

# **PERSONAL DATA PROTECTION POLICY**

## **Introduction**

Mssrs Limited Liability Company MS-Trade Trading Company (hereinafter referred to as company or TC MS-Trade) respect privacy of individuals/natural persons and proprietary information of their partners, customers, suppliers and other persons with whom they have business relationship. Company commits to processing personal data ('**PD**', as defined below) in a manner prescribed by the laws of the countries in which we do business, and we take pride in adhering to the highest ethical standards in our business activities.

This Personal Data Protection Policy (hereinafter referred to as 'Policy') sets out the general principles of privacy that TC MS-Trade adheres to in relation to PD processed in the course of business activities. On top of that, extra data protection policies or conditions can be put in place pursuant to the principles and conditions set out below where specific campaigns, promotional activities, programs and websites/apps may be developed. TC MS-Trade encourages all stakeholders to explore the extra conditions or principles before participating in campaigns, promotional activities, programs and websites/apps, since the PD will be processed in compliance with such extra conditions and/or principles.

## **SCOPE**

This Policy covers all forms of 'processing' (as defined below) of personal data in any format and on any medium that relate to individuals who are current and potential customers and suppliers whom TC MS-Trade have professional contact with; representatives or contact persons of such clients, suppliers, as well as would-be clients and suppliers, and any other individuals whose PD is received by TC MS-Trade.

This Policy is inapplicable to the processing of data of legal entities/persons per se.

## **TERMS AND DEFINITIONS**

For the purposes of this Policy, the following definitions are applicable:

**'Personal data'** or **'PD'** means any data or set of data, whether alone or in combination with other personal data processed by TC MS-Trade, which allows you to identify an individual. Personal data does not include anonymous information nor any publicly available information, unless it has been combined with personal data which are not subject to disclosure.

**'Processing'** means any operation or set of operations performed on a PD or a set of PD, whether with or without the use of automation aids, including collection, recording, structuring, storing, localizing or modifying, retrieving, coordinating, using, disclosing via transmission, distributing or otherwise making available, combining or matching, limiting, deleting or destroying, and the verb "process" must be construed in a similar way.

In the text of this Policy, "**TC MS-Trade**" means Limited Liability Company "MS-Trade Trading Company".

## **DATA PROTECTION PRINCIPLES**

When processing PD, TC MS-Trade adheres to the following principles:

### **Notice and Consent**

TC MS-Trade takes every effort to notify individuals that their personal data are processed in line with applicable law. In particular, information is provided on the purpose for which TC MS-Trade collects and uses PD, the types of third parties to which TC MS-Trade discloses (or may disclose) PD, and alternative options and means that TC MS-Trade offers to personal data subjects to restrict the use and disclosure of their PD.

Unless otherwise provided by applicable law, TC MS-Trade undertakes to notify individuals on the fact that their personal data are processed upon their first request to provide such data by TC MS-Trade or as soon as possible thereafter.

Unless permitted by applicable law, PD collection is prohibited without the individual's prior consent to the collection, use and disclosure of such PD. In some cases, consent to the collection of the data by TC MS-Trade may spell out from the nature of the current relationship between TC MS-Trade and an individual, or as a result of such a person's interaction with TC MS-Trade, for example, the use of the website/ apps of the company or making deal with them.

Submitting your PD to TC MS-Trade, you acknowledge that you have read this Policy and, if required by applicable law, you consent to the collection, use and disclosure of your PD in line with this Policy and other applicable data protection policies of TC MS Trade. Under applicable law, you are entitled to refuse or withdraw your consent.

### **Choosing how to use**

Except where applicable law imposes more stringent requirements, and if possible and appropriate under the circumstances, TC MS-Trade offers individuals whose PD it processes the choice of whether to disclose their PD to a third party or use them for another purpose other than that, which they were originally obtained for or which the individual has given their consent for. TC MS-Trade undertakes to provide individuals with tools for making such a choice, which are acceptable given the circumstances.

### **Access and Correction**

Upon request and/or where necessary, or in other appropriate cases, and within the time limits (if any) set out by applicable law, TC MS-Trade undertakes to reasonably provide individuals with access to their PD which are in the possession of TC MS-Trade. The Company may deny such access in cases provided for by applicable law, and each request of an individual is looked at on a case-by-case basis. If the request is denied, the company shall notify the individual in writing of the denial reasons. The Company provides information in an understandable manner, explaining how PD is processed and used in the normal course of the Company's business. We may charge a reasonable fee for fulfilling a request (for example, photocopying or mailing) where permitted by applicable law. Furthermore, TC MS-Trade undertakes to take reasonable measures to provide individuals with the opportunity to correct/rectify, update or delete/erase incomplete or inaccurate PD. With the aim of preventing fraudulent requests for access, TC MS-Trade has the right to request information sufficient to confirm the identity of the individual who submitted the request before granting access to such an individual.

