

DATA PROTECTION POLICY FOR FERTIBERIA, S.A. AND GROUP COMPANIES



December 2020

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SCOPE OF APPLICATION

The FERTIBERIA Personal Data Protection Policy arises as part of the company's commitment to achieving the highest standards in this regard and in response to the good business practice goals that it set out in its Code of Ethics. The policy applies to Fertiberia and to all the entities belonging to its corporate group, and defines the conduct that is expected of all employees, middle managers, technicians and senior managers at all the companies when they gather, handle and process the personal data of customers, suppliers, employees, contractors and/or third parties.

This policy is based on the following **essential commitments**:

- ✓ **Gathering and processing Personal Data in a lawful, trustworthy and transparent manner.**
- ✓ **Gaining the data subject's explicit, unambiguous consent.**
- ✓ **Safeguarding the data subject's rights.**
- ✓ **Appointing a Data Protection Officer (DPO)**
- ✓ **Applying the required security measures.**
- ✓ **Establishing specific channels for matters related to data protection.**

Personal Data is defined as any information referring to a natural person that identifies or could enable such person to be identified; such data includes information such as names, surnames, identification numbers, private and/or professional addresses, telephone numbers and email addresses, date of birth, nationality, photographs and electronic identification data (like cookies, IP addresses and/or passwords), as well as professional and employment information (like education and/or professional profile) and/or financial data (such as fiscal details and/or bank account numbers), in addition to location data, online identifiers or one or more elements inherent to the physical, physiological, genetic, mental, financial, cultural or social identity of that person.

This policy outlines the principles applied by FERTIBERIA, without prejudice to the applicable provisions of Spanish and/or European regulations.

All employees are given internal protocols and guidelines, in addition to the training and support documentation needed to act in keeping with the FERTIBERIA Personal Data Protection Policy.

Furthermore, Fertiberia has set up an email address through which any issues related to the protection of personal data for which they are responsible should be channelled.

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1 GATHERING AND PROCESSING PERSONAL DATA IN A LAWFUL, TRUSTWORTHY AND TRANSPARENT MANNER.

Data subjects must be informed about the processing of their personal data.

- ✓ When Fertiberia collects personal data, it clearly and concisely informs the data subjects in a transparent manner about the nature of the personal data collected and the purposes of the processing.
- ✓ Processing personal data for any purposes other than those originally stated is not allowed unless the data subjects are properly informed and explicitly grant their consent in this regard.

Personal data shall be processed exclusively for specific, lawful purposes.

- ✓ Personal data shall only be collected and processed when there is a legal or legitimate basis to do so.
- ✓ Processing personal data for any reason other than those strictly allowed is prohibited.

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2 GAINING THE DATA SUBJECT'S EXPLICIT, UNAMBIGUOUS CONSENT.

Fertiberia always seeks the data subjects' consent before gathering and processing personal data.

- ✓ Fertiberia only gathers and processes personal data if:
 - (i) consent is freely given, specific, informed and unambiguous, or if
 - (ii) it is necessary in FERTIBERIA's legitimate interests, such as entering into or executing contracts, processing and receiving payment, meeting its contract obligations and/or meeting legal and/or regulatory requirements.
- ✓ All consent must be based on clear and simple information, which Fertiberia provides to data subjects regarding the use and purpose of the processing.

Fertiberia allows the consent granted to be revoked at a later time.

- ✓ Data subjects may revoke their freely given consent in a simple manner at any time.
- ✓ The date, content and validity of the consent shall be documented in all cases.

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3 APPOINTING A DATA PROTECTION OFFICER (DPO).

Following best practices in this regard, the Fertiberia Board of Directors has appointed a Data Protection Officer.

The Data Protection Officer (DPO) is the person in charge of coordinating and monitoring files or processing involving personal data, the applicable security measures and the audits that may apply.

The main duties of the DPO are as follows:

- ✓ Informing and advising the data processor or controller, as well as employees tasked with processing duties, about their obligations pursuant to the GDPR and applicable regulations
- ✓ Supervising compliance with the provisions of the GDPR and other applicable regulations
- ✓ Offering any advice requested in relation to the impact assessment on data protection and supervising implementation thereof
- ✓ Cooperating with the supervisory authorities
- ✓ Acting as the liaison to the supervisory authorities on matters relating to processing, and
- ✓ Making any other queries that may be required about any other matters.

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4 SAFEGUARDING THE DATA SUBJECT'S RIGHTS.

