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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, including but not limited to the European Union’s General Data Protection Regulation (“GDPR”) and the California Consumer Privacy Act (“CCPA”) (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.

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 jurisdiction, 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, officers, 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 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” or “Service Provider” (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.

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III. POLICY STATEMENT

A. Definitions


Definitions vary in applicable Data Protection Laws. The terms used in this Policy are defined as follows:

- **Controller:** 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.
- **Data Subject** (otherwise referred to as a “consumer,” depending on applicable law): 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.
- **Personal Data:** Any information relating to a Data Subject. It may also be referred to as “Personal Information,” depending on applicable law. Anonymized data does not fall within the concept of Data Protection Laws as it does not constitute Personal Data.
- **Personal Data Breach:** 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.
- **Policy:** This Global Data Protection Policy, unless a supplementary data privacy policy is expressly indicated.
- **Processing of Personal Data:** 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.

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, as supplemented by applicable Data Protection Laws:

- processed lawfully, fairly and in a transparent manner (lawfulness, fairness and transparency);
- collected for specified, explicit and legitimate purposes only (purpose limitation);

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- 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 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 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).

C. Rights of the Data Subject

Under applicable Data Protection Laws Data Subjects are entitled to various rights, which may include:

- **Portability:** the right to receive their Personal Data which has been provided directly from the Data Subject to Modine, in an appropriate format; the right to request that Modine transfer their Personal Data directly to another Controller.
- **Right to erasure/right “to be forgotten”:** the right to request from Modine the erasure of their Personal Data without undue delay in certain circumstances.
- **Subject access requests:** the right to request from Modine access to their Personal Data which is held about them.
- **Right to rectification:** the right to obtain the rectification of inaccurate Personal Data from Modine without undue delay.
- **Right to restriction of Processing:** 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:** the right to object to the Processing of their Personal Data by Modine in certain circumstances; the right to object to Processing for direct marketing purposes, including profiling to the extent that it is related to such direct marketing; and 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.

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

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

D. International Transfer of Personal Data

Any transfers of Personal Data by Modine to another Modine Party or to a Modine 3rd Party based outside of the country or region of collection is only done where appropriate safeguards have been put in place. Such safeguards relevant to Modine include: (i) putting in place the Model Contractual Clauses (also referred to as data transfer agreements); (ii) appropriate data processing clauses in contracts; and (iii) obtaining consent from Data Subjects where appropriate.

E. Records of Processing Activities

Modine shall maintain records of Processing activities under its responsibility to evidence compliance with Article 30 GDPR, the record retention requirements of the CCPA, or other applicable Data Protection Law.

F. Training


Modine shall provide training on data protection to 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 has implemented appropriate physical, technical and organizational measures that are designed to protect the Personal Data that it collects and processes from loss, misuse, and unauthorized alteration, destruction, access or acquisition. These measures are further described in the Company's security policies and procedures.

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VI. PERSONAL DATA BREACH

In the case of a Personal Data Breach, Modine shall notify the appropriate regulatory authority or authorities of such Personal Data Breach within the required timescales, including to the appropriate data protection supervisory authority within the timeframe required by the applicable Data Protection Law.

Such notification must contain the information required by the applicable Data Protection Law, which may include:

- 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.

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 data protection audits and other controls.