

AIRBUS
BINDING CORPORATE RULES

TABLE OF CONTENTS

Introduction	3
1. SCOPE OF THE BINDING CORPORATE RULES (BCR)	4
2. RULES APPLICABLE TO PERSONAL DATA TRANSFER AND PROCESSING	5
3. ACCOUNTABILITY MECHANISMS	11
4. INFORMATION AND TRAINING	12
5. GUARANTEES OF BCR IMPLEMENTATION	13
6. THIRD PARTY BENEFICIARY RIGHTS.....	15
7. CONFLICT OF RULES.....	15
8. COOPERATION WITH THE COMPETENT AUTHORITIES	16
9. UPDATING THE BCR	16
10. BINDING NATURE OF BCR	17

Introduction

The Binding Corporate Rules, with their appendices, (hereinafter the “**BCR**”) of Airbus reflect the Airbus’ commitment on the protection of Personal Data.

These BCR are intended to ensure a suitable level of protection in compliance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of their Personal Data and on the free movement of such data (hereinafter referred to as the “**General Data Protection Regulation**” or “**GDPR**”) when the Personal Data specified in the present document are transferred within the group of Airbus Companies (hereinafter “**Airbus**”) for the purposes of Airbus’ worldwide business activities.

The purpose of these BCR is to frame Personal Data Transfers (i) from BCR Affiliated Companies acting as Data Controllers to other BCR Affiliated Companies acting as Data Controllers and (ii) from BCR Affiliated Companies acting as Data Controllers to other BCR Affiliated Companies acting as internal Processors.

Airbus is committed to ensure the right to privacy and protection of Personal Data and as such, specifies in its Directive related to Requirements for Personal Data Protection (“**Directive**”) (Appendix 3(a)) and the Method for Personal Data Protection (“**Method**”) (Appendix 3(b)), the principles to be complied with within Airbus.

The BCR define the minimum standard of protection of Personal Data and information security measures within Airbus. The BCR Affiliated Companies are entitled to implement more protective policies and regulations.

APPENDICES

Appendix 1:	Definitions
Appendix 2:	Airbus Code of Conduct
Appendix 3:	Airbus Data Protection policies - Confidential
3(a):	Directive relative to Requirements for Personal Data Protection
3(b):	Method for Personal Data Protection
Appendix 4:	Scope of the Personal Data Processing covered by the BCR
Appendix 5:	List of BCR Affiliated Companies subject to the BCR - Confidential
Appendix 6:	Letter of Adherence to the BCR - Confidential
Appendix 7:	Airbus Security Requirements - Confidential
Appendix 8:	Airbus Data Protection Training and Communication Plan - Confidential
Appendix 9:	Airbus Intra-Group Data Processing Agreement - Confidential
Appendix 10:	Airbus Data Protection Organization - Confidential
Appendix 11:	Data Protection Audit Program - Confidential

1. SCOPE OF THE BINDING CORPORATE RULES (BCR)

1.1 Material scope

The BCR apply to all Processing of Personal Data carried out by BCR Affiliated Companies acting as Data Controllers and/or internal Processors for the purpose of Airbus' business activities and covers:

(i) all Employees Personal Data collected in the EU/EEA, transferred and processed within Airbus to manage its Human Resources at international level as part of its business,

(ii) all Customers, Suppliers and Business Partners Personal Data collected in the EU/EEA, transferred and processed within Airbus to manage the relationship with these stakeholders,

(iii) all visitors, sympathizers, guests and external speakers Personal Data collected in the EU/EEA, transferred and processed within Airbus to manage the relationship with these stakeholders in the context of Airbus activities,

The categories and nature of Personal Data related to the Data Subjects listed above and processed for the purposes mentioned above are described in Appendix 4.

For sake of clarity, the BCR do not apply to Airbus as a Processor for services provided to its customers.

