with you, where the processing is necessary to comply with a legal obligation that applies to us as your supplier, for our legitimate interests or the legitimate interests of third parties, to protect your vital interests, or with your consent if applicable law requires consent.

We will only process your personal data for the purposes we collected it for or for compatible purposes. If we need to process your personal data for an incompatible purpose, we will provide notice to you and, if required by law, seek your consent. We may process your personal data without your knowledge or consent only where required by applicable law or regulation.

We may also process your personal data for our own legitimate interests, including for the following purposes:

- To prevent fraud.
- To ensure network and information security, including preventing unauthorized access to our computer and electronic communications systems and preventing malicious software distribution.
- You will not be subject to decisions based on automated data processing without your prior consent.

Data Sharing

We will only disclose your personal data to third parties where required by law or to our employees, contractors, designated agents, or third-party service providers who require such information to assist us with administering the supplier relationship with you, including third-party service providers who provide services to us or on our behalf. Third-party service providers may include, but not be limited to, sub contractors, administration providers, and data storage or hosting providers. These third-party service providers may be located outside of your home jurisdiction.

We require all our third-party service providers, by written contract, to implement appropriate security measures to protect your personal data consistent with our policies and any data security obligations applicable to us as your supplier. We do not permit our third-party service providers to process your personal data for their own purposes. We only permit them to process your personal data for specified purposes in accordance with our instructions.

We may also disclose your personal data for the following additional purposes where permitted or required by applicable law:

- To comply with legal obligations or valid legal processes such as search warrants, subpoenas, or court orders. When we disclose your personal data to comply with a legal obligation or legal process, we will take reasonable steps to ensure that we only disclose the minimum personal data necessary for the specific purpose and circumstances.
- To protect the rights and property of Thomas Hardie Commercials.
- During emergency situations or where necessary to protect the safety of persons.
- Where the personal data is publicly available.
- If a business transfer or change in ownership occurs and the disclosure is necessary to complete the transaction. In these circumstances, we will limit data sharing to what is absolutely necessary and we will anonymize the data where possible.
- For additional purposes with your consent where such consent is required by law.

Data Security

We have implemented appropriate physical, technical, and organizational security measures designed to secure your personal data against accidental loss and unauthorized access, use, alteration, or disclosure. In addition, we limit access to personal data to those employees, agents, contractors, and other third parties that have a legitimate business need for such access.

Data Retention

Except as otherwise permitted or required by applicable law or regulation, we will only retain your personal data for as long as necessary to fulfill the purposes we collected it for, as required to

satisfy any legal, accounting, or reporting obligations, or as necessary to resolve disputes. To determine the appropriate retention period for personal data, we consider our statutory obligations, the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes we process your personal data for, and whether we can achieve those purposes through other means. We specify the retention periods for your personal data in our data retention policy.

Under some circumstances we may anonymize your personal data so that it can no longer be associated with you. We reserve the right to use such anonymous and de-identified data for any legitimate business purpose without further notice to you or your consent. Once you are no longer a Customer of the company, we will retain and securely destroy your personal data in accordance with our document retention policy and applicable laws and regulations.

Rights of Access, Correction, Erasure, and Objection

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes. By law you may have the right to request access to, correct, and erase the personal data that we hold about you, or object to the processing of your personal data under certain circumstances. You may also have the right to request that we transfer your personal data to another party. If you want to review, verify, correct, or request erasure of your personal data, object to the processing of your personal data, or request that we transfer a copy of your personal data to another party, please contact us., Any such communication must be in writing.

We may request specific information from you to help us confirm your identity and your right to access, and to provide you with the personal data that we hold about you or make your requested changes. Applicable law may allow or require us to refuse to provide you with access to some or all of the personal data that we hold about you, or we may have destroyed, erased, or made your personal data anonymous in accordance with our record retention obligations and practices. If we cannot provide you with access to your personal data, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

Right to Withdraw Consent

Where you have provided your consent to the collection, processing, or transfer of your personal data, you may have the legal right to withdraw your consent under certain circumstances. To withdraw your consent, if applicable, please contact us.

Data Protection Officer

We have appointed a data protection officer to oversee compliance with this Privacy Notice. If you have any questions about this Privacy Notice or how we handle your personal data, or would like to request access to your personal data, please contact the data protection officer. If you are unsatisfied with our response to any issues that you raise with the data protection officer, you may have the right to make a complaint with the data protection authority in your jurisdiction by contacting the data protection authority. You can contact our Data Protection officer on 01515493072.

Changes to This Privacy Notice

We reserve the right to update this Privacy Notice at any time, and we will provide you with a new Privacy Notice when we make any updates. If we would like to use your previously collected personal data for different purposes than those we notified you about at the time of collection, we will provide you with notice and, where required by law, seek your consent, before using your personal data for a new or unrelated purpose. We may process your personal data without your knowledge or consent only where required by applicable law or regulation.

Contact Us

If you have any questions about our processing of your personal data or would like to make an access or other request (including changes to your personal data), please contact the Data Protection Officer. If you are unsatisfied with our response to any issues that you raise, you have the right to make a complaint with the data protection authority in your jurisdiction.