

## **About Personal Data Protection**

19 December, 2024

### **Hitachi Construction Machinery Co., Ltd.'s Approach to Personal Data Protection**

Hitachi Construction Machinery Co., Ltd. (hereinafter referred to as "Hitachi Construction Machinery", "we", "our" or "us") has established rules and a management system for the protection of personal information. In addition, we have established the following privacy policy, and have made it known to all officers and employees. We are committed to the appropriate protection of personal information in accordance with this policy.

For website visitors and other individuals who are located in the European Economic Area ("EEA") or the UK, please see our "Privacy Notice for Individuals in the EEA" below for how we handle your personal information in accordance with the General Data Protection Regulation and other applicable data protection laws.

For consumers in California, please see our "California Privacy Rights" section below for how we handle your personal information in accordance with the California Consumer Privacy Act (as amended) and other applicable California data protection laws.

#### **Definition of Personal Data**

For Hitachi Construction Machinery, personal information is information maintained by us that is or can be used to identify specific persons (for example, your name, birth date, age, gender, address, phone number, e-mail address, company name, location of workplace, phone number of workplace, bank account numbers, various numbers and strings of characters assigned to you, information with respect to our products and services linked to you, information of websites accessed by you, information regarding your complaints, consultations and inquiries, and other information regarding the individual obtained by us in relation to our business operations).

This includes information that cannot be used to identify individuals by itself, but can be used to identify individuals by easy cross-referencing with other data.

Based on the Personal Data Protection Policy given below, we will pay detailed attention to, and expend the utmost efforts on, protecting and managing such information.

#### **Scope**

This "About Personal Data Protection" document establishes the handling of personal information by Hitachi Construction Machinery. In this document, "you" or "your" mean all individuals from whom we obtain personal information, including our customers of our products and/or services, suppliers and business partners, shareholders, those who attend events organized by us, job applicants to us, and those who visit us and our website.

#### **Personal Data Protection Policy of Hitachi Construction Machinery**

##### **1. Collecting, Using, and Providing Personal Data**

While carefully considering the entrusting of your personal information during company activities, Hitachi Construction Machinery will handle such information appropriately by establishing a management system for personal information protection for each type of business, and also by following stipulated rules for collecting, using, or providing personal information.

## **2. Compliance with Laws and Norms**

For the handling of personal information, Hitachi Construction Machinery will comply with the laws and norms applicable to the protection of relevant personal information. Also, we will create and comply with personal information management rules that conform to these laws and norms.

## **3. Implementing Safety Management Measures**

Hitachi Construction Machinery takes necessary and appropriate measures to prevent the loss, destruction, alteration or leakage of personal information and to otherwise keep personal information securely. For information on the details of the security management measures taken by us, please contact the e-mail address listed in "5. Contact" of "Purpose of Using Personal Data and Joint Use".

## **4. Respecting Your Rights Regarding Your Personal Data**

When you make a request to disclose, correct, add, or delete your own personal information, or seek to prevent the use or provision of such information, Hitachi Construction Machinery will respond with sincerity, respecting your rights related to your personal information.

## **5. Establishing Rules for Managing Personal Data Protection, and Making Continual Improvements**

Hitachi Construction Machinery will make sure that executives and employees recognize the importance of personal information protection, and will steadily establish rules for managing personal information to ensure that such information is used and protected appropriately. These rules will be maintained and improved continually.

### **Purpose of Using Personal Data and Joint Use**

#### **1. Hitachi Construction Machinery will use personal information only to achieve the following listed purposes (hereinafter referred to as the "PURPOSE").**

- a) Provide services (specific cases for reference: ConSite, Global e-Service)
- b) Deliver and/or send newsletters and e-mail newsletters, etc.
- c) Manage seminars and events, etc. and deliver and/or send notices thereof
- d) Carry out questionnaires, surveys and statistics, etc.
- e) Respond to inquiries
- f) Execute contracts
- g) Execute duties under laws, regulations and norms
- h) Any other purposes incidental to the above purposes

#### **2. Hitachi Construction Machinery may provide the following companies with all or part of**

**items of personal information to jointly use (hereinafter referred to as the “Joint Use”).**

- a) Our affiliated companies (of which 20% or more of issued shares are owned by us)
- b) Sales distributors of us or our affiliated companies

**3. Personal information to be jointly used**

All the information set forth in the definition of the personal information will be jointly used.

