



**KUGELHAHN MÜLLER GMBH
PART OF BRAY INTERNATIONAL GROUP**

**CORPORATE PRIVACY POLICY
FOR EUROPEAN ECONOMIC AREA AND EXPORTING AFFILIATES**

INTRODUCTION

This Corporate Privacy Policy (this "Policy") sets forth how Bray International, Inc. and its affiliated subsidiaries view the treatment of electronic data of a personal nature, including, without limitation, personally identifiable information of employees (whether current or past), prospective employees and contractors, customers, suppliers and other vendors. As much as this Policy sets forth rules for implementation in respect of privacy and data protection compliance, the intention is for this Policy also to constitute a statement of the principles and guidelines to which the Company will, and expects its employees and workforce to, adhere. This Policy has been developed to apply to Bray International, Inc. and all of its subsidiaries (collectively referred to herein as "the Company", "we", "our" or "Bray Companies", and individually referred to as a "Bray Company"), including, without limitation, in respect of the importation of information from other Bray Companies or jurisdictions that require privacy rights be observed with respect thereto. We may adapt or otherwise modify this Policy for use in other contexts as well. Nevertheless, this Policy should be construed to comply with applicable law and should any applicable laws controvert the terms and provisions hereof, then the standards of such applicable law shall apply (and the terms and provisions hereof shall be deemed to be modified accordingly for the applicable jurisdiction/circumstance).

The basic premise of this Policy is that the Company should ensure lawful collection, use, protection, disclosure and disposal of personal data. The Company believes this premise can be achieved in a manner that is consistent with our commercial vision and requirements. Thus, this Policy sets forth the rules and guidelines instructive for satisfying our premise within the context of our commercial operations.

In conjunction with the adoption of this Policy, the Company has established an office whose duties include the maintenance of our data privacy policies, rules, management and compliance. This office, our Data Privacy Office, is tasked with effectively communicating this Policy and any further or resulting rules and guidelines in respect of data privacy policies and rules within the Company (including among the Bray Companies' employees). The Data Privacy Office is further obligated to enforce this Policy, maintain consistent governance of the rules and guidelines across the Bray Companies, and train relevant personnel (who would collect or access personal data or otherwise develop tools or systems used in processing personal data).



TABLE OF CONTENT

1. Scope	1
2. Transparency and Notice	1
3. Fairness and Purpose Limitation	1
4. Data Quality and Proportionality	1
5. Rights of Individual Access	2
6. Compliance with Local Law	2
7. Automated Decision Making	2
8. Direct Marketing	2
9. Security, Confidentiality and Use of Third Parties	2
10. Cross-border Transfers	3
11. Monitoring Compliance through Audits	3
12. Cooperation with Data Protection Authorities	3
13. Conflicts with National Law	3
14. Complaints and Inquiries	3
15. Specific Rights for European Individuals	4
16. Effective Date and Changes and Publication of the Rules	4



1. SCOPE

Personal data is any information relating to an identified or identifiable natural person. An identifiable natural person is someone who can be identified, directly or indirectly, by reference to an identification number or one or more factors specific to his or her physical, physiological, genetic, mental, economic, cultural or social identity. The concept of “processing” personal data means any part of collecting, using, protecting, retaining, disclosing and disposing of personal data, as well as collectively doing all of the foregoing with respect to such data.

We are a global company and therefore we process and transmit personal data for normal business purposes daily. Such activities are conducted for the Company’s human resource reasons, including (but not limited to) workforce planning, recruitment, onboarding, managing performance, learning and development, providing compensation and benefits, and maintaining payroll. We also process information relating to our customer, supplier and other vendor relationships for numerous reasons. These may include maintaining such relationships, analysis of commercial needs and satisfaction, and managing and administering contractual obligations. We also may process and transmit personal data to satisfy reporting and other compliance obligations and to facilitate communications and other legal processes.

The Company will follow this Policy and the rules and guidelines hereunder when processing and transmitting personal data. This includes when a Bray Company is processing personal data received from any or more of the other Bray Companies.

For purposes of convenience and being responsive in respect of complying with this Policy and complying with legal obligations relating to access and recourse, we have established both a general and specific European Union affiliate as designated authorities. In the European Economic Area and Switzerland (“Europe”), Bray Controls Europe B.V., a Dutch *besloten vennootschap*, acts as the affiliate with delegated data protection responsibility and is responsible for taking the necessary actions to ensure compliance with this Policy by the Bray Companies. In all other jurisdictions for which our operations require, Bray International, Inc. serves these functions.

2. TRANSPARENCY AND NOTICE

We maintain and provide notices to individuals about why and how we collect and process their personal data. These notices include transparent and clear information on the use of personal data, including the purposes for which personal data is processed. Consistent with applicable legal requirements, notices will also include any other information to ensure that processing is fair--such as the identity of the Bray Company proposing to use the personal data, any other recipients of such data, and the rights and practical means for such individuals to contact us or exercise their rights. If we do not provide notice at the time of collection, we will do so as soon as possible thereafter, except if there is an exemption under applicable law for not doing so.

