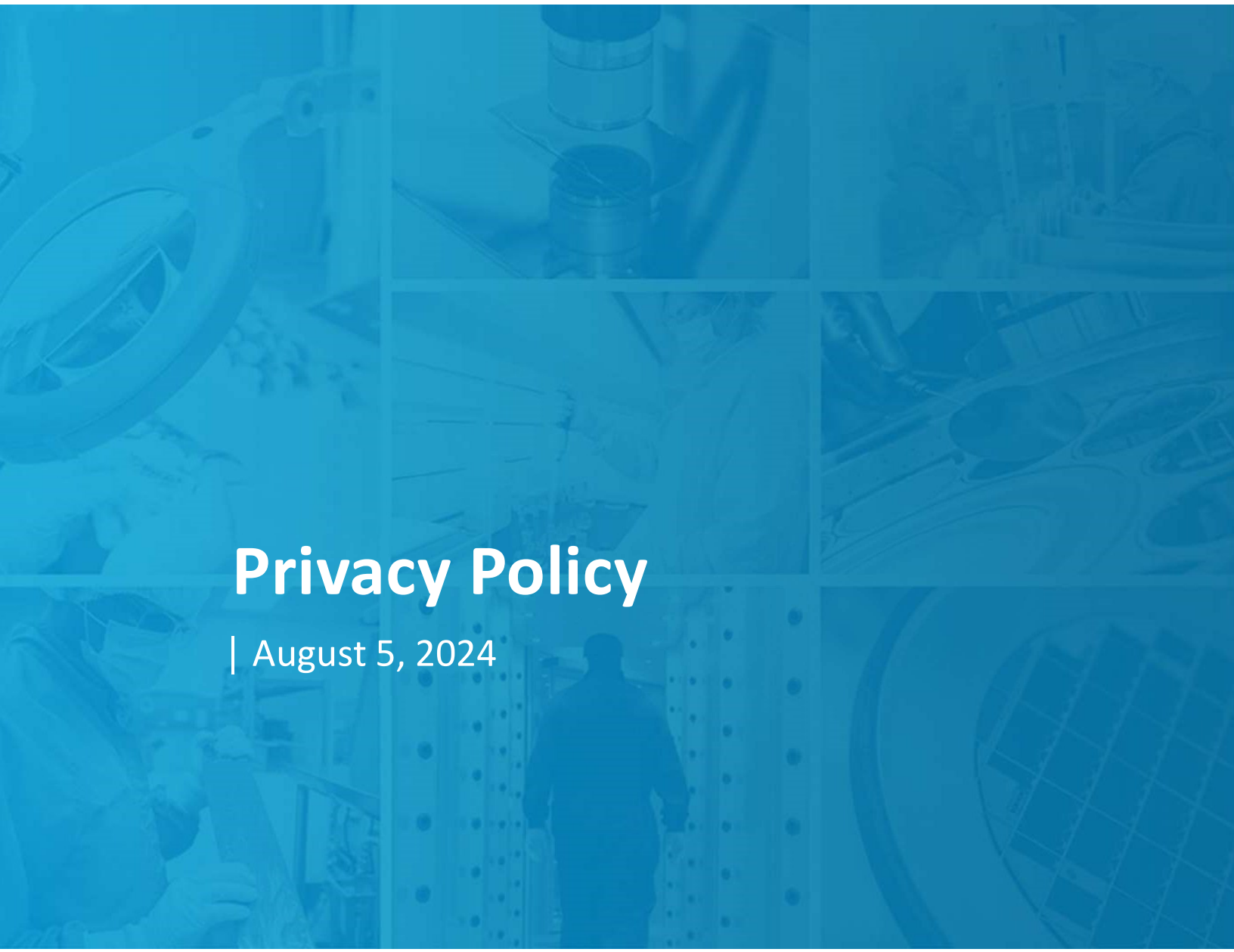


# Privacy Policy

| August 5, 2024

5N+ Enabling Performance

The present Privacy Policy describes how 5N Plus Inc. ("**we**" or "**5N+**") collects, uses, stores, and communicates ("**Processes**") your personal information when you visit: www.5nplus.com (our "**Site**").

