

# DATA PROTECTION NOTICE FOR CUSTOMERS

## 1. Introduction

**MSC Mediterranean Shipping Company SA**, “MSC” or “we”, having its registered office at Chemin Rieu 12-14, 1208 Genève, Switzerland, is committed to protecting the privacy and security of your “Personal Data” (as defined in section 2) when we act as a data controller in accordance with the Swiss Federal Act on Data Protection and any other applicable data protection laws, including the Regulation (EU) 2016/679 “GDPR”, along with the law applicable in your location and the location of the MSC agency you are working with (collectively “Data Protection Laws”).

This data protection notice (referred to as the “Notice”) describes how we collect, use, share and transfer (together referred to as “Processing” or “Process”) Personal Data during and after the business relationship we have with our customers, their employees and partners (together referred to as “Customer” or “you”).

MSC operates through its agencies established across the world which, depending on the purpose, may act as data controller when Processing your Personal Data or Process your Personal Data on behalf of MSC.

MSC uses appropriate technical and organizational measures to ensure a level of safety appropriate to the risk of the Processing in order to grant confidentiality, availability and integrity of your Personal Data.

It is important that you read this Notice, together with any other data protection notices and MSC policies we may provide on specific occasions when we are Processing Personal Data about you, so that you are aware of how and why we are using such Personal Data.

## 2. What Personal Data do we collect?

Personal Data is any piece of information relating to an identified or identifiable natural person. MSC may Process the following categories of Personal Data about you:

- Name and surname (identity)
- Professional email address (contact details)
- Professional telephone number (contact details)
- Professional postal address (contact details)
- Customer booking number
- Customer code
- Customer’s bill of lading
- Customer’s container number
- Globalization of Customer’s container (if required by you)
- Customer’s bank details
- Job position and information about the corporate structure or management documentation regarding the entity you work for

- Customer technical data which include your IP address or similar identification number, login data, browser type and version, time zone setting and location, operating system and platform, and other technology on the devices you use to access MSC websites
- Records of our communications with you including in respect of any queries or complaints that you raise
- Identity documents including your passport and driving license
- Sanctions designation and association with designated parties
- Survey answers when you participate in customer satisfaction surveys
- Marketing data such as your preferences on our services, offers and attendance at our events

A particular category of Personal Data is “Sensitive Personal Data”, meaning, 1) data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, or 2) concerning health, a natural person’s sex life or sexual orientation. Such Sensitive Personal Data also includes genetic and biometric data, and information relating to criminal convictions and offences.

Unless strictly required under applicable laws, MSC does not collect Sensitive Personal Data.

In most cases the Personal Data will be directly collected from you, in some cases by your local MSC agency operating on behalf of MSC Mediterranean Shipping Company SA. In the case of compliance checks, we may use publicly available sources, as well as standard customer due diligence databases to verify your identity and collect Personal Data.

### 3. How do we use your Personal Data?

We will only use your Personal Data when the law allows us to, for the following purposes (referred to as “Purposes”) and in accordance with the corresponding legal basis as described in the following table:

Purpose	Category of Personal Data	Lawful basis for Processing
To execute the obligations envisaged by the contract we have with you	-Identity (Name & Surname) -Contact details -Cargo description -Globalization of the container (if required by you) -Bill of lading number -Container number	Performance of the contract
To complete the security check at the terminal	-Identity (Name & Surname) -Passport, identity card or driving license	To comply with a legal obligation

Performance of the customs declaration to the local authority	<ul style="list-style-type: none"> <li>-Identification code from which we can retrieve Personal Data</li> <li>-Identity (Name &amp; Surname)</li> <li>-Contact details</li> <li>-Cargo description</li> <li>-Container number</li> </ul>	To comply with a legal obligation when envisaged by the local jurisdiction or when the processing is necessary for the purpose of our legitimate interests
To complete the booking	<ul style="list-style-type: none"> <li>-Identity (Name &amp; Surname)</li> <li>-Contact details</li> <li>-Cargo description</li> <li>-Container number</li> </ul>	Legitimate interests and/or performance of the contract
To provide you with the transport service (by sea, road, rail, warehousing or through forwarding activities)	<ul style="list-style-type: none"> <li>-Identity (Name &amp; Surname)</li> <li>-Contact details</li> <li>-Bank details</li> <li>-Customer code</li> <li>-Cargo description</li> <li>-Globalization of the container (if required by you)</li> <li>-Bill of lading and contact details of the parties involved in the transportation service (i.e Consignee, notify party etc)</li> <li>-Container number</li> </ul>	Legitimate interest
To review and improve our services by requesting your feedback, or requesting you to fill out our questionnaire or surveys about our services	<ul style="list-style-type: none"> <li>-Identity (Name &amp; Surname)</li> <li>-Email address</li> <li>-Professional information</li> <li>-Opinion on our service</li> </ul>	Legitimate interest
Compliance check to prevent fraud, sanctions violations and illicit traffic (security screening, background checks)	<ul style="list-style-type: none"> <li>-Identity (name, surname &amp; date of birth)</li> <li>-Bank details</li> <li>-Shipping data such as cargo description, container and bill of lading numbers</li> <li>-Passport (including: photo, date of birth, name, place of birth, nationality &amp; number)</li> <li>-Corporate structure and management documentation</li> <li>-Sanctions designation and association with designated parties</li> </ul>	The legal obligation to comply with applicable laws or the legitimate interest of preventing the stoppage of service or preventing reputational damage

