**Data Privacy Notice**

The protection of the security and privacy of your personal data is important to Nikkiso Clean Energy and Industrial Gases group (“NCEIG”). This Data Privacy Notice explains how NCEIG collects, stores, uses, discloses and transfers (hereinafter **“process”**) your personal data in the context of the NCEIG Job Application Portal **(“Job Application Portal”).**

**Collection, Processing and Use of My Personal Data**

In connection with the creation of my application for employment for the global recruitment program of any NCEIG group affiliate (together, “NCEIG” or "NCEIG Group Companies"), NCEIG needs to collect, process, and use my Personal Data. Details are described in the “Notice Concerning Collection, Processing and Use of Personal Data”, available below (“Notice”). NCEIG respects your privacy and is committed to complying with applicable privacy laws in those jurisdictions where we do business. You understand and acknowledge that NCEIG will not be able to process your application without your consent.

**Notice Concerning Collection, Processing and Use of Personal Data**

In order to participate in the recruitment process within the global recruitment program, you will be asked to complete and submit a candidate profile where certain personal information about yourself will be required to be provided to NCEIG. Information mandatory for the recruitment process will be marked. If you do not provide such information, we will not be able to consider your application. With your consent, your Personal Data may also be provided to other NCEIG companies, to be considered for suitable positions at other NCEIG locations.
This “Notice Concerning Collection, Processing and Use of Personal Data” (“Notice”) informs you how NCEIG will collect, process, and use personally identified or identifiable information about you (your “Personal Data”) in connection with your profile.

**1. Legal Basis**
NCEIG processes your data based on your consent, unless applicable law provides for another legal basis such as fulfilling a pre-contractual relationship.

**2. Data Categories and Purpose of Use**

(i) *Data Categories:*

The collection, processing and use of your Personal Data may involve the following data categories:
• Your contact information (e.g. your name, physical address, email address, phone number).
• Your CV or resume.
• Information about the job you applied for (e.g. position, scope of work, work location, salary, necessary abilities and experience).
• Information about your prior work experience and employment (e.g. company, location, department, position, function, entry date, full or part-time, working hours).
• Information about your professional education and training (e.g. education level, related skills, degrees or certificates).

(ii) *Purpose of Use:*

NCEIG respects your privacy and is committed to complying with applicable privacy laws in those jurisdictions where we do business. In keeping with these obligations, NCEIG confirms that the collection, processing and use of your Personal Data will take place mainly in electronic form and that your Personal Data will only be used for following *purposes***:**

* To process your application;
	+ To assess qualifications and personal experience;
	+ To display further suitable jobs to you as part of your personal user interface in the Job Application Portal; and
	+ To provide you with information, materials and invitations related to your profile.

NCEIG processes Application Data for the following purposes:

* + To process your application; and
	+ To assess qualifications and personal experience.

NCEIG processes your Get Matched Data for the following purposes:

* + To allow the Job Application Portal to make automated proposals for suitable jobs and to help you find the open job position(s) that best fit your skills and talents.

NCEIG further processes Your Data for the following purposes:

* + To provide Job Application Portal services and functions which include: creating and administering your online account; updating, securing, and troubleshooting; providing support; as well as improving and developing the Job Application Portal and our recruiting processes and services.
	+ As reasonably necessary to establish or preserve a legal claim or defense; and to prevent fraud or other illegal activities, including attacks on our information technology systems.

**3. Access to Your Personal Data (Recipients)**
In order to process your information in connection with a potential employment opportunity or placement, your Personal Data may be shared and accessed by authorized personnel within the NCEIG Group Companies (e.g. personnel responsible for the recruiting process, “Authorized Personnel”). As a result, your Personal Data may be transferred to and/or accessible by NCEIG in the United States of America, to Nikkiso headquarters in Japan, and to any relevant NCEIG Group Company worldwide listed in Section 7 hereof. NCEIG, as well as any of NCEIG Group Companies listed below in Section 7, act as data controller. NCEIG will ensure that your Personal Data is protected adequately wherever the data is transferred to or accessed by affiliates within the NCEIG Group Companies and that such affiliates will process your Personal Data in accordance with applicable data protection laws. Authorized Personnel permitted to access your Personal Data are obliged to maintain data secrecy and confidentiality of your Personal Data. NCEIG has implemented appropriate technical, organizational, and physical measures to protect your Personal Data, in particular against accidental, unauthorized or unlawful destruction or loss, alteration and disclosure.