### **Data integrity**

Unless applicable law imposes more stringent requirements, TC MS-Trade undertakes to use PD only in a manner that is consistent with the purposes for which such PD were collected, or in a manner for which the consent was subsequently obtained from an individual. TC MS-Trade undertakes to take necessary measures to ensure that the PD are used as intended, they are accurate, complete and relevant.

### **Disclosure and transfer to third parties**

TC MS-Trade has nothing to do with selling PD to others, but may transfer your PD to their third-party service providers who deliver services on behalf of TC MS-Trade.

TC MS-Trade undertakes to take measures to obtain appropriate and reasonably feasible guarantees from third parties, including their subsidiaries and affiliates, to which we disclose or transfer PD, that such third parties undertake to protect PD in a manner consistent with this Policy. If TC MS-Trade becomes aware that a third party is using or disclosing PD in a manner contrary to the requirements hereof, TC MS-Trade undertakes to take the necessary measures to prevent or stop such misuse or disclosure. In cases where the law requires obtaining the prior consent of an individual to disclose PD to third parties, TC MS-Trade undertakes to obtain such consent before transferring the data. Circumstances may arise in which TC MS-Trade is obliged to transfer PD without obtaining prior consent, including without limitation, those imposed by a writ/court order; if TC MS-Trade has reasonable grounds to believe that it is necessary to protect the rights, privacy or security, or to protect the property of an individual or group of individuals; if it is necessary to assess the amount or collect funds due to TC MS-Trade or intended to close a deal with a third party; if this is necessary to provide TC MS-Trade with the opportunity to use available legal remedies or minimize the losses that TC MS-Trade may incur; or if the data are publicly available. In cases where the company is obliged or entitled to disclose PD, the company undertakes to disclose nothing more than required. The Company may also disclose data based on the extra conditions and/or privacy policies.

### **Ensuring data protection**

TC MS-Trade shall take reasonable and appropriate measures to protect the PD in their possession from loss, misuse and unauthorized access, disclosure, alteration and destruction, as well as retaliatory measures in case of misuse, loss or unauthorized use of such PD.

### **Control over compliance**

TC MS-Trade shall check compliance with the requirements of this Policy and other privacy policies on a regular basis. Unless prohibited by applicable law, any employee, partner or contractor of TC MS-Trade who, in TC MS-Trade's judgment, breach this Policy, will be subject to appropriate disciplinary action, up to and including termination of employment or termination of obligations.

### **Settlement of disputes**

All questions or claims regarding the use or disclosure of PD to be e-mailed to TC MS-Trade at [info@tcmstrade.ru](mailto:info@tcmstrade.ru). TC MS-Trade will investigate and try to resolve claims and disputes regarding the use and disclosure of PD in line with the principles set forth herein.

### **CHANGES TO THIS POLICY**

TC MS-Trade may revise this Policy from time to time. This being the case, the date first above written will be changed.

## **SCHEDULE FOR INDIVIDUALS WHOSE PD ARE PROCESSED BY TC MS-TRADE, WHICH ARE DOMICILED OR INCORPORATED AT THE EUROPEAN ECONOMIC AREA (“EU SCHEDULE”)**

This EU schedule completes and complements the main section of the Policy for protection of Personal Data Collected or Processed within the EEA. In case of any discrepancy between the provisions of the main section of this Policy and this EU schedule, the EU schedule shall prevail.

This EU schedule is intended to provide the information required by the General Data Protection Regulation (**GDPR**) dated May 25, 2018, including the following:

- what basis and how TC MS-Trade collects, processes and stores your PD;
- what does their role as a ‘controller’ of your PD imply; and
- what your rights and our obligations are included in such processing.

### **Terms and definitions**

For the purposes of this EU schedule, the following definitions apply:

‘**Controller**’ generally means the legal entity/person that determines the purposes (i.e., the basis) and methods (i.e., how) of the PD processing hereunder.

‘**TC MS-Trade**’ means a legal entity that is identified within the EEA as a Controller in line with the ‘Controller’ of this EU schedule.

