



Privacy and cookie policy for external contact persons and visitors of the website of InCommodities

6th of January 2022

1. INTRODUCTION

We understand the importance of correct processing of your personal data. We are committed to be compliant with the current regulations and this privacy and cookie policy (" hereinafter referred to as "**Privacy Policy**") is prepared with reference to applicable data protection legislation, namely the General Data Protection Regulation (hereinafter referred to as "**GDPR**").

When you interact with us and/or visit and use this website, In Commodities A/S, business registration no. 38381954, Tangen 6, 8200 Aarhus N, and In Commodities US LLC, FEIN no. 36-4950212, 251 Little Falls Drive, Delaware 19808, jointly and hereinafter referred to as "**InC**"), processes certain personal data about you. InC is data controller for such processing.

InC processes the personal data about you as a contact person employed at a customer, vendor or cooperation partner that InC has entered into or prospectively will enter into a contract with, or as a contact person employed at other external parties that we interact with e.g., if you contact our traders by e-mail or phone, and/or as a visitor and user of our website. The Privacy Policy also describes your rights in relation to InC's collection, processing and retention of your personal data.

2. COLLECTION AND CATEGORIES OF PERSONAL DATA

InC collects personal data about you when you interact with us, for instance, via e-mail correspondence or phone in relation to our existing contractual relationship or the establishment or termination of such. In this respect, InC processes the ordinary personal data you have provided to InC, i.e., your name, e-mail address, telephone number, address, your position in the company you are employed at, your position, place at work, etc.

Lastly, InC collects personal data from you through cookies when you visit our website as described below. In this regard, InC collects information about your online behaviour, such as your IP-address, information about the chosen operating system on your computer, your mobile device, chosen internet browser and your online activities on the website, provided you have accepted the website's use of cookies.

InC does not process special categories of personal data (sensitive personal data) about you.

3. PURPOSE AND LEGAL BASIS FOR THE PROCESSING

InC limits its collection, storing and processing of personal data to situations where the processing is necessary for a specific purpose.



The processing of your personal data is necessary in order to perform a contract to which you are a party (to the extent that you are party to a contract with InC), cf. Article 6 (1) (b) of the General Data Protection Regulation ("GDPR"), and for the purposes of the legitimate interests pursued by InC which are regarded not to be overridden by your interests or fundamental rights, cf. Article 6 (1) (f) of the GDPR. Such legitimate interests are, for instance:

- fulfilment of contractual obligations with the company you are representing;
- maintaining and enhancing customer and business relationships;
- invoicing for the services your company provides to InC or vice versa;
- communicating with you on the basis of your inquiry or if InC has any questions to the specific services;
- recording of the telephone conversation you have had with our traders;
- documentation of events, correspondence, etc. in case of a specific dispute between InC and the company you are employed at; and
- providing you with a better website experience and website statistics.

Moreover, the processing is necessary for compliance with legal obligations to which InCommodities is subject, cf. GDPR Article 6(1)(c). This legal basis specifically applies e.g., when InC records your telephone conversations with our traders as InC must comply with the rules, best practice and industry standards pursuant to the Regulation on Wholesale Energy Market Integrity and Transparency (REMIT). In regard of legal obligations, InC is also processing and retaining bookkeeping material pursuant to applicable bookkeeping rules.

4. RECIPIENTS OF YOUR PERSONAL DATA

Where relevant, InC may disclose or transfer your personal data to affiliates of InC, vendors, business partners or other collaborators for business purposes.

In certain specific cases, e.g., in connection with disputes, including when the disclosure of your personal data is necessary for the establishment, exercise or defence of InC's legal claims, InC may disclose your personal data to its advisers or other relevant third parties provided it is deemed necessary and lawful.

Further, certain recipients process personal data on behalf of InC and may only process your personal data in accordance with the instructions given by InC. These third parties are not permitted to process your personal data for their own purposes. To the extent InC discloses or transfers your personal data to these third parties who may use your personal data for their own purposes, such disclosure or transfer will only take place if it is in accordance with applicable law and with prior consent obtained from you, where such consent is required.

5. TRANSFER OF YOUR PERSONAL DATA TO A THIRD COUNTRY (OUTSIDE OF EU/EEA)

In certain cases, your personal data may be transferred to a country outside of EU/EEA, for instance, to an affiliate of InC or a vendor. InC ensures that such transfer will be carried out in accordance with the applicable data protection laws. This entails that any party outside of EU/EEA that comes in possession of your personal data must ensure an adequate level of protection, for example, by entering into the EU standard contractual clauses and adopting supplementary measures where applicable, if required. You can obtain a copy of the relevant information on third country transfers by contacting hrsupport@in-commodities.com.

6. STORAGE OF YOUR PERSONAL DATA

InC will only store your personal data as long as necessary to fulfil the purpose for the processing of your data.



