



# Data Protection and Data Privacy policy

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NYRSTAR GROUP POLICY



## Context and scope

Nyrstar, together with all its affiliated entities, recognizes the importance of having effective privacy protections in place and is committed to compliance with applicable data protection laws.

This policy describes global privacy principles and requirements for processing Personal Data and supplements national data privacy laws. This policy applies worldwide, and to all Nyrstar employees, regardless of their location. In the event of a conflict between national law and this policy, the relevant national law will always take precedence. In several countries there can be specific requirements and/or policies relating to privacy and data protection. Please contact your local legal representative for details about specific local requirements or refer to the locally deployed policy.

## General Data Protection and Privacy principles

Personal Data<sup>1</sup> will only be collected, used, transferred or otherwise processed by, or on behalf of, Nyrstar in a safe and professional manner, regardless whether the data is on paper, computer records or recorded by any other means. While collecting, using, transferring or otherwise processing Personal Data, Nyrstar and its employees will, in addition to local legal requirements, have to adhere to the following principles of data protection.

### a. Legitimate purpose

Personal Data can only be used, transferred or processed for a legitimate purpose, that was clearly defined at the time of collection. Personal Data shall not be further used or processed in any manner incompatible with that purpose and may not be collected and stored for potential future use, unless allowed by local law.

Legitimate purposes include the effective management of employment matters (such as payroll management, performance management, recruitment, time registration, absence and illnesses administration), health/safety and security issues (such as site access control, medical follow up or health related issues) and fulfilling contractual, legal or regulatory obligations (such as cooperating with law enforcement/regulatory inspections).

### b. Individuals' rights

Personal Data will be collected, used, transferred or otherwise processed fairly and lawfully. During the collection, use, transfer or otherwise processing of Personal data, the rights of the individual relating to Personal Data must be protected. Nyrstar will respect, and comply with, all rights that individuals have under local applicable legislation including, but not limited to, the right of access, the right for individuals to have personal data erased (the right to be forgotten) and the right to rectification. However, in some countries these rights are not absolute; please refer to your local legal representative for details about locally applicable rights.

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<sup>1</sup> For the purpose of this policy, '*Personal Data*' means any information that relates to an identified or identifiable individual, such as a Nyrstar employee and his or her family members, a contractor or business contact, either stored electronically (on a computer) or in certain paper-based filing systems or other storage media.

Personal Data may include: i) contact details and identification details of the Nyrstar employee; ii) financial details for the purpose of (salary) payments; iii) medical condition and absentia related data; iv) wage and performance related data; v) photo and video material. Different pieces of data, which collected together can lead to the identification of a particular person, also constitute Personal Data.

### c. Nyrstar’s obligations

The Personal Data that Nyrstar collects in the context of the legitimate purposes set out above shall be treated with due care. Nyrstar has classified Personal Data as “*confidential*” (according to Nyrstar’s *Document Classification system*). Within Nyrstar, the access rights to Personal Data are restricted in such a way that they can only be accessed, collected, used, transferred or otherwise processed if this is necessary for the performance of certain tasks. Nyrstar employees who have such access rights (for instance HR, Legal or IT- department members) shall use extra care.

Nyrstar will protect Personal Data in its possession, using technical, managerial and physical security measures against risk of loss or unauthorized access, destruction, use modification or disclosure. Nyrstar takes reasonable efforts to ensure that appropriate security measures are taken on a technical level (incl. data encryption, IT security measures, passwords) and on a physical level (incl. camera surveillance, access cards, secure lockable desks/lockers, gate entry controls). Nyrstar will only store Personal Data in databases maintained by third parties if there are sufficient data processing agreements and security safeguards in place.

### d. Data retention limitations

Nyrstar only keeps Personal Data for a limited period of time prescribed by applicable data retention rules. When Personal Data is no longer needed for a relevant purpose, or at least after the retention period has passed, it shall be destroyed and/or erased from Nyrstar’s systems (unless there is an explicit reason or obligation for longer retention). For guidance on how long certain data may be kept before being destroyed, please refer to the *Nyrstar Document Retention manual*, which can be reviewed on Nyrstar’s Intranet.

## Contact information

In case of any questions or concerns relating to data protection, privacy and the application of this policy, please refer to your legal representatives in the region in case you are based in Australia or the United States.

For employees based in the European Union, Nyrstar has a dedicated Data Protection Team (DPT) that acts both internally as externally as contact point for all questions, comments and complaints relating to data protection and, more specifically, the application of the GDPR. The Data Protection Team consists of members of the IT, HR and Legal department and can be contacted at [privacy@nyrstar.com](mailto:privacy@nyrstar.com).

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