NCEIG further retains a third party service provider as authorized data processor (“Data Processor”) to host the system for the global recruitment program and provide related administrative services. The current service provider is iCIMS, Inc.

NCEIG has implemented contractual obligations with the Data Processor to adequately protect your Personal Data and to ensure that the Data Processor shall only process your Personal Data in accordance with applicable data protection laws and only as instructed by NCEIG. Furthermore, the Data Processor is (i) obliged to ensure that their personnel who access your Personal Data maintains data secrecy and confidentiality of your Personal Data, and (ii) required to implement appropriate technical, organizational, and physical measures to protect your personal data.

Apart from reasonable business use associated with NCEIG’s global recruitment program, your Personal Data will be securely maintained and managed in strict confidence, and will not be released to third parties, other than the Data Processor, without your consent (in writing or electronically), or unless otherwise required or allowed by law.

**4. Storage of Personal Data**
Your Personal Data will be stored for a period of twenty four (24) months (i) after the conclusion of the last open recruitment process that is active on your account or (ii) last activity related to your candidate profile, whichever is later. You may also choose to delete your data earlier by using the corresponding command in the drop-down field on your iCIMS Candidate Dashboard. Notwithstanding the foregoing, your Personal Data may be stored and used for longer periods (i) as necessary to meet NCEIG’s legal obligations under applicable law (in this case, NCEIG may have to store your Personal Data even if you withdraw your consent), (ii) as necessary for fulfilling the (pre-)contractual relationship to you, (iii) as necessary for purposes related to your employment, if you become employed by NCEIG or (iv) in case you (subsequently) consent to such longer storage and use.

**5. Your Rights**
Data protection laws, including those in the jurisdiction in which you reside may entitle you to specific rights in relation to your personal data. Subject to local legal requirements, you may be entitled to the following rights:

* + Information and Access:

You may request confirmation from NCEIG whether or not personal data concerning you are being processed, and where that is the case, you may request access to the personal data;

* + Rectification:

You may request to rectify and/or update your inaccurate or out-of-date Personal Information;

* + Erasure:

You may have the right to have your Personal Data erased. This right is subject to legal restrictions in your country;

* + Restriction:

You may have the right to have your Personal Data restricted. Restriction means that your Personal Data is only stored by NCEIG, and not further processed, while your complaint is dealt with;

* + Data Portability:

You may have the right to request a copy of your Personal Data, which you actively provided, in a structured, commonly used and machine-readable format and to request from NCEIG that we transmit those data to another recipient selected by you;

* + Object to Processing:

You may have the right to object to specific types of processing on grounds relating to your particular situation, to processing of personal data concerning you.

You may also withdraw your consent to the processing of your Personal Data at any time free of charge. To the extent you request deletion or withdraw consent, NCEIG will delete your Personal Data and take necessary measures to ensure your Personal Data will not be used for any purpose, except as necessary to meet NCEIG’s obligations under applicable law.

You can exercise all the rights specified above through the drop-down field on your iCIMS Candidate Dashboard or through contacting us at HR@nikkisonceig.com.

**6. Who to contact in case I have questions or wish to exercise my rights?**

It is important to NCEIG to allow you to exercise your data privacy rights and ask us any questions you may have easily and effectively.

If you wish to exercise the above rights, or have any questions regarding the processing of your Personal Data by NCEIG for the global recruitment program, please contact NCEIG at the following email address HR@nikkisonceig.com or mail us at: 27710 Jefferson Ave, Suite 301, Temecula, CA 92590, USA, attn. Head of Global HR of Nikkiso Clean Energy and Industrial Gases.

NCEIG will always use best efforts to address and settle any requests or complaints you bring to its attention. Besides contacting NCEIG, you always have the right to approach the competent data protection authority with your request or complaint.