As a leading global producer of specialty semiconductors and performance materials, 5N+ principally Processes information about other businesses like customers and suppliers. Our Site, therefore, is configured to collect information about an individual ("**Personal Information**") in that individual's capacity as a contact person of a customer or supplier or as a potential candidate for employment with 5N+ ("**you**"). As these individuals are located around the world including in Canada, Europe, the Americas, and Asia, 5N+ is required to Process their Personal Information in compliance with applicable local privacy laws. This Policy describes our Personal Information Processing practices as they comply to Canadian law.

We have appointed a data protection officer ("**DPO**") to respond to specific questions regarding your personal information. We invite you to contact them at privacy@5nplus.com with questions specific to your region.

Personal Information submitted to us via this Site either inquiring or supporting candidacy for employment will be Processed according to our Workplace Privacy Policy.

## How 5N+ Processes the Personal Information Collected from the Site:

- 5N+ limits the Personal Information we collect to what is necessary for the purpose of providing the services that our customers have requested.
- We do not collect Personal Information indirectly and do not use it for purposes beyond those to which you have consented when you provide us with the information.
- Personal Information is not retained for longer than necessary. For example, after the termination of a contract and the expiry of the legally required retention periods, 5N+ deletes the Personal Information in question.
- 5N+ stores Personal Information locally for each of its specific locations with technological support, which includes Canada and Germany, as well as in Ireland for EU users, in the U.S. for North American users and in Singapore for Asian users.
- All 5N+ suppliers, which includes Microsoft Office, Salesforce, Samanage, Sophos Cloud Protection and Amazon Web Service, contribute to the data security of 5N+ systems. They are chosen by 5N+ following our due diligence for reliability in data protection and have each entered into a data processing agreement with us to protect your Personal Information. You may access their privacy policies by visiting on their respective web sites.
- Individuals can access their Personal Information at 5N+, or have it corrected or deleted, by contacting privacy@5nplus.com. To the extent applicable, you can also withdraw your consent to the Processing of your Personal Information. Requests will be addressed within 30 days.

- In certain circumstances, and to the extend permitted by applicable law, individuals may also have: i) the right to request that 5N+ cease disseminating their Personal Information, ii) the right to request that 5N+ de-index any hyperlink attached to their name that provides access to information by a technological means; iii) the right to request that 5N+ re-index a link providing access to information; or iv) the right to request that 5N+ communicate to the individual as well as to any person or body authorized by law to collect such information, any computerized Personal Information collected from the individual in a commonly used technological format. To obtain more information on these rights please contact privacy@5nplus.com.
- Should you have concerns regarding the protection of your Personal Information at 5N+, you may contact your applicable data protection authority and or the Commission d'accès à l'information du Québec, where 5N+ is headquartered.

Adopted on August 7, 20218
Amended on August 1, 2023
Amended on August 5, 2024



# Workplace Privacy Policy

| August 5, 2024

5N+ Enabling Performance

## THE RIGHT TO PRIVACY IN THE WORKPLACE

The right to privacy in the workplace is defined by the legitimate needs of 5N Plus Inc. ("**5N+**" or the "**employer**") to collect and use employee personal information to recruit, manage its workforce, provide compensation and benefits, as well as comply with legal requirements such as under the tax and employment laws.

Valuing you starts with respecting your privacy and protecting the personal information we need from you to manage our work relationship. 5N+ is responsible for protecting your information. If you have questions about workplace privacy at 5N+, please contact the Data Privacy Office at privacy@5nplus.com.

## THE PURPOSE OF THE POLICY

The purpose of this policy is to inform you of the types of personal information that may be collected about you during your relationship with 5N+, for what purposes it may be processed and used, as well as who may have access to it.

## THE PERSONAL INFORMATION WE PROCESS

In accordance with and as permitted or required by applicable laws, the following categories of personal information about you may be collected, processed by 5N+ and transferred to third party suppliers that work for 5N+, exclusively for the purposes outlined below:

- First and last name, home and work address, phone number, fax number and e-mail address, date and place of birth, gender, marital status, nationality, bank account information and, where applicable, emergency contacts (first and last name, address and phone number of spouse/partner and children);
- Information relating to insurance law, such as social insurance number, pension insurance number, health insurance certificate, information for private pensions (first and last name, date of birth and sex of spouse/partner and children);
- Tax information, such as tax ID numbers, (including those of your spouse/life partner and children, if necessary);
- Religious affiliation, to the extent that this is necessary in order to comply with tax reporting obligations (including religious affiliation of spouse/partner and children);
- Information that is needed in order to employ foreign nationals (e.g. regarding your residence permit);
- Health information insofar as there is a direct connection with your employment or as required by employment law;
- Information that we acquire within the scope of your application process, especially information about your school education, vocational training and professional qualifications;
- Information from certificates of good conduct that are to be presented, if relevant, in connection with your employment;