3. FAIRNESS AND PURPOSE LIMITATION

Personal data will be processed in a fair and lawful manner. Personal data will be collected for specific and legitimate purposes and not further processed in a way incompatible with those purposes. In certain cases, additional consent from individuals may be required. The Company processes personal data for legitimate business purposes, such as the management and administration of human resources, customers, consumers, vendors and suppliers or to pursue compliance with legal requirements.

4. DATA QUALITY AND PROPORTIONALITY

The Company processes personal data along the following guidelines:

- 4.1: Only relevant data — not in excess of the need for the purpose — is collected and used.
- 4.2: Only current complete and accurate data to the extent necessary is maintained.
- 4.3: Data will not be processed or retained in an identifiable format beyond what is necessary to achieve the purpose for which it is collected.



5. RIGHTS OF INDIVIDUAL ACCESS

The Company respects and complies with each individual's rights of access to personal data relating to her or him. We will confirm to any individual whether or not her or his personal data is being processed by the Company, and, if so, the purposes for which such data is being processed, the categories of such personal data being collected and used, the nature of the recipients or categories of recipients to whom the personal data is being disclosed. We expect to communicate with any individual consistent with the foregoing in a clear and concise manner about the personal data being processed and the basis for such processing. An individual may request the correction of inaccurate personal data and, in compliance with legal requirements, obtain the deletion or blocking of such personal data from the Company. Individuals can exercise such rights without constraint, at reasonable intervals and without excessive delay or expense, pursuant to the information found in Section 14 of this Policy.

6. COMPLIANCE WITH LOCAL LAW

The Company will only use personal data in accordance with the applicable law on personal data. This includes laws that may relate to the processing of personal data. If such applicable law requires greater protection of personal data than as set forth in this Policy, the Company will adhere to the requirements of such law.

Unless otherwise indicated under applicable law or an extenuating legal basis exists otherwise, the Company will process personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, health or sexuality only with a subject individual's express consent (such data otherwise is known as "sensitive" or "special" personal data).

7. AUTOMATED DECISION MAKING

If we determine to process personal data pursuant to an automated decision-making function, the Company will use appropriate measures for safeguarding the legitimate interests of individuals in regard to such personal data. We will endeavor to provide information on the logic involved in making such determination and establishing such measures.

8. DIRECT MARKETING

We will provide an opportunity and right of individuals to opt-out (without expense to them) from our marketing efforts if such efforts require processing personal data. We believe this can be most easily done by following instructions and links that we will provide in connection with such marketing efforts. Nevertheless, an individual can also exercise this right by contacting our Data Privacy Office at privacy@bray.com.

9. SECURITY, CONFIDENTIALITY AND USE OF THIRD PARTIES

The Company applies appropriate technical and organizational measures to protect personal data against accidental or unlawful destruction, loss, alteration, unauthorized disclosure or access, in particular where personal data is transferred over a network, and against other unlawful forms of processing. We maintain a comprehensive information security program that is proportionate to the risks associated with our processing activities. On the basis of best practices, we review the program and adjust as necessary to mitigate against operational risks and to ensure the protection of personal data. The Company will also use enhanced security measures when processing any sensitive personal data.

We conduct third party security reviews to ensure third parties to whom we entrust personal data offer adequate protection. Whenever the Company relies on such third parties that may have access to personal data, we enter into contractual arrangements with them to ensure they provide sufficient technical and organizational measures to protect the security and confidentiality of the personal data. We also require that they only act upon our instructions.

Where any of the Bray Companies processes personal data on behalf of another within our umbrella of affiliated companies it will adhere to this Policy and the rules and guidelines hereunder and act only upon the instructions of the Bray Company on



whose behalf the processing is being carried out. We maintain processes to ensure that prior to the transmittal of personal data to another of our Bray Companies, the receiving Bray Company is bound by this Policy and the rules and guidelines hereunder and abides by the applicable data privacy laws.

In some instances, we process personal information on behalf of our customers as a service (in a data processor capacity). We collect and process this personal information only as instructed by our customer and will not use or disclose it for our own purposes. We maintain information security controls to protect your information and will only disclose or transfer the personal information as instructed by the customer or to provide the requested service. Unless otherwise instructed by the customer, we treat the personal information we process on behalf of our customers in line with our commitments on disclosure and transfer as set forth in this Policy.

10. CROSS-BORDER TRANSFERS

The Company maintains an inventory of key processing systems, storage locations, third party service providers and data flows. We ensure this information is kept up-to-date to reflect any change to processing activities. We also maintain processes to ensure that personal data transferred will be treated in accordance with this Policy, regardless of their location.

Furthermore, when we do rely on third parties outside of the Company, we maintain procedures to ensure protection for personal data and compliance with applicable laws to the personal data transferred. If personal data is disclosed to third parties located outside of the jurisdiction where it is provided, we take measures to ensure that personal data transferred receives adequate protection in accordance with applicable data protection rules, such as through contractual clauses.