**4. Purpose of the persons who jointly use the personal information**

The personal information will be jointly used in order to provide services through the global networks of Hitachi Construction Machinery and improve such services within the scope of the PURPOSE.

**5. Contact**

If you have any queries or complaints on the Joint Use, please do not hesitate to contact Hitachi Construction Machinery via below-mentioned addresses. If you give notice by e-mail to us with respect to your rights (including giving notice of the PURPOSE, disclosure, correction, addition or deletion of details, suspension of use or erasure and suspension of provision to any third party) of your personal information, we will promptly respond thereto in good faith.

Please also let us know by e-mail your opinions, questions, complaints and any other inquiries relating to our protection of personal information.

To Person in charge of managing personal information, Consultation service in respect of personal information, Hitachi Construction Machinery Co., Ltd.  
Ueno East Tower, 16-1, Higashiueno 2-chome, Taito-ku, Tokyo, 110-0015, Japan

E-mail: [Privacy-Policy@hitachi-kenki.com](mailto:Privacy-Policy@hitachi-kenki.com)

Hours: 9:00 to 17:30 (excluding our non-business days such as Saturdays, Sundays, national holidays, year-end through New Year Holidays, the Golden Week Holidays (the term for the first week of May) and summer holidays)

**6. Hitachi Construction Machinery will not provide personal information to a third party without obtaining your prior consent, except for the Joint Use or in the following circumstances:**

- a) Required by law
- b) Required to protect human life, to avoid injury, or to protect assets, and when obtaining your consent would be difficult.
- c) Required to co-operate with the lawful activities of a national agency, local government organization, or person or organization entrusted with such a task, and obtaining your consent would interfere, or be likely to interfere, with the carrying out of such activities.
- d) Providing a third party entrusted with business by us with personal information in order to achieve the PURPOSE.

**About Usage of Cookies and Web Beacons**

To aid the use of our websites more conveniently, some Hitachi Construction Machinery Group websites may use cookies or web beacons (clear GIF).

For more information, please see our "[Cookie Notice](#)"

### Special Notes

- Hitachi Construction Machinery may modify this "About Personal Data Protection" document as appropriate to accommodate improvements in the handling of personal information, or changes or additions to laws, cabinet orders and ministerial ordinances or other norms.  
Please check this document regularly.
- This "About Personal Data Protection" document goes into effect from the day it is published (including the update day).

### PRIVACY NOTICE FOR INDIVIDUALS IN THE EEA

For website visitors and other individuals who are located in the European Economic Area ("EEA")

We respects your privacy and is committed to protecting your personal data (the word "personal data" has the same meaning as that of "personal information" that is defined in the section of "definition of personal information") in accordance with applicable regulations. The following will inform you as to how we look after your personal data that is collected through the use of our website and tell you about your privacy rights.

#### I. WHO WE ARE

Please refer to information about us and our contact details in 5(5) above. Hitachi Construction Machinery Group websites's representative in the EEA is as follows:

Hitachi Construction Machinery (Europe) N.V.