- Hire date, employee ID number, current and previous job titles and positions at our company, specific area of work, access to business information and know-how, national language;
- Information that arises when you use our company's electronic devices, such as smart phones, tablets, computers, e-mail and internet;
- Calendar data, working hours, regular weekly working hours, absences, information on periods of unavailability to work;
- Assessments and information on disciplinary measures;
- Conditions of employment, including compensation, especially pay for work, bonuses, special payments and benefits in kind;
- Information for determining and settling accounts for job-related expenditures and travel expenses;
- Information for booking of business travel, such as passport/government-issued ID information (e.g. for travel abroad), driver's license number, if necessary, employee ID number, credit card numbers;
- Employee sales data (transactions, products, payment, communication);
- Information on possible conflicts of interest in connection with your employment (e.g. non-compete clauses or current and former board positions that you and your relevant family members hold or have held).

## THE PURPOSES AND LEGITIMATE INTEREST FOR PROCESSING YOUR PERSONAL INFORMATION

Employers require certain personal employee information for the purposes of managing human resources and delivering on the overall mission of the organization. At 5N+, we process your personal information for these specific and legitimate purposes:

- To establish, implement, assess and, where applicable, terminate your employment with our company;
- To perform or fulfill rights and obligations of 5N+ arising from legal requirements, labor agreements as well as those of an existing workers council at 5N+;
- In the course of communication with customers, suppliers and business partners of 5N+ and colleagues to perform or fulfill internal business or contracts with customers, suppliers and business partners;

And for related reasons, particularly to do the following:

- To honor your rights under labor and employment law and social insurance;
- To perform personnel planning and scheduling, particularly to manage resources and optimize resource use and for personal development, including analyses of feedback and potential;
- To enable the fulfillment of your activities for the company;

- To facilitate communication with you in the workplace, at home, and when you are traveling, including providing assistance in the event of an emergency and to make it possible for the body that represents the interests of employees to ensure that someone fills in for you;
- To safeguard the use of the company's technological resources and monitor such use, in compliance with the guidelines of 5N+, in order to identify loss or unauthorized sharing of confidential customer and supplier data to which access is restricted;
- To monitor compliance with applicable laws;
- To comply with conditions imposed by supervisory authorities or other authorities with jurisdiction;
- To process legal or other claims (including potential claims) that arise from your activities at 5N+;
- To realize operational interests (such as protecting property, employee safety, averting dangers, coordinating employees); and
- To engage in a corporate change or dissolution, including for example a merger, acquisition, reorganization, consolidation, bankruptcy, liquidation, sale of assets or wind down of business.

## ENTITIES THAT MAY HAVE ACCESS TO YOUR PERSONAL INFORMATION

The HR management systems that process your data for the purposes described in this policy, are stored securely in your country or in another country where 5N+ has a presence and in accordance with the rules governing the cross-border transfer of personal information.

Due to the global nature of our operations, your personal information may be accessed in accordance with local laws by 5N+ staff located in any country where 5N+ operates on a strict need-to-know basis. Specifically, this includes:

- Human Resources managers and plant managers; and
- Support functions, such as IT, Communications and Finance, Legal and Internal Audit, Corporate Security and other functions.

From time to time, 5N+ may need to make your personal information available to third parties, some of which may be located outside of your country of residence. This may include third party vendors that provide services and products to 5N+ such as benefit providers and IT applications support. These vendors are obliged contractually to protect the confidentiality and security of your personal information, and only use it for the provision of services to 5N+, and in compliance with applicable laws.

Governmental agencies that regulate or have jurisdiction over 5N+ such as regulatory authorities, law enforcement, public bodies, and judicial bodies may have access to your personal information where they have demonstrated lawful authority.

In this context, your personal information may be transferred outside of your country. In that case, it becomes subject to the laws of that country. We make sure that transferred information is subject to the same safeguards we provide including contractual clauses for data protection. For further information, please contact the Data Privacy Office at privacy@5nplus.com.