11. MONITORING COMPLIANCE THROUGH AUDITS

In addition to the work of our Data Privacy Office, we maintain processes with the Company's internal audit department to regularly audit our compliance with this Policy. Audit findings are reported to our management and the Data Privacy Office, and include follow up on action plans to ensure corrective measures are taken. Audit findings will be made available to the competent data protection authorities upon their request.

12. COOPERATION WITH DATA PROTECTION AUTHORITIES

We will cooperate with the relevant data protection authorities and will respond to requests and questions about compliance with applicable data privacy laws and this Policy. When personal data is transferred between Bray Companies, the importing and exporting entities will cooperate with inquiries and audits from the data protection authority responsible for the exporting entity. The Company will also consider the advice of data protection authorities with competent jurisdiction on data protection or privacy law issues that may affect this Policy. Moreover, the Company will comply with any formal decision on the application and interpretation of this Policy by a data protection authority with competent jurisdiction that is final and to which no further appeal is possible.

13. CONFLICTS WITH NATIONAL LAW

If the Company has reason to believe that there is a conflict between national law and this Policy, which is likely to prevent it from complying with this Policy, we will promptly notify the Data Privacy Office or our local data privacy contact, except where local law prohibits such notification. The Data Privacy Office or our local data privacy contact will take a responsible decision on what action to take and will consult the competent data protection authorities in case of doubt.

14. COMPLAINTS AND INQUIRIES

Any individual whose personal data is subject to this Policy may raise concerns that the Company is not complying with them or applicable data protection law by contacting the Data Privacy Office to obtain details of the Company's complaint handling processes:



By email to: privacy@bray.com

Or in writing to: **Bray Data Privacy Office**

Europe

c/o Bray Controls Europe B.V.
Joulestraat 8
1704 PK Heerhugowaard
The Netherlands

All Other Jurisdiction (including the United States)

c/o Bray International, Inc.
13333 Westland East Blvd.
Houston, TX 77041
United States of America

All complaints will be handled by the Data Privacy Office in an independent manner. Furthermore, all individuals are welcome to communicate with the Company regarding privacy issues (including questions on how to exercise individual rights of access, rectification, deletion or blocking) or with questions or comments through one of the means above. All of the Company's employees are responsible for reporting any complaints or privacy incidents that are brought to their attention.

15. SPECIFIC RIGHTS FOR EUROPEAN INDIVIDUALS

Third Party Beneficiary Rights

Individuals whose personal data is (i) subject to the EU Directive 95/46/EC on the Protection of Individuals with Regard to the Processing of Personal Data and on the Free Movement of Such Data or the Swiss Federal Act on Data Protection (both as amended or replaced from time to time) and (ii) transferred to a Bray Company outside of Europe (collectively "Beneficiaries", and individually a "Beneficiary") may seek enforcement of this Policy (other than Section 11 of this Policy covering audits) as third party beneficiaries by:

- lodging a complaint with each Bray Company that processes their personal data or by contacting the Data Privacy Office as set forth in Section 14 of this Policy;
- lodging a complaint with a national data protection authority of competent jurisdiction; or
- bringing proceedings against (i) Bray Controls Europe B.V. in the courts in The Netherlands or (ii) each Bray Company located in Europe that transferred the personal data in their respective jurisdictions.

Liability, Jurisdiction & Burden of Proof

As part of the remedies set forth in this Section 15 of this Policy, Beneficiaries may seek appropriate redress from Bray Controls Europe B.V. before the courts in The Netherlands to remedy any breach of this Policy by any non-European Bray Company and, where appropriate, receive compensation for damages suffered as a result of such breach, in accordance with a decision of a court.

If such Beneficiary demonstrates that he or she has suffered damage and that such damage likely occurred due to a breach of this Policy by a non-European Bray Company, the burden of proof to show that this entity is not responsible for the breach or that no such breach took place will rest with Bray Controls Europe B.V.

16. EFFECTIVE DATE AND CHANGES AND PUBLICATION OF THE RULES

This Policy became effective on 12th December 2018 and applies to all processing of personal data by the Company on or after that date. This Policy may be modified as necessary, for example to ensure compliance with changes in local law or regulations, binding formal decisions of data protection authorities, as well as alterations to our processes or our internal organization.

We will communicate any material change to this Policy to relevant European data protection authorities on at least an annual basis. Administrative changes or changes resulting from a change in local data protection legislation in any European country will not be reported unless they have a significant impact on this Policy. We will communicate any changes to this Policy to the Bray Companies bound by them.



We will take measures to ensure that new Bray Companies are bound by this Policy and the Data Privacy Office will maintain an updated list of our companies subject to them. Personal data transfers to new Bray Companies will not take place before they are effectively bound by this Policy and able to comply. The updated list of Bray Companies will also be communicated to the Bray Companies bound by this Policy and to the data protection authorities at recurrent time intervals where required.

This Policy will be made publicly available. For more information, please see www.bray.com.

POLICY HISTORY

Version	Date	Description
1.0	12th December 2018	Initial Policy release
2.0	31st January 2019	