**7. NCEIG Group Companies**
- Cryogenic Industries, Inc., USA
- Nikkiso Clean Energy & Industries Gases, GmbH, Germany
- Cryotec Anlagenbau, GmbH, Germany
- Nikkiso Clean Energy & Industries Gases, Middle East QFZ LLC, Qatar
- Cosmodyne, LLC, USA
- Nikkiso Clean Energy & Industries Gases South Africa Pty. Ltd., South Africa
- Nikkiso Cosmodyne India, India
- ACD, LLC, USA
- Nikkiso Cryo, Inc., USA
- Cryogenic Industries Service Companies, LLC, USA
- Cryocanada, Canada

- Cryogenic Industries China, Republic of China

- Cryogenic Industries Middle East FZC, United Arab Emirates

- Nikkiso Clean Energy & Industries Gases Korea, South Korea

- Busan Product Co., South Korea

-Cryoquip, LLC, USA

- Cryoquip Pty Ltd., Australia

- Cryoquip China, Republic of China

- Cryoquip Limited, UK

-Nikkiso Clean Energy & Industries Gases (Sea) Sdn, Bhd., Malaysia

-Nikkiso Energy Infrastructure Projects, USA

- Nikkiso Expander Application Technology, USA

- Integrated Cryogenic Solutions, USA

- Nikkiso Industrial Rus, LLC, Russia

8**. Compliance with National Data Protection Laws**

This Notice is designed to provide a uniform compliant standard, with the recognition that laws in some jurisdictions may require stricter or specific legal standards, in which case your Personal Data will be handled in accordance with any applicable local law. In particular, please be informed about your rights depending on your residency:

### 8a. Information for the US-based Applicants:

### Information for California Residents

### *California Consumer Privacy Act (CCPA) / California Privacy Rights Act (CPRA).*

NCEIG may have collected, used, and shared Personal Data about you as described in this Privacy Statement. Each category of data that may be used by NCEIG or shared with third parties is categorically outlined in this Privacy Statement.

California consumers have a right to: (1) request access, correction, and deletion of their Personal Data, (2) opt out of the sale or sharing of their Personal Data, and (3) not be discriminated against for exercising one of their California privacy rights.

All individuals have the right to request access to and deletion of the information NCEIG holds about them either sending the request to: HR@nikkisonceig.com or by mail to: 27710 Jefferson Ave, Suite 301, Temecula, CA 92590, USA, attn: Head of Global HR of Nikkiso Clean Energy and Industrial Gases.

NCEIG does not sell the Personal Data of California consumers.

NCEIG does not discriminate against individuals for exercising their privacy rights.

#### *California Shine the Light*

Residents of the State of California, under California Civil Code § 1798.83, have the right to request from companies conducting business in California a list of all third parties to which the company has disclosed Personal Data during the preceding year for direct marketing purposes. Alternatively, the law provides that if the company has a privacy policy that gives either an opt out or opt in choice for use of your Personal Data by third parties (such as advertisers) for marketing purposes, the company may instead provide you with information on how to exercise your disclosure choice options.

NCEIG has a comprehensive Privacy Statement and provides you with all details on how your personal data will be processed and who may have access to your personal data for the purposes described herein.

1. **Further information for the US residents:**

Usage by Children

This Online Offering is not directed to children under the age of thirteen. We will not knowingly collect personal data from children under the age of thirteen without insisting that they seek prior parental consent if required by applicable law. We will only use or disclose personal data about a child to the extent permitted by law, to seek parental consent, pursuant to local law and regulations or to protect a child.

State Rights

Depending on the US state in which you reside, you may have special rights with respect to your personal data.

**8b. Information for the EU- and UK-based Residents:**

*General Data Protection Regulation (“GDPR”)*

To NCEIG Group Companies located:

* + in a member state of the European Union, the EU General Data Protection Regulation (GDPR) applies;
	+ in the United Kingdom, the UK General Data Protection Regulation (UK GDPR) applies.

In the following GDPR means both EU GDPR and UK GDPR.

This section provides you with further information if your personal data is processed by NCEIG Energy companies located in the European Union (EU) or the United Kingdom. The GDPR requires us to provide you with information on the legal basis of the processing of your personal data.