[Physical Address: Sicilieweg 5, 1045 AT Amsterdam, The Netherlands]

#### II. PURPOSE AND LEGAL BASIS FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of purposes for which we plan to use your personal data, and which legal basis we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Purpose/Activity	Lawful basis for processing including basis of legitimate interests
Provision of services relating to our products including Global e-Service and ConSite, and of information thereon	Legitimate interests (provision of services to our business customers)
Delivery and/or sending of newsletters and e-mail newsletters, etc.	Legitimate interests (provision of information regarding products and services, and business development)
Running seminars and events, etc. and delivery and/or sending of notice thereof	Legitimate interests (provision of information regarding products and services, and business development)
Carrying out questionnaires, surveys and statistics, etc.	Legitimate interests (market research, improvement of products and services, and business development)

Response to inquiries	Legitimate interests (provision of information regarding products and services, and business operations)
Performance of duties under laws, regulations and norms other than the EU legislations and domestic laws of the member states of EEA , including, in the case of responding to a court order to submit documents, responding to questions and examinations conducted by officers of tax authorities and answering to investigation- related inquiries]	Legitimate interests (compliance with obligations under laws, regulations and norms of the countries other than of the EEA countries)

### **III. CATEGORY OF RECIPIENTS**

We may share your personal data with the parties set out in 5(2) above for the purposes set out in II above. We require all third parties to respect the security of your personal data and to treat it in accordance with applicable regulations.

### **IV. PERSONAL DATA TRANSFER OUTSIDE THE EEA**

Hitachi Construction Machinery and many of the Hitachi Construction Machinery Group companies are established in countries outside the EEA. Certain Hitachi Construction Machinery Group companies are also established within the EEA.

If Hitachi Construction Machinery group company within the EEA transfers your data outside the EEA then we will ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- We will use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.

Where you provide your personal data directly to Hitachi Construction Machinery in Japan or to another Hitachi Construction Machinery Group company outside the EEA then your data will be handled in accordance with the protections set out in this policy. Please note, however, that Japan and such other countries outside the EEA have different laws and levels of protection for personal information and may not, from the perspective of the European Commission and European Union law, provide adequate protection for personal information, which can result in additional risks to your personal data arising.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

### **V. DATA RETENTION**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal or accounting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or

disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you

## **VI. YOUR LEGAL RIGHT**

Under certain circumstances, you have the following rights under data protection laws in relation to your personal data:

- Request access to your personal data
- Request correction of your personal data
- Request erasure of your personal data
- Request restriction of processing your personal data
- Object to processing of your personal data
- Request transfer of your personal data
- [Right to withdraw consent]

If you wish to exercise any of the rights set out above, please contact us.

You will not have to pay a fee to exercise any of the other rights. However, we may refuse to comply with your request if your request is clearly unfounded, repetitive or excessive.

We may need to request specific information from you to help us confirm your identity. This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

You have also the right to make a complaint at any time to the relevant data protection supervisory authority. A list of the supervisory authorities is available [here](#): We would, however, appreciate the chance to deal with your concerns before you approach the authority so please contact us in the first instance.

## **VII. IF YOU FAIL TO PROVIDE PERSONAL DATA**

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services).

## **VIII. About Usage of Cookies and Web Beacons**

With regard to the usage of cookies and web beacons, please refer to information that is stated in "About Usage of Cookies and Web Beacons" above.

### **The Use and Appropriate Management of Personal Data**

Hitachi Construction Machinery Group handles its own technical information and information received from our customers. We are working to establish and maintain the organization for data governance on high priority in Hitachi Construction Machinery Group in global under the supervision of the Chief Information Security Officer appointed by the President and Executive Officer & CEO.

Specifically, we train our employees and business partners on proper handling of data security, data protection and privacy, and conduct regular self-audits on them. In addition, we are promoting measures such as the consolidation of mission-critical systems, migration to virtual servers and cloud computing, and server robustness in preparation for damage from cyber-attacks and natural disasters. For our all companies, we are striving to strengthen information security management based on the Global Information Security Management Regulations in accordance with the international standard ISO/IEC 27001.

With the rapid development and spread of ICT and IoT in recent years, service solutions that utilize data are attracting customers' attention in the construction and mining equipment industry. We provide high quality services to customers in the global market through "Global e-Service" and "ConSite" to support the stable operation of customer's construction and mining machineries.