‘**Personal data**’ or ‘**PD**’ means any information that constitutes ‘personal data’ under the GDPR, in particular, that relating to an identified or identifiable natural person.

### **Collection of PD**

TC MS-Trade collects your PD whenever they:

- interact with individuals who are their potential or existing customers/suppliers;
  - interact with individuals which are representatives or contact persons of their potential and existing customers/suppliers who are legal entities/persons (for example, for selling/ordering products or for marketing purposes); or interact with individuals/natural persons who are ex-, current or potential employees and directors of TC MS-Trade.

### **Categories of personal data collected**

We may collect:

- Basic identification information such as name, title, company name, email and/or postal address, landline and/or mobile phone number;
  - Administrative information (for example, identity papers, date of birth, gender, language, etc.);
- Numerical data (for example, registration data, IP address);
- Biometric data (for example, photo, sound, video);

- Financial information (for example, bank details, credit card details, tax details, transaction details);
- Any additional information that you provide voluntarily (for example, by filling out a form or registering for an email newsletter).

The information specified can be provided both directly by individuals themselves and by the legal entities they are employed with (for example, if they are contact persons vested by their employer with the management capacity of commercial relations with TC MS-Trade).

### **Purposes of personal data processing**

We process PD for:

- Management of sales and procurement related to our products and services;
- marketing of our products and services;
- administration of our customers and suppliers (e.g. user registration, account opening, credit checks);
- controlling and strengthening relationships with our customers and suppliers;
- delivering our products and services to customers (for example, monitoring and tracking of purchases, payments, returns, billing management, service delivery management);
- drafting and managing contracts with our customers and suppliers;
- improving our current products and services (including those under development) by surveying consumers and others, analyzing statistics, and conducting tests or requesting feedback on products and services;
- periodic email marketing of our products, special offers and information which may be of interest to the company you are employed with, using email addresses provided by you or for you (if any);
- otherwise communicating with you through various channels (for example, periodic email marketing of our products, including special offers and highlights);
- monitoring activities at our facilities, including the control over compliance with existing policies, as well as with the applicable product and labor safety standards;
- management and control of our website activities, information resources, including infrastructure management and going concern;
- management of our archives and records;
- safeguarding the economic interests of the company;
- responding to formal inquiries received from government or judicial bodies and obtaining the permission required;
- managing legal and regulatory requirements, protecting our legal rights, preventing and detecting criminal activities, including regular control over compliance.

### **Legitimate grounds for the personal data processing**

We may not process PD without compelling legal grounds. Therefore, we process PD only if

- we have previously obtained your consent;

processing is necessary to fulfill our contractual obligations to you or to carry out pre-contractual activities at your request;

- processing is required for compliance with our legal or regulatory obligations (for example, tax or accounting requirements)
- processing is necessary in the legitimate interests of TC MS-Trade, while it will not adversely affect your interests or fundamental rights and freedoms. Noteworthy that when processing your personal data on these grounds, we always try to strike a balance between our legitimate interests and your privacy right.

### **Third Party Recipients**

We may share PD with our employees (if they need them to perform their job duties).

Your PD may be transferred to the following persons:

- subcontractors, business partners and experts of TC MS-Trade, as well as external advisers, agents, auditors, banks and depositories;
- any third party to whom we transfer our rights or obligations under a relevant agreement;
- any national and/or international regulatory, law enforcement or financial body or court where we are required to do so at their request or by virtue of applicable law or regulation; and
- any central or local government agency and other legislative or governmental bodies.

### **Transfer of data outside of the European Economic Area**

PD transferred within or outside of TC MS-Trade may also be processed in a country outside of the European Economic Area.

TC MS-Trade is not entitled to transfer PD outside of the EEA, except insofar as such data are transferred to:

- countries that offer an adequate level of personal data protection in line with the requirements of the European Commission, or;
- recipients which are bound by special agreements that contain legal requirements for such transfer.

You may request more information about such a transfer and receive a copy of the list of appropriate safeguards we use to enforce your rights set out below (see "Your Rights" section).

### **Storage of personal data**

We will retain your PD for as long as it is necessary to serve the purposes for which it was collected, including those to meet any legal requirements and those of accounting and reporting.

The criteria we use to determine the PD storage periods include: the purposes for which the PD was obtained, statutes of limitations on actions, storage periods required by law, applicable contractual requirements, and relevant industry standards.