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## I. PURPOSE

In this Global Data Protection Policy (“Policy”), Modine Manufacturing Company and its wholly and majority-owned subsidiaries, individually and collectively, are referred to as “Modine”. This Policy affirms Modine’s commitment to comply with the data privacy laws to which Modine is subject (collectively the “Data Protection Laws”). This Policy describes the responsibilities, and at a high level, the processes to be followed by Modine to promote compliance with the Data Protection Laws for the processing of Personal Data relating, in particular taking into account the requirements set out in the European Union’s General Data Protection Regulation (“GDPR”). The GDPR is one of the “Data Protection Laws”<sup>1</sup>.

Depending on the nature and origin of the Personal Data (as defined below), the Data Protection Laws can apply to our activities across the globe, despite the fact that a law is enacted by one particular country, and the activities occurred in another country.

Violations of the Data Protection Laws can result in:

- damage to the company’s reputation;
- investigation by regulatory authorities;
- monetary penalties;
- court proceedings;
- breach of contractual obligations and
- in some cases, criminal offenses.

Failure to comply with this Policy may also result in disciplinary action.


All Modine Parties (as defined below) and Modine 3rd Parties (as defined below) are expected to maintain the highest standards of ethical behavior and business conduct, including full compliance with the requirements of the Data Protection Laws.

## II. SCOPE

This Policy applies to all of our directors and employees (each a “Modine Party” and collectively the “Modine Parties”) as well as our distributors, agents, representatives, consultants, joint venture partners, and any other third party acting on behalf of Modine, our subsidiaries and/or

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<sup>1</sup> Certain European jurisdictions may include requirements additional to those set out in the GDPR which will be incorporated under national law. For example, Germany has adopted more stringent requirements in relation to the Processing of Personal Data, in which case Processing of Personal Data relating to German individuals will need to adhere to the additional requirements under German law.

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affiliates, that collects or processes Personal Data on behalf of Modine (each a “Modine 3rd Party” and collectively called “Modine 3rd Parties”).

It applies to all Personal Data processed by Modine in its capacity as a Controller (as defined below) and/or “Processor” (as defined in the applicable Data Protection Laws), as applicable, including Personal Data relating to our employees.


This Policy applies to both electronically-based and paper-based Personal Data.

### III. POLICY STATEMENT

#### A. Definitions

The terms used in this Policy are defined as follows:

- **Data Subject:** means an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- **Policy:** is this Global Data Protection Policy, unless a supplementary data privacy policy is expressly indicated.
- **Personal Data:** is any information relating to a Data Subject. Anonymized data does not fall within the concept of Data Protection Laws as it does not constitute Personal Data.
- **Special Categories of Data:** Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation.
- **Processing of Personal Data:** means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- **Controller:** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data.

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- Personal Data Breach: means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, Personal Data transmitted, stored or otherwise Processed.

## B. General Principles for the Processing of Personal Data

Modine shall adhere to the following general principles in relation to the Processing of Personal Data:

- processed lawfully, fairly and in a transparent manner (lawfulness, fairness and transparency);
- collected for specified, explicit and legitimate purposes only (purpose limitation);
- adequate, relevant and limited to what is necessary in relation to the purpose immediately above (data minimization);
- accurate, and where necessary, kept up to date (accuracy);
- kept in a form which permits identification of EU Data Subjects for no longer than is necessary for the purposes for which the Personal Data is Processed (storage limitation); and
- processed in a manner that ensures appropriate security of the EU Personal Data, including protection against unauthorized or unlawful Processing and against accidental loss, destruction or damage using appropriate technical or organizational measures (integrity and confidentiality).


Further details and explanations of the general principles are set forth in LSP01-08.

## C. Rights of the Data Subject

All (EU) Data Subjects are entitled to the following rights, as described in detail in the applicable Standard Practice(s)<sup>2</sup> and/or the applicable Data Protection Laws. Modine shall endeavor to comply with the exercise of the following rights by Data Subjects:

- **Portability:** EU Data Subjects have the right to receive their Personal Data about them which has been provided directly from the EU Data Subject to Modine in an appropriate format. EU Data Subjects may then transfer this data to another Controller including where such Processing is based on consent and is carried out by automated means. The EU Data Subjects also have the right to request that Modine, transfers their Personal Data directly to another Controller.
- **Right to rectification:** EU Data Subjects have the right to obtain the rectification of inaccurate Personal Data from Modine without undue delay.

<sup>2</sup> e.g. the Standard Practices for Data Access, Portability, etc.

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- **Right to erasure/right “to be forgotten”:** EU Data Subjects have the right to request from Modine the erasure of their Personal Data without undue delay in certain circumstances.
- **Right to restriction of Processing:** EU Data Subjects have the right to demand from Modine the restriction of Processing of their Personal Data without undue delay in certain circumstances.
- **Right to object and automated processing:** EU Data Subjects have the right to object to the Processing of their Personal Data by Modine in certain circumstances. Where Personal Data are processed for direct marketing purposes EU Data Subjects also have the right to object to this Processing, including profiling to the extent that it is related to such direct marketing. EU Data Subjects also have the right to not be subject to a decision based solely on automated Processing, including profiling, which produces legal effects concerning them or similarly significantly affects them.
- **Subject access requests:** EU Data subjects have the right to request from Modine access to their Personal Data which is held about them.

Any claims must be processed immediately by the responsible body, and must not result in any disadvantage to the Data Subject. EU Data Subjects also have the right to lodge a complaint before a data protection supervisory authority about data protection issues concerning them.


When processing Personal Data, all Modine parties and Modine 3rd parties must adhere to the applicable Standard Practice and/or Work Instruction.

#### **D. Transfer of EU Personal Data**

Any transfers of EU Personal Data by Modine to another Modine Party or to a Modine Third Party based outside of the European Economic Area (EEA) is only done where appropriate safeguards have been put in place. Such safeguards relevant to Modine include: (i) putting in place the EU Model Contractual Clauses (also referred to as data transfer agreements); (ii) the Privacy Shield; (iii) appropriate data processing clauses in contracts; (iv) obtaining consent from EU Data Subjects where appropriate; and (v) where a decision of adequacy for a country based outside the EEA has been made by the European Commission.

#### **E. Records of Processing Activities**

Modine shall maintain records of processing activities under its responsibility to evidence compliance with Article 30 GDPR.

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## F. Training

Modine shall provide initial training on data protection to new employees and regular training to existing employees.

## IV. COMPLIANCE RESPONSIBILITY

All employees are responsible for supporting the principles contained herein, and complying with this Policy and working with fellow employees to continually monitor Modine's compliance with this Policy. Management serves as a role model for supporting these principles and is responsible for monitoring the level of compliance with this Policy within the area of their responsibility. In some countries, the management can be held personally liable for the company's infringement of data privacy.

## V. SECURITY


Modine is responsible for ensuring that any Personal Data which Modine holds and for which they are responsible, is kept securely and is not under any conditions disclosed to any third party unless that third party has been specifically authorized by Modine to receive that information and is safeguarding the Personal Data subject to one of the safeguards listed in III (D), above. Further details on data security are set forth in the applicable Standard Practice and/or Work Instruction.

## VI. PERSONAL DATA BREACH

In the case of breach of Personal Data, Modine shall notify such Personal Data Breach to the appropriate European data protection supervisory authority within 72 hours of becoming aware of such Personal Data Breach unless such breach is unlikely to result in a risk to the rights and freedoms of Data Subjects. Where notification is not made within 72 hours (which is inclusive of any public holidays, or similar, and weekends), the later submitted notification must be accompanied by the reasons for delay.

Such notification must contain at least the following information:

- description of the nature of the Personal Data Breach;
- name and contact details of the Data Protection Officer (where appointed);
- description of the likely consequences of the Personal Data Breach; and
- description of the measures taken or proposed by Modine to address the Personal Data breach and mitigate its effects.

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Where the Personal Data Breach is likely to result in a high risk to the rights and freedoms of Data Subjects, Modine shall communicate the Personal Data Breach to such Data Subjects without undue delay. Further details in relation to the data breach process are set forth in the applicable Standard Practice and/or Work Instruction.

## VII. DATA PROTECTION CONTROL

Compliance with data protection guidelines and the applicable data protection legislation is subject to regular data protection audits and other controls. The Data Protection Officer (where appointed) or Data Privacy Coordinator at the site is responsible for the implementation of the guidelines and for any other areas in the company having audit rights.

The results of the data protection audits shall be sent to the top management of the relevant site.

The Data Protection Officer or Coordinator must be notified of any key findings under the relevant reporting obligations. The results of any data protection audits shall be submitted to the regulatory data protection authorities upon request, where required by law or when deemed advisable by the Data Protection Officer or Coordinator. The responsible data protection authorities may conduct their own investigations using the powers granted to them under the Data Protection Laws to examine compliance with the provisions of the Data Protection Laws.

The names and contact details of the Data Protection Officers or Coordinators and the Modine Director of Global Compliance & Ethics Programs will be published on the Intranet.

## VIII. CONTACT

If you have any questions regarding this Policy, please contact the Data Protection Officer or Coordinator.