Further InC will store your personal data about you as a contact person of our customer, vendors, etc. until termination of the contractual relationship between InC and the company that you are employed at, as long as we communicate, or until a legal claim can no longer be established. If there is an actual or potential legal dispute with the company you are employed at, your personal data will be retained as long as necessary for these purposes. Hereafter, such personal data will be deleted.

Recordings of telephone conversations you have had with our traders relating to the trading activities are generally stored for 6 months from the date the recording has been carried out. In certain specific cases if deemed necessary and lawful, for instance for the establishment, exercise or defence of legal claims, this storage period may be extended for documentation purposes.

InC will store your personal data that is necessary for bookkeeping purposes such as invoices for 5 years from the year of which the accounting material relate in accordance with the special rules on retention of bookkeeping material in the Danish Bookkeeping Act. If the personal data is included in accounting material which is subject to other (foreign) legislation, the personal data will be processed as long as required under said legislation.

7. USE OF COOKIES

7.1 What are cookies

A cookie is a text file that is sent to your browser from our website and saved on your computer, phone or whichever device you use to access the internet. Cookies may be used for a number of purposes, but in essence they are used to save information about your activity on the internet.

7.2 The purpose of cookies

We collect information via cookies in order to improve the website experience for you and for the purpose of conducting website analysis and website performance review.

When you visit our website for the first time, you will be asked to accept the use of cookies. Cookies require your explicit consent. We encourage you to accept the cookies our website uses, because it will help us improve your visit and others'. If you decline the use of cookies, there may be a variety of functionalities on the website which you cannot utilize.

7.3 Cookies on the website

When you use our website, we do not register any information that can identify you directly. However, we register how you navigate around the site, so we can learn more about how our site is used. We only use this information to improve the website's content and functionalities.

7.4 How long are cookies stored?

Cookies delete themselves after a certain period of time (which can vary). How long website cookies are stored from registration depends on the type of cookie.

7.5 Removal of cookies

Generally, web browsers are set up to accept cookies. Although you can reset your browser to refuse all cookies or to indicate when a cookie is being sent.

If you wish to reject the use of cookies or remove cookies that are already stored on your computer, you may visit the support sites of your specific browser for further guidance:

- [Guidance - Firefox](#)
- [Guidance - Google Chrome](#)
- [Guidance - Safari](#)
- [Guidance - Explorer](#)



8. YOUR RIGHTS AS A DATA SUBJECT

InC has implemented appropriate organisational and technical measures in order to protect your personal data and ensure your rights as a data subject. As a data subject you have a number of rights. Please note that certain limitations may apply in this relation, e.g., when your right to obtain information is found to be overwritten by essential considerations of private interests.

You have the following rights:

- right of access to the personal data that InC has stored concerning you;
- right to rectify inaccurate personal data concerning you, including completion of incomplete personal data;
- under certain circumstances, you have the right to erasure; meaning that upon your request, InC must erase the personal data stored concerning you if InC does not have grounds for further processing;
- right to restrict InC's processing of personal data concerning you;
- right to data portability, for instance, to receive the personal data concerning you in a structured, commonly used and machine-readable format, if specific requirements are met;
- the right to object at any time to InC's processing of personal data concerning you.

In case you have given your consent, you have the right to withdraw your former consent at any time. In such case your withdrawal will not affect the lawfulness of processing based on your consent before your withdrawal.

The Danish Data Protection Agency has issued a guideline on the data subjects' rights. If you want to read more about your rights, please click [here](#). Please note that the guideline is in Danish.

If you wish to exercise any of the rights, you are welcome to contact hrsupport@in-commodities.com by using the below-mentioned contact details.

9. QUESTIONS AND COMPLAINTS

If you have any question about the processing of your personal data or you wish to file a complaint in this regard, you can contact InC at hrsupport@in-commodities.com.

If your complaint is not resolved by InC to your satisfaction, you may choose to contact the Danish Data Protection Agency. The Danish Data Protection Agency is an independent public authority responsible for monitoring and enforcing the application of the GDPR and the supplementary provisions in the Danish Data Protection Act. The Danish Data Protection Agency's contact information is:

Danish Data Protection Agency (*Datatilsynet*)

Borgergade 28, 5.

1300 Copenhagen K.

Telephone number: +45 33 19 32 00

E-mail address: dt@datatilsynet.dk

Website: www.datatilsynet.dk

10. CHANGE TO THE PRIVACY POLICY

This Privacy Policy will be updated on a regular basis and when necessary due to changes in applicable law and practice and, thus, we recommend that you keep yourself updated on this Privacy Policy regularly.



Date of change	Responsible	Summary of change
21 st of December	Kristine Kyndesen, Lawyer at Kromann Reumert	Draft created
6 th of January	Ida Hedam Pedersen, HR Partner	Policy updated