

SEKO Logistics

Personal Information Access or Deletion Request(s) Policy

This Personal Information Access or Deletion Request(s) Policy (the “Policy”) outlines SEKO Logistics, its affiliates and subsidiaries (“SEKO”, “us”, “our”, “we”), practices as it relates to the access or deletion rights of a consumer’s personal information, as well as our overall compliance with Applicable Data Privacy Laws (as defined below).

Background

SEKO provides a full suite of logistics supply chain solutions to its clients (the “Services”). SEKO provides Services for the benefit of its clients in multiple jurisdictions, and strives for compliance with all privacy and data security laws, as applicable, in the areas where we operate. This Policy applies to all applicable individuals, parties, or entities, as the case may be, and covers a parties’ right to request access to information we have, or to have SEKO delete that information. This Policy covers rights and obligations set forth under the California Consumer Privacy Act (“CCPA”) effective January 1, 2020, the EU General Data Protection Regulation 2016/679 (“GDPR”) as well as other similar local, state, federal and international data privacy regulations (collectively and individually, the “Applicable Data Privacy Laws”). In furtherance of Applicable Data Privacy Laws, this Policy describes SEKO’s standard procedures for processing access requests and deletion and erasure requests.

When the Policy Applies

This Policy can be triggered in a number of scenarios. Specifically, when an individual, party, entity, or employee, whose personal information or details are in SEKO’s system, contacts SEKO with an access request or deletion request; or SEKO takes measures to delete this information, the following could be true:

1. The personal data is no longer necessary for the purpose which we originally collected or processed it for;
2. We have relied upon your consent as the lawful basis for holding the data, and you or the individual concerned have withdrawn their consent;
3. We are relying on legitimate interests as our basis for processing, you/the individual have objected to the processing of their data, and there is no overriding legitimate interest to continue this processing;
4. We are processing the personal data for direct marketing purposes and the individual objects to that processing;
5. We have processed the personal data unlawfully (i.e. in breach of the lawfulness requirement of the first principle of the Data Protection Act and other like privacy laws);
6. We have to do it to comply with a legal obligation; or
7. We have processed the personal data to offer information society services to a child.

What Data is Covered by this Policy

Data that is included in this Policy includes information relating to an identified or identifiable individual. Keep in mind that under the Applicable Data Privacy Laws, data that identifies an individual could be as simple as a name or a number, or could include other identifiers such as an IP address or a cookie identifier. It could also include other information if, based on that information, it is possible to identify an individual directly from the information being processed. For more detailed information about what personal information SEKO collects from you, and how, please see SEKO's Privacy Center on our website at <https://www.sekologistics.com/us/privacy-center/>. There you will find other resources that are updated regularly to include our SEKO Logistics [Client Privacy Policy](#), SEKO Logistics [Website Privacy Notice & Terms of Use](#), SEKO Logistics [Cookies Statement](#), and a link where you can obtain SEKO's [Consumer Information Access or Deletion Request Form](#).

How to Submit Information Access or Deletion Request(s)

There is no magic way of requesting the right of access or erasure. However, there is certain information that we will need from you, as well as a verification process to ensure you are who you say you are (i.e. that you have the right to make such a request). SEKO tries to make this process as simple as possible for you, while protecting your privacy rights in the process by verifying your identity first and foremost. To make a request for access or deletion of your information, you can contact us either over the phone by using the toll free number listed, or by reaching us in writing. By contacting us in writing first, this will provide you and us with an auditable trail and ensure accurate tracking of our response time under the Applicable Data Privacy Laws (i.e. 30-day response time under GDPR; 45-days under CCPA). To help expedite matters and to ensure we have all required information to process an access or erasure request, it is recommended that a requestor call (844) 510-0059 or email a completed [Information Access or Deletion Request Form](#) to dataprivacy@sekologistics.com.

Exceptions to the Right(s) of Access or Deletion Could Apply

This Policy might not apply in all circumstances. It is dependent on the situation and also on the eligibility of the requestor under Applicable Data Privacy Laws.

GDPR Exceptions. Under the GDPR the right to erasure or deletion does not apply if processing is necessary and one of the following situations applies:

[i.e. the information is needed in order]

- To exercise the right of freedom of expression and information;
- To comply with a legal obligation which requires processing by Union or Member State law to which the controller is subject;
- For the performance of a task carried out in the public interest or in the exercise of official authority;
- For archiving purposes in the public interest, scientific research historical research or statistical purposes where erasure is likely to render impossible or seriously impair the achievement of that processing;
- For the establishment, exercise or defense of legal claims; and
- When there exists overriding legitimate grounds for the processing or retention.

The GDPR also specifies two circumstances where the right to erasure or deletion will not apply to special category data. Those two circumstances are: (i) if the processing is necessary for public health purposes in the public interest (e.g. protecting against serious cross-border threats to health, or ensuring high standards of quality and safety of health care and of medicinal products or medical devices); or (ii) if the processing is

necessary for the purposes of preventative or occupational medicine (e.g. where the processing is necessary for the working capacity of an employee; for medical diagnosis; for the provision of health or social care; or for the management of health or social care systems or services). This only applies where the data is being processed by or under the responsibility of a professional subject to a legal obligation of professional secrecy.

CCPA Exceptions. Under CCPA, there are also notable exemptions to the right of the consumer to delete information, namely if it is necessary for the business or service to maintain the personal information pursuant to the exception. Those exceptions under the CCPA include the following categories:

- To complete the transaction for which the personal information was collected (Transactional);
- To detect security incidents, protect against malicious, deceptive, fraudulent or illegal activity, or prosecute those responsible for that activity (Security);
- To debug to identify and repair errors that impair existing intended functionality (Errors);
- To exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law (Free Speech);
- For purposes of complying with the California Electronic Communications Privacy Act (CalECPA Compliance);
- To engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the businesses' deletion of the information is likely to render impossible or seriously impair the achievement of such research, if the consumer has provided informed consent (Research in the Public Interest);
- To enable solely internal uses that are reasonably aligned with the expectations of the consumer based on the consumer's relationship with the business (Expected Internal Uses);
- To comply with a legal obligation (Legal Compliance); and
- To otherwise use the consumer's personal information, internally, in a lawful manner that is compatible with the context in which the consumer provided the information (Other Internal Uses).

If an Exception Exists, Can SEKO Refuse to Comply With My Request?

If one of the above exemptions applies to a request under GDPR or CCPA, or another exemption under a different Applicable Data Privacy Law(s), we can refuse to comply with a request for erasure or deletion (wholly or partly). However not all exemptions apply in the same way, and we will look at each exemption carefully to see how it applies to a particular request.

We can also refuse to comply with a request if it is manifestly unfounded or excessive. When deciding if a request is manifestly unfounded or excessive we will consider each request on a case-by-case basis and we have no blanket policy in regard to these exceptional circumstances.

SEKO takes its obligations and responsibilities very seriously and we will research and investigate certain examples on the Information Commissioners website, as appropriate, where there is suggested guidance or factors to apply in certain circumstances. SEKO will also not comply with fraudulent requests, or requests made from individuals where it is clear that the request is malicious in intent and is being used to harass an organisation with no real purposes other than to cause disruption. For example: the individual has explicitly stated, in the request itself or in other communications, that they intend to cause disruption; the request makes unsubstantiated accusations against us or specific employees; the individual is targeting a particular employee against whom they have some personal grudge; or the individual systematically sends different requests to you as part of a campaign, e.g. once a week, with the intention of causing disruption.

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