Personal data are gathered and kept in a way that is up-to-date, adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

- ✓ Fertiberia collects, saves and processes the minimum amount of personal data needed for the intended purposes and ensures that they are only processed for the intended purpose, of which the data subject has been informed and granted consent.
- ✓ Fertiberia keeps the personal data for the amount of time necessary in relation to the intended purpose. Specific retention policies shall define the amount of time after which said data must be deleted, destroyed or anonymised.
- ✓ The data held by Fertiberia shall be up-to-date and accurate, and shall be rectified if the data are inaccurate.

Data subjects are allowed to opt out of receiving marketing information.

- ✓ When Fertiberia collects personal data that could also be used for marketing purposes, it offers the data subjects the chance to reject the use of their personal data for this purpose, and it does so in a clear, concise and simple manner.

The processing of special categories of personal data is limited.

- ✓ Sensitive personal data shall only be gathered and processed when this is absolutely necessary, and provided that:
 - The data subject has given explicit consent (in writing), or
 - Such data is required for Fertiberia to comply with labour legislation or any other provisions of laws or regulations, or
 - The processing is necessary in order to safeguard the vital interests of the data subject or another natural person (as in the event of a medical emergency).
- ✓ Fertiberia has implemented adequate procedures and specific security measures to restrict access to sensitive data solely to authorised individuals, avoiding any unauthorised access, use and/or disclosure.

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5 APPLYING THE REQUIRED SECURITY MEASURES.

Appropriate technical and organisational security measures have been adopted to safeguard personal data.

- ✓ Fertiberia takes the appropriate security measures to ensure the confidentiality, integrity and availability of the personal data and to prevent the risk of unauthorised and/or unlawful access or alteration, destruction or disclosure of these data.
- ✓ These security measures are based on impact assessments conducted with the type of personal data processed by Fertiberia and the risks that processing may pose for the data subjects in mind. They include technical and physical security measures adapted to the type of processing and the nature of the data to be safeguarded.
- ✓ Should any security violations occur to jeopardise any personal data processed by Fertiberia, the affected natural persons shall be informed without delay and the incident shall also be reported to the competent authorities in the manner established by law.

As the controller of diverse types of personal data processing, Fertiberia provides the necessary guidelines and instructions to the data processors.

- ✓ When Fertiberia enters into service provision agreements that could entail the processing of personal data with third parties (data processors), Fertiberia provides the necessary guidelines and instructions so that such parties:
 - Continue to comply with this Personal Data Protection Policy and
 - Adopt any security measures needed so as to safeguard the data subjects' rights.

Fertiberia ensures the confidentiality of the personal data processed and the awareness of its employees.

- ✓ Fertiberia limits access to the personal data for which it is responsible to the employees and suppliers that must have access to such data in order to perform the professional duties entrusted to them. To this end, and to raise awareness among its employees, a system of continuing education and regular audits has been implemented to ensure that personal data are not shared or revealed to unauthorised individuals.
- ✓ Furthermore, if any irregularities or breaches are noted, Fertiberia will take any disciplinary measures deemed appropriate.

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In the event of transfers of personal data to third countries, the necessary measures are taken in advance.

- ✓ If Fertiberia transfers personal data to third countries, whether inside or beyond its corporate group, it shall only do so if:
 - This is justified for corporate purposes and
 - Security measures are in place to ensure adequate processing at the same level as in Spain.
 - The data subject has explicitly given their consent (in writing).

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6 ESTABLISHING SPECIFIC CHANNELS FOR MATTERS RELATED TO PERSONAL DATA PROTECTION.

Fertiberia has set up a specific communication channel to deal with all types of communication relating to the protection of personal data.

- ✓ Through this specific communication channel (protecciondedatos@fertiberia.es), it responds to requests received in this regard within the time frame established by law or regulations.
- ✓ Thus, Fertiberia recognises the data subjects' rights and responds to all kinds of communications, requests and/or complaints they may have.
- ✓ Specifically, the following rights of the data subjects are recognised and safeguarded:
 - To request access to the personal data gathered and the purposes of processing.
 - To receive a copy of the personal data.
 - To have inaccurate or incomplete personal data be rectified or erased.
 - To revoke the consent granted at any time.
- ✓ Fertiberia shall also handle, investigate and respond appropriately to any complaints filed for violations of these rights of the data subjects and/or of laws governing the protection and/or privacy of personal data.

Furthermore, as an additional measure, Fertiberia has a whistleblowing channel in place.

- ✓ Fertiberia has a whistleblowing channel through which it is possible to report potential irregularities related to personal data protection. <https://www.grupofertiberia.com/es/compliance/>
- ✓ Through this channel, any employee or third party data subject may report events of which they become aware, and the confidentiality of the whistleblower's identity is guaranteed, as is the fact that no retaliation shall be taken in response to the report filed.