The legal basis for our processing data about you is that such processing is necessary for the purposes of

* + exercising our rights and performing our obligations under any contract we make with you (Article 6 (1) (b) General Data Protection Regulation) **(“Contract Performance”);**
	+ Compliance with our legal obligations (Article 6 (1) (c) General Data Protection Regulation) **(“Compliance with Legal Obligations”);** and/or

Legitimate interests pursued by us (Article 6 (1) (f) General Data Protection Regulation) **(“Legitimate Interest”)**. Generally, the legitimate interest pursued by us in relation to our use of your personal data is the efficient performance or management of (i) your use of the Job Application Portal and (ii) the processing of your application at NCEIG. Where we rely on our legitimate interest for a given purpose, we are of the opinion that our legitimate interest is not overridden by your interests and rights or freedoms, given (i) the regular reviews and related documentation of the processing activities described herein, (ii) the protection of your personal data by our data privacy processes(iii) the transparency we provide on the processing activity, and (iv) the rights you have in relation to the processing activity. If you wish to obtain further information on this balancing test approach, please contact us at: HR@nikkisonceig.com

**8c. Information for Applicants based in South Africa**

*Processing under South Africa’s Protection of Personal Information Act*

In terms of section 1 of the Protection of Personal Information Act, 2013 (“POPI”), “personal data” or “personal information” includes “information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing, juristic person.”

The corresponding legal grounds and conditions for lawful processing of personal data in South Africa are contained in Sections 8 to 25 of POPI, and relate to “Accountability”; “Processing limitation”; “Purpose specification”; “Further processing limitation”; “Information quality”; “Openness”; “Security safeguards” and “Data subject participation”.

In terms of section 69 of POPI, the processing of personal information of a data subject for the purposes of direct marketing by means of any form of electronic communication, including automatic calling machines, facsimile machines, sms or e-mail is prohibited unless the data subject has provided consent to the processing, or is, subject to further conditions, an existing customer of the responsible party.

For purposes of a Data Subject exercising its rights further enquiries and the exercise of its rights in relation to access, objection to, and complaints in respect of the processing of personal data, the contact particulars of the Information Regulator of South Africa, are as follows:

JD House,

27Stiemens Street
Braamfontein
Johannesburg 2001

**8d. Information for Applicants based in Canada**

*Processing under Canadian privacy laws*

NCEIG Group Company in Canada listed in Section 7 maintains your personal data on secure servers that are accessible to authorized employees, representatives or agents who require access for the purposes descried in this privacy notice. If you have any questions about how a NCEIG in Canada processes your personal data, including with respect to its use of service providers outside of Canada, or if you would like to exercise any of your rights in respect of your personal data under the control of a NCEIG in Canada, you may contact us at HR@nikkisoceig.com

**8e. Information for Applicants based in the Republic of China**

*Processing under People’s Republic of China Personal Information Protection Law (“PIPL”)*

This section applies and provides you with further information if the processing by one of our companies is located within the borders of People’s Republic of China (“PRC”) or concerns the data of individuals within the borders of PRC.

Processing of sensitive personal information

According to the PIPL, sensitive personal information means personal information that, once leaked or illegally used, may easily cause harm to the dignity of natural persons grave harm to personal or property security, including information on biometric characteristics, religious beliefs, specially-designated status, medical health, financial accounts, individual location tracking, etc. as well as the personal information of minors under the age of 14.

In principle, we do not ask you to provide us with sensitive personal data as part of your application data, unless this is required by law in individual cases. In case your sensitive personal information will be processed, we will notify you about the necessity of processing and effects on the individual’s rights and interests and obtain your specific consent if applicable.

Transfer and disclosure of personal data

Following the requirements defined in the Article 23 of PIPL, additionally to the recipients identified in section 5 of this Privacy Policy, we, in principle, will not transfer or share your personal information to third party controllers, unless (1) obtain your specific consent if applicable, or (2) to fulfill the statutory duties under local laws and regulations.

International Transfer

You acknowledge that your data will be transferred and proceed outside of PRC as described in section 5 in this Privacy Policy. We will follow the applicable laws and decisions imposed by the competent authority, and ensure that your data is protected in a manner which is consistent with the PRC Personal Information Protection Law.

Legal Basis of the processing

The PIPL requires us to provide you with information on the legal basis of the processing of your personal data. The legal basis for our processing is:

* + PIPL Article 13(2) (“Contract Performance”)
	+ PIPL Article 13(3) (“Statutory duties and responsibilities”)
	+ PIPL Article 13(6) (“Process publicly available data”)
	+ PIPL Article 13(1) (“Consent”)

Usage by Children

This online offering is not directed to children under the age of fourteen (14). We will not knowingly collect personal data from children under the age of fourteen (14) without prior parental consent if required by applicable law. We will only use or disclose personal data about a child to the extent permitted by law, to seek parental consent, pursuant to local law and regulations or to protect a child.