In Europe and other countries and regions around the world, various regulations regarding data protection and privacy are being discussed and are rising. Hitachi Construction Machinery Group recognizes that the operating data collected from construction and mining machineries is also important personal data entrusted to us by our customers, and we are working to ensure the protection of personal data in each country where we do business.

Hitachi Construction Machinery Group will continue to comply with "Act on the Protection of Personal Data" in Japan as well as the privacy and data protection laws and regulations of each country and region, and will also strive to respect the personal data of our customers to the maximum extent possible, and act appropriately as a member of society.

### **California Privacy Rights**

This section explains how we collect, use, and disclose Personal Data about users, customers, and visitors who reside in California ("consumers" or "you"). It also explains certain rights afforded to consumers under California's Shine the Light law and the California Consumer Privacy Act of 2018 ("CCPA"), as revised and updated by the California Privacy Rights Act ("CPRA"). This section uses certain terms that have the meaning given to them in the CCPA including Personal Data. As used in this section, "Services" refers to processing activities we conduct to provide our websites, customer service, and other interactions with consumers.

- Shine the Light

Under California Civil Code Section 1798.83 (“Shine the Light”), California residents have the right to request in writing from businesses with whom they have an established business relationship, (a) a list of the categories of Personal Data, such as name, e-mail and mailing address and the type of services provided to the customer, that a business has disclosed to third parties (including affiliates that are separate legal entities) during the immediately preceding calendar year for the third parties’ direct marketing purposes; and (b) the names and addresses of all such third parties. To request the above information, please contact us as directed in the [Contact Information](#) section below with a reference to California Disclosure Information.

- California Consumer Privacy Act Of 2018, as Revised and updated by the California Privacy Rights Act (Collectively, “CCPA”)
  - Collection and Retention of Personal Data

The Personal Data we collect and the sources from which we collect, disclosure information, and retention information are described in the above sections of this Privacy Statement.

- Selling and Sharing Personal Data

We do not sell or share your Personal Data in exchange for monetary consideration; however, we may use tools described above such as Google Analytics, which may be interpreted as sharing your Personal Data. As such, please reference the above YOUR CHOICES for opt out rights regarding these tools.

- Disclosure of Personal Data

During the 12-month period prior to the “Last Modified Date” of this Privacy Policy, we may have shared or disclosed the following categories of Personal Data about you for a business or commercial purpose with certain categories of third parties, as described below:

Categories of Personal Data that May Be Sold, Shared, or Disclosed	Categories of Third Parties to whom Personal Data May Be Sold, Shared, or Disclosed	Business or Commercial Purpose of Selling, Sharing, or Disclosing Personal Data

<b>Identifiers</b>	<ul style="list-style-type: none"> <li>• Parent Companies, Subsidiaries, and Affiliates</li> <li>• Service Providers and Contractors</li> <li>• Analytics &amp; Advertising Partners.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide the Services</li> <li>• Communicate with you about the Services</li> <li>• Monitor the Services</li> <li>• Create and Maintain User Account</li> <li>• Respond to Inquiries and Fulfill Requests</li> <li>• Improve the Services</li> <li>• Support Business Operations</li> <li>• Fulfill Other Purposes</li> </ul>
<b>Job Applicant Identifiers</b>	<ul style="list-style-type: none"> <li>• Parent Companies, Subsidiaries, and Affiliates</li> <li>• Service Providers and Contractors</li> </ul>	<ul style="list-style-type: none"> <li>• Process job applications</li> <li>• Respond to job applications and communicate with applicants.</li> </ul>
<b>Internet or Other Electronic Network Activity Data</b>	<ul style="list-style-type: none"> <li>• Parent Companies, Subsidiaries, and Affiliates</li> <li>• Service Providers and Contractors</li> <li>• Analytics &amp; Advertising Partners.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide the Services</li> <li>• Monitor the Services</li> <li>• Improve the Services</li> <li>• Support Business Operations</li> <li>• Personalize your Services</li> <li>• Market and Advertise to you</li> <li>• Fulfill Other Purposes</li> </ul>

- California Consumer Privacy Rights

Under CCPA, consumers have certain rights regarding their Personal Data, as described below.