Commercial and Marketing Activities	-Identity (Name & Surname) -Contact details -IP, login data, browser type and version, time zone settings and location -Your preferences	Your consent or our Legitimate Interests, where allowable under applicable direct marketing laws or other such relevant laws
Building a commercial relationship with you by keeping you informed about our business services	-Identity (Name & Surname) -Contact details -IP, login data, browser type and version, time zone setting and location of the professional device	Legitimate Interests
To respond to and defend against legal claims	-Identity (Name & Surname) -IP address -Passport, identity card or driving license	Legitimate Interest of defending our rights
To invite you to & facilitate your attendance at MSC events To improve your experience as a guest	-Identity (Name & Surname) -Contact details -Job title -Company -Dietary preferences	Consent
To register your interest in our services through a lead tracking form & to contact you	-Identity (Name & Surname) -Contact details -Job title -Company -Service preferences & interest	
To record your transactions in our SAP system, so that we may send you account statements, late payment reminders, payment receipts, payment advice or other financial correspondence, and to process your payment or refund	-Identity (Name & Surname) -Contact details -ID Number -Bank details	Performance of the Contract or Legitimate Interests

MSC will only Process your Personal Data to meet the above Purposes. If we need to use your Personal Data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so or obtain your consent when it is required by the Data Protection Laws. If you fail to provide certain Personal Data when requested, we may not be able to provide the requested service, or we may be prevented from complying with our legal obligations.

#### 4. Disclosure of your Personal Data

We may disclose your Personal Data strictly for the Purpose(s) mentioned in section 3 to the following recipients, as described in the below list, who are required to take appropriate security measures to protect your Personal Data and to treat them only for the Purpose(s) for which they were provided and in accordance with our instructions:

- MSC agencies located worldwide and working for and on behalf of MSC Mediterranean Shipping Company SA
  - Affiliate entities
  - Terminals
  - External legal counsel
  - Local Authorities
- Third parties (Consignee, notify party, freight forwarder).

We may also disclose your Personal Data to a third party when it is required by the applicable law, court order or governmental regulation and when it is necessary to detect and prevent a fraud or support any legal investigation or proceeding.

We may also use service providers to Process your Personal Data and in this case the service is governed by a contract that complies with the Data Protection Laws and ensures an adequate protection of your rights.

In the event of the sale, merger, or reorganization of part or all the business assets of MSC, we may disclose your Personal Data to a third party involved in this procedure.

When Processing your Personal Data for the purposes outlined in section 3, since our agencies are located worldwide, it may be necessary for us to transfer your Personal Data outside of Switzerland or the European Economic Area. In the event that we do so, we will only transfer the Personal Data to a country which is subject to a European Commission adequacy decision or, where no such decision has been made, if appropriate safeguards have been implemented such as the stipulation of the Standard contractual clauses approved by the European Commission. If you require full details of any international transfers of your Personal Data and the applicable safeguard, please contact us at the following address [data.protection@msc.com](mailto:data.protection@msc.com)

## 5. Security of your Personal Data

We have put in place appropriate technical and organizational security measures to ensure a level of safety appropriate to the risk and to protect Personal Data against accidental or illegal destruction, accidental loss, alteration, unauthorized disclosure or unauthorized access, notably when transferred to another country, and against any illegal means of Processing. We also provide regular training to our employees to ensure they comply with privacy principles when handling your Personal Data.

## 6. How long is your Personal Data retained?

We may retain your Personal Data as long as required to fulfill the Purpose(s) for which they were collected and in compliance with MSC Policies relating to the use of your Personal Data.

We shall keep your Personal Data for a longer period when we are obliged to do so by the applicable laws, regulatory requirement and for the time required to protect and defend our rights.

## 7. Your rights over your Personal Data

According to the Data Protection Laws, you may exercise the following rights:

- **Request access** to your Personal Data (commonly known as a "data subject access request"). This enables you to receive a copy of the Personal Data we hold about you and to check that we are lawfully Processing it.
- **Request correction** of the Personal Data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your Personal Data. This enables you to ask us to delete or remove Personal Data where there is no legitimate reason for us continuing to process them. You also have the right to ask us to delete or remove your Personal Data where you have exercised your right to object to Processing (see below).
- **Object to processing** of your Personal Data where we are relying on a legitimate interest (or those of a third party) or where we are Processing your Personal Data for direct marketing purposes.
- **Request the restriction of processing** of Personal Data. This enables you to ask us to suspend the Processing of Personal Data about you, for example if you want us to establish its accuracy or the reason for Processing it.
- **Request the transfer** of your Personal Data to another party in a common readable format where it is practicable.
- **Right to withdraw your consent** if the legal basis for the Processing of your Personal Data is based on it.

In addition to the rights aforementioned and in compliance with the Data Protection Laws, you are entitled to lodge a complaint with the competent supervisory authority.

If you want to exercise the rights above described, please fill this form [Here](#), or if you have any questions about this Notice, you may address your request to [data.protection@msc.com](mailto:data.protection@msc.com).

## 8. Changes to this Notice

We reserve the right to update this Notice at any time and we will provide you the update Notice when we make any substantial changes. We may also notify you in other ways from time to time about the Processing of your Personal Data.