1.2 Geographical scope

The BCR apply to:

- a. all Personal Data transferred by BCR Affiliated Companies established in the EU/EEA to any BCR Affiliated Company established outside the EU/EEA within Airbus;
- b. all Personal Data related to EU/EEA Data Subjects processed by BCR Affiliated Companies established outside the EU/EEA, where the Processing activities are related to the offering of goods or services to such Data Subject(s) in the EEA or the monitoring of their behaviours as far as their behaviours take place in the EEA;

subject to the following principles:

- Personal Data Transfer from an Airbus Company established in the EU/EEA to another Airbus Company outside the EU/EEA is made only to BCR Affiliated Companies, being understood that Personal Data Transfer to Third Parties would need other appropriate safeguard.
- In some countries, other local Laws and Regulations applicable to Personal Data Processing may be more stringent or require additional conditions. In such case, the local BCR Affiliated Company will implement specific policies, considering the applicable local Laws and Regulations in addition to the BCR and to the extent the BCR do not conflict with local applicable Laws and Regulations.
- In Third Countries, the relevant BCR Affiliated Company may decide to apply the BCR, considering its applicable local Laws and Regulations, only to the Personal Data Processing related to EU/EEA Data Subjects.
- Following any exit by the United Kingdom from the European Union, the United Kingdom will be considered as a Third Country unless it is recognized by the European Commission as providing an adequate level of protection for Personal Data.

2. RULES APPLICABLE TO PERSONAL DATA TRANSFER AND PROCESSING

For Personal Data Transfers and Processing as described in section 1.1 above and in order to provide the Data Subject with an equivalent and suitable level of protection, the principles described in the BCR, the Directive and associated Method as attached in Appendix 3 apply to all BCR Affiliated Companies who adhered to those BCR through the Letter of Adherence attached in Appendix 6.

Personal Data will not be transferred to another Airbus Company as long as this company is not effectively bound and committed to comply with the BCR terms pursuant to the Letter of Adherence, unless another appropriate Personal Data Transfer mechanism (as further detailed in section 2.6 below) is effective to cover such Personal Data Transfer.

2.1 Data Protection Principles

2.1.1. *Lawfulness, fairness and transparency*

- (i) According to lawfulness principle, all Personal Data Processing must be based on one or more of the following lawful basis for Processing:
 - The Data Subject has unambiguously given its Consent to the Processing;
 - The Processing of Personal Data is necessary for the performance of a contract to which the Data Subject is party or in order to take steps at the request of the Data Subject prior to entering into a contract;
 - The Processing of Personal Data is necessary for compliance with a legal obligation to which a BCR Affiliated Company is subject;
 - The Processing of Personal Data is necessary to protect the vital interests of the Data Subject or of another individual;
 - The Processing of Personal Data is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Data Controller;
 - The Processing of Personal Data is necessary for the purposes of the legitimate interests pursued by the Data Controller or by a Third Party, except where such interests are overridden by the interest or fundamental rights and freedoms of the Data Subjects which require protection of Personal Data.
- (ii) According to fairness and transparency, the BCR Affiliated Companies will provide all required information via a privacy notice to the Data Subjects on the conditions of Processing and how to exercise their rights, in a concise, transparent, intelligible and easily accessible manner, using clear and plain language.
- (iii) As a matter of principle, Personal Data will be collected directly from the Data Subject concerned. In that case, the BCR Affiliated Company acting as Data Controller must, at the time when Personal Data are obtained, provide the Data Subject with all the following information:
 - the identity and the contact details of the BCR Affiliated Company acting as Data Controller and, where applicable, of its representative,
 - the contact details of the Data Protection Office or GDPR Focal Point appointed by the relevant BCR Affiliated Company,
 - the purposes of the Processing for which the Personal Data are intended as well as the lawful basis for the Processing, and if under the legitimate interest, basis, the one pursued by BCR Affiliated Company, as Data Controller or by a Third Party,
 - statutory or contractual necessity of the provision of Personal Data, or as a requirement necessary to enter into a contract, as well as whether providing Personal Data is compulsory or optional for the Data Subject and the possible consequences of failing to provide such Personal Data,

Binding Corporate Rules

- the Recipients or categories of Recipients of the Personal Data,
 - the applicable retention period under which the Personal Data will be stored, or if not possible, the criteria used to determine that period
 - where applicable, the fact that the Data Controller intends to transfer Personal Data to a Third Country and the existence or absence of an adequacy decision by the EU Commission, or reference to the appropriate or suitable safeguards and the means by which to obtain a copy of them or where they have been made available,
 - the existence of the right to request from the Data Controller access to and rectification or erasure of Personal Data or restriction of Processing concerning the Data Subject or to object to Processing as well as the right to data portability,
 - where relevant, the existence of the right to withdraw Consent at any time, without affecting the lawfulness of Processing based on Consent before its withdrawal,
 - the right to lodge a complaint with a Supