

TITTLE :

*Policy for International Transference of Data*

TYPE::

*Norm*

# Policy for International Transference of Data



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## 1. Presentation

**Cooperativa Regional de Cafeicultores em Guaxupé Ltda. – COOXUPÉ** (“COOXUPÉ”), inscribed under CNPJ (Legal Entity National Registration) #20.770.566/0001-00, with head office at Guaxupé/MG, Rua Manoel Joaquim Magalhães Gomes, 400, Vila Santa Bárbara, CEP: 37800-000, is committed to respect the privacy of its members, clients, employees, partners and outsourcers with which it comes to have any relation, as well as to protect and secure their Personal Data.

The current Policy for International Transference of Data, as well as the Appendix attached to the present instrument containing the definitions used in the text (“Policy”), is meant to clarify which data is collected, and in what manner such data are managed and deployed, with focus on international transference of Personal Data.

## 2. Proposal

The current Policy and procedure establish an efficient structure, responsible and transparent in order to ensure the compliance with the requirements for international transference of Personal Data, as foreseen at Brazilian General Law of Data Protection (LGPD).

## 3. Application

The current Policy is applied to all persons, being either private individuals or legal entities, which have relation with COOXUPÉ and handle Personal Data and/or transference of Personal Data controlled or operated by COOXUPÉ, including all employees, half period employees, trainees, apprentices, temporary or permanent workers.

## 4. Policy Statement

COOXUPÉ reserves the right to transfer Personal Data to addressees located in other countries provided that the country involved in the transference of Personal Data is recognized for presenting adequate level of legal protection for the rights and freedom of relevant Personal Data Owners, as foreseen in the article #33 of Brazilian General Law of Data Protection (LGPD).

In cases that might demand transferences to countries without adequate level of legal protection, since it is carried out under the hypotheses listed below, the transferences must be performed in

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compliance with the current policy as well as the article #33 of Brazilian General Law of Data Protection (LGPD).

COOXUPÉ might transfer Personal Data, whenever one or more of the following hypotheses occur:

- to countries that provide level of protection for Personal Data in compliance with Brazilian General Law of Data Protection (LGPD);
- when COOXUPÉ offers warranties of compliance with principles, rights of Personal Data Owners, and the protection regime as foreseen at Brazilian General Law of Data Protection (LGPD), by means of: (a) specific contractual provisions for specific transference; (b) standard contractual provisions; (c) global corporate norms; and (d) stamps, certifications and codes of conduct regularly issued;
- when a transference is necessary in order to protect either life or physical integrity of Personal Data Owner or Third Parties;
- when the National Authority of Data Protection (ANDP in Portuguese) authorizes the transference;
- when the Personal Data Owner has been provided its specific consent, remarking the transference, with previous information concerning the international feature of the operation, clearly distinguishing such objective from others; or
- when it is necessary, for contract enforcement, to meet legal obligation or regular exercise of rights in legal, administrative or arbitral process.

## **5. Personal Data Transference to Third-Parties in Other Jurisdiction**

COOXUPÉ will transfer Personal Data to third-parties out of Brazil, or permit access to Personal Data by such third-parties, only in case it is clear data will be lawfully processed and adequately protected by the addressee, and in compliance with the terms of the current topic.

In case the third-party is considered a Controller of Personal Data, COOXUPÉ will celebrate an appropriate contract with the aforementioned Controller in order to clear the responsibilities of each party concerning Personal Data transferred. Likewise, in case the third-party is considered an Organizer of Personal Data, COOXUPÉ will celebrate a contract for adequate process with the Operator. The contract must establish the operator to protect Personal Data from other releases and to process only Personal Data compliant with the terms expressed in the contract, since it is compliant with applicable law. In addition, the contract will demand the Operator to implement

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Safety Measures, appropriate Administrative Technics in order to protect Personal Data, as well as procedures to notifying Personal Data breaches.

## **6. Responsibilities**

All COOXUPÉ's employees and/or third-parties that handle Personal Data are responsible for processing such Data in total compliance with policies and procedures concerning applicable legislations.

## **7. Management of registries**

COOXUPÉ will keep relevant registries in order to manage the present Policy and procedure, in electronic format, in an acknowledged COOXUPÉ's registries management system.

All relevant registries used to manage the present Policy and procedure will be kept for a period of 5 (five) years.

## **8. Information and contact**

In case there is any doubt left about the current Privacy Policy, or over how we process your Personal Data, contact us via our service channel: <https://www.cooxupe.com.br/lgpd/>

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## **9. APPENDIX 1 - Definitions**

The current Appendix is meant to present the definitions applied to this Policy.

- “National Authority of Data Protection (ANPD in Portuguese)” stands for the Brazilian public administrative body which is responsible for taking care, implementing, and assessing the accomplishment of Brazilian General Law of Data Protection (LGPD in Portuguese);
- “Controller” stands for the one who determines the purposes, means, and establishes guidelines for Personal Data Processing;
- “Personal Data” stands for any information related to the natural person that makes him/her identified or identifiable;
- “Sensible Personal Data” stands for the personal data about racial or ethnic origin, religious conviction, political opinion, membership to a union or a religious, philosophical or political organization, any information concerning health, sexual behavior, genetic or biometrical data, when linked to a natural person, which may allow his/her/its identification;
- “Person In Charge (DPO)” stands for the person indicated by the Controller and Operator to act as a communication channel with Personal Data Owners and National Authority of Data Protection (ANPD), receiving requests from Data Owners and the National Authority of Data Protection (ANPD), and directing their answers;
- “Personal Data Incident” stands for any breach of security that, in accidental or illicit manner, may cause unauthorized destruction, loss, tampering, disclosure, or access to Personal Data transmitted, preserved, or due to any type of Processing;
- “LGPD” stands for Brazilian General Law of Data Protection, Law # 13.709/2018;
- “Security, Technical and Administrative Measures” stand for the implemented measures, which are able to protect Personal Data from unauthorized accesses, and from accidental or illicit situations of destruction, loss, tampering, communication or any form of inadequate or illegal Personal Data Process;
- “Operator” stands for the person that performs Personal Data Process on behalf of the Controller and under his/her guidance;



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- “Personal Data Owner” stands for the natural person, identified or identifiable, to whom Personal Data are related; and
- “Personal Data Process” stand for every and any operation carried out with Personal Data, as for those related to collection, production, reception, classification, usage, access, reproduction, transmission, distribution, processing, filing, storage, elimination, evaluation or control of information, change, communication, transference, disclosure or extraction.