## NOTICE REGARDING PERSONAL INFORMATION OF THIRD PARTIES

If you transmit personal information regarding your spouse, life partner, cohabitating partner, family members, or other persons close to you to 5N+, you are required to notify these persons of their rights with regard to the personal information (e.g. by presenting this Workplace Privacy Policy). You are also responsible for obtaining these persons' consent (if you are not permitted to give consent on their behalf yourself) to the extent that consent is required by law. 5N+ will assume when you transmit such personal information that the necessary consent has been granted.

## EQUITY AND DIVERSITY

5N+ may choose to implement equity and diversity programs to promote a fair and diverse workplace. These programs may ask you to self-identify on the basis of gender, race, or ethnic origin. Participation in these programs is always optional and we will never process such information without your express consent. You can also withdraw your consent at any time.

## SOCIAL MEDIA, MOBILE AND COMPUTER USE

The increased use of technology in the workplace brings significant changes in privacy and cybersecurity risks. You have access to email and Internet in the workplace for professional use. You send email and access the Internet from 5N+ devices, such as smart phones or tablets, and over the 5N+ network. These devices and networks hold sensitive data that is entrusted to 5N+ on the basis that it will be kept safe, whether by electronic or physical means.

For that reason, we must monitor the use of our devices and networks to ensure data security and protection. You will not use 5N+ e-media including but not limited to social media, mobile and computer devices for private purposes. However, if you intend to do so, we ask that you seek prior written permission from our HR department before.

## YOUR PRIVACY RIGHTS AT 5N+

Your privacy rights include the right to access your personal information, seek rectification as needed. You may require the processing of your personal information to be restricted. Furthermore, you have the right to object to the processing of data and withdraw consent where it is optional, such as data collected under our equity and diversity programs, as mentioned above. Residents of Quebec may also, under certain circumstances, have the right to (i) request that their information cease being disseminated, (ii) that hyperlinks providing access to their personal information either be de-indexed or re-indexed, or (iii) that 5N+ communicate to them as well as to any person or body authorized by law to collect such information, any computerized Personal Information collected from them in a commonly used technological format. If anything about the applicable laws and regulations is unclear or you have concerns about how we protect your personal information, you can address them to the Data Privacy Office at privacy@5nplus.com.

To exercise your privacy rights:

- To access your personal information, contact your local Human Resources Office; you will receive all your personal information 5N+ has, unless we are prohibited by law from providing it; prohibitions include where the data contains personal information about another individual or where it is protected by privilege or legal prohibition to disclose;
- To seek rectification of your data, contact your local Human Resources Office and, if indeed it is inaccurate, it will be corrected;
- For any other concern, please contact our Data Privacy Office at privacy@5nplus.com.
- If you still have any concerns, you may seek recourse to the Data Protection Authority of your country. You may contact us at privacy@5nplus.com to obtain the name and contact information of the Data Protection Authority of your country.

Providing personal information may be required by law, by collective agreements or labour agreements, as well as under your employment contract or to safeguard the legitimate interests of 5N+. Failure to provide such data may mean that 5N+ cannot fulfill your employment contract, that benefits granted by 5N+ or personnel development offered by 5N+ are not possible, that electronic devices provided by 5N+ cannot be used, and that business trips cannot be pursued.

5N+ does not make use of automated decision making, including profiling, based on your personal information.

## DATA RETENTION

With respect to personal information collected for HR management purposes, personal information is retained for only as long as it is necessary to manage the employer-employee relationship, including under tax or employment law. At the end of any retention period, your personal data will either be securely deleted in its entirety or anonymized so that you can no longer be identified from that data.

If a candidate for employment is not selected, their personal information will be treated as follows:

- With notification, data is retained for six months after the process has concluded to provide applicants the right to contest and access their personal information upon request; or
- With express consent of the applicant, for a period of two years for further consideration of employment.

## YOUR CONSENT TO DATA TRANSFER TO QUÉBEC, CANADA

Because 5N+ is headquartered in Montréal, Québec, Canada, its Human Resources management is coordinated from Québec, Canada. This means that personal employee data may be transferred to Québec, under the protection of Québec privacy law. Québec privacy law protects individual privacy rights, requires personal data security and provides you recourse to the Commission d'accès à l'information du Québec, in addition to the Data Protection Authority of your country, should you have a complaint about the way in which your personal data is processed at 5N+.

## BOARD APPROVAL

Adopted on August 7, 2018
Revised on August 1, 2023
Revised on August 5, 2024