- *Right of Access:* You have the right to request, twice in a 12-month period, that we disclose to you the following information about you, limited to the preceding twelve (12) months:

- The categories of Personal Data that we collected about you;
- The categories of sources from which the Personal Data is collected;
- The business or commercial purpose for collecting or selling Personal Data;
- The categories of third parties with whom we share Personal Data;
- The specific pieces of Personal Data that we have collected about you;
- The categories of Personal Data that we disclosed about you for a business purpose or sold to third-parties; and
- For each category of Personal Data identified, the categories of third parties to whom the information was disclosed or sold.
- *Right of Deletion:* You have the right to request that we delete any Personal Data about you which we have collected from you, subject to exceptions within the law.
- *Right to Opt-Out:* You have the right to opt-out of the disclosure of Personal Data about you for monetary or other valuable consideration. However, we do not sell any Personal Data.
- *Right to Opt-In:* We do not have actual knowledge that we collect, share, or sell the Personal Data of minors under the age of 16.
- *Right to Limit Use and Disclosure of Sensitive Personal Data:* You may request specific limitations on further sharing, use, or disclosure of your Sensitive Personal Data that is collected or processed for “the purpose of inferring characteristics about a consumer.” However, we do not collect or process Sensitive Personal Data for this purpose.
- *Right to Correction:* You have the right to request that we maintain accurate Personal Data about you and correct any Personal Data about you which we have collected from you, subject to exceptions within the law.

If you would like to exercise your California privacy rights, please refer to the Consumer Requests and Verification section below.

- CONSUMER REQUESTS AND VERIFICATION

*Right to Non-Discrimination*

We may not discriminate against you because you exercise any of your rights under CCPA, including, but not limited to:

- Denying goods or services to you;
- Charging different prices or rates for goods or services, including through the use

- of discounts or other benefits or imposing penalties;
- Providing a different level or quality of goods or services to you; or
- Suggesting that you will receive a different price or rate for goods or services or a different level or quality of goods or services.

#### *Verifying Requests*

You may request to exercise your rights of access, deletion, or correction under CCPA by contacting us as described in the Contact Us section below. To help protect your privacy and maintain security, we will take steps to verify your identity before processing your request. If you request access to or deletion of your Personal Data, we may require you to provide any of the following information: name, date of birth, email address, telephone number, or postal address. When you make such a request, you can expect the following:

- As required under applicable law, we will verify your identity. You will need to provide us with your email address and full name. We may ask for additional information if needed.
- We will confirm that you want your information accessed, corrected, and/or deleted.
- We will confirm our receipt of your request within 10 days. If you have not received a response within a few days after that, please let us know by contacting us at the webpage or phone number listed below.
- We will respond to your request within 45 days upon receipt of your request. If necessary, we may need an additional period of time, up to another 45 days, but we will reply either way within the first 45-day period and, if we need an extension, we will explain why.
- In certain cases, a request for access, correction, or deletion may be denied. For example, if we cannot verify your identity, the law requires that we maintain the information, or if we need the information for internal purposes such as providing Services or completing an order. If we deny your request, we will explain why we denied it and delete any other information that is not protected and subject to denial.

#### *Authorized Agents*

You may designate an authorized agent to request any of the above rights on your behalf. You may make such a designation by providing the agent with written permission, signed by you, to act on your behalf. Your agent may contact us as described in the Contact Us section below to make a request on your behalf. Even if you choose to use an agent, we may, as permitted by law, require:

- The authorized agent to provide proof that you provided signed permission to the authorized agent to submit the request;

- You to verify your identity directly with us; or

You to directly confirm with us that you provided the authorized agent permission to submit the request.