# Purpose

The purpose of the Privacy and Data Protection Policy (“Policy”) is to provide guidance to support compliance with privacy laws and regulations related to the processing of personal data for residents of the European Union, and other European countries. MTS employees are responsible for understanding and complying with privacy laws and regulations, this Policy, and related procedures.

MTS employees, directors, officers, third parties, consultants, and representatives must comply with privacy laws and regulations. It is important that employees strictly adhere to the Policy to support the MTS commitment to privacy and data protection. Any violation of the Policy and associated procedures or standards may result in administrative and/or disciplinary action by MTS.

# Scope

Compliance with this policy is mandatory for all employees, directors, and officers of MTS and its European subsidiaries.

**3.0 Definitions:**

**Data Controller:** A legal entity that determines the purposes and means of the processing of personal data, either alone or jointly with other data controllers.

**Data Processor:** A legal entity that processes personal data on behalf of a data controller.

**Personal Data:** Any information relating to an identified or identifiable natural person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, identification number, location data, online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

**Sensitive Personal Data**: As defined in Article 9 of the General Data Protection Regulation (“GDPR”), Sensitive Personal Data includes 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.

**Data Subjects:** MTS employees, customers, providers or any other individuals’ personal data

Data Protection Officer: The DPO is responsible for assisting in the oversight of MTS’ data protection compliance program and for advising MTS in relation to any questions regarding data protection.

Adequacy Decision: A decision by the European Commission that a third country, a territory or one or more specified sectors within that third country, or an international organization endorses an adequate level of protection such that transfers of personal data to the third country or international organization may take place without any specific authorization.

# Binding Corporate Rules: Legally binding rules adopted by a data controller or data processor that expressly confer enforceable rights on data subjects with regard to the processing of their personal data, which validate appropriate data protection safeguards and provide for effective legal remedies such that transfers of personal data to a third country or international organization by the data controller or data processor are permitted without specific authorization.

**4.0 Procedure:**

MTS is committed to maintaining the privacy of the personal data of its employees, customers, and suppliers. Pursuant to this Policy, MTS implements and maintains a variety of privacy and data protection practices, supporting processes and work instructions.

## General Governance

MTS’ Privacy and Data Protection compliance program is managed by the Office of Risk and Compliance, with support from various business areas such as HR, IT and the Office of General Counsel. The compliance program requires all participating MTS entities and subsidiaries to fully participate in its application.

The Privacy and Data Protection program structure includes a Data Protection Officer (“DPO”) who is accountable to the MTS Chief Risk and Compliance Officer. The DPO is responsible for assisting in the oversight of MTS’ data protection compliance program and for advising MTS in relation to any questions regarding data protection. In addition, the DPO will be responsible for representing MTS before data protection authorities, and serves as the primary contact for specific EU data subjects’ requests. General privacy and data protection inquiries are coordinated by the Office of Risk and Compliance at [privacy@mts.com](mailto:privacy@mts.com).

## Third Party Privacy Notice

MTS provides third parties a privacy notice that describes:

1. How MTS collects, uses, and/or discloses certain personal data of third parties who work with MTS and visitors to MTS’ websites
2. The rights data subjects have regarding MTS’ use and processing of their personal data
3. How MTS informs data subjects of these rights
4. The process for addressing requests from data subjects.

This third party privacy notice is disclosed on MTS’ website, for visitors to mts.com to review.

## Employee Privacy Notice

MTS provides employees within Europe a privacy notice during their onboarding process as a new hire. The privacy notice describes the following:

1. How MTS collects, uses, and/or discloses the personal data of MTS employees
2. The rights that data subjects have regarding MTS’ use and processing of their personal data
3. How MTS informs data subjects of these rights
4. The process for addressing requests from data subjects

The privacy notice is also available to employees within Corporate Policies and Procedures.

**Personal Data Processing**

MTS is committed to ensuring that appropriate safeguards are in place when it is serving as a Data Controller. Within the IT program lifecycle, MTS reviews and documents the following:

1. Specific and legitimate purposes for data processing have been identified.
2. Appropriate operational and technical measures guard against unlawful access.
3. Data is maintained and up to date.
4. There is a legal basis for processing data.

This information is discussed with the business, IT and ORC. If it is determined that a project will involve the processing or transfer of personal data, the project will be reviewed to take into account privacy risks and the need to implement data protection principles.

Once the project is delivered and processes are implemented, any new data processes related to European Union data subjects are documented in the applicable Data Processing Register.

MTS is committed to protecting personal data when serving as a Data Processor and takes steps to verify that the data is processed under the conditions agreed to and only for the designated time specified in the contracts.

**Lawful Basis for Processing**

MTS is committed to collecting and processing personal data with appropriate care and caution in compliance with applicable law. The Third Party Privacy Notice and Employee Privacy Notice – Europe set forth the lawful basis for the processing MTS undertakes.

**Consent**

In the absence of another lawful basis for processing, MTS, will obtain consent from data subjects in adherence with applicable laws and regulations, prior to processing their personal data, where required for employees and third parties.

**Sensitive Data**

MTS may at times need to collect and process sensitive personal data and will request specific consent to process or transfer the data, under the direction of the ORC, unless it is due to a requirement by law or necessary to the vital interest of the data subject.

**Revocation or Change to Consent**

When the DPO receives a request from a data subject concerning the processing of their personal data, the DPO will evaluate whether MTS is required to grant the data subject’s request. To make this determination, the DPO will confer with the ORC. If it is determined that the data subject’s request must be fulfilled, MTS will cease data processing of personal data upon the revocation of the data subject’s consent.

## Third Party Processing

Third Parties who process personal data for MTSare required to maintain **a**ppropriate organizational privacy and data protection measures. Contracts with third parties that process personal data are reviewed to confirmthat they are able to adhere to privacy and data protection standards.

## International Data Transfer

MTS is committed to appropriately safeguarding international transfers of personal data. Transfers of personal data from within the European Union to countries outside the European Union are acceptable if the country to which the personal data is transferred has received an Adequacy Decision from the European Commission declaring that the country supports an adequate level of protection for data subjects, or if they take place under Binding Corporate Rules that have been approved by the appropriate Data Protection Authority, or the transfer occurs under the protection of any other mechanism approved by the European Commission, such as the EU-U.S. Privacy Shield or the use of Model Contract Clauses.

**Personal Data Retention**

MTS will work with business owners of personal data to determine that personal data is only retained for the time necessary to achieve the purpose for which the personal data is collected.

The OGC-007 MTS Data Retention Policy defines limits on the length of time MTS may maintain personal data and MTS will consider the time during which the personal data is necessary to achieve the purpose of the processing, also taking into account the following factors:

(i) The period after which keeping the personal data may have an impact on the data subject’s right’s (including the right to be forgotten included in GDPR within the EU); and

(ii) Any legal obligations imposing a minimum data retention period.

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**Privacy Policy Updates**

The Policy may be amended from time to time. When amendments require significant changes to the Privacy Policy, MTS will, at least once a year, communicate with all participating MTS entities and data subjects for whom MTS is a Data Controller.

When MTS is acting as a Data Processor, any changes to the Privacy Policy will be communicated in a timely manner to the Data Controller.

1. Notice Owner

Office of Risk and Compliance

1. Related Policies

ORC-0023.01 Employee Privacy Notice - Europe

OGC-007 MTS Data Retention Policy

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| **REVISION HISTORY** | | |
| **Rev** | **Description of Change** | **Effective Date** |
| 0 | Data Privacy Policy for European Union Employee Data | 05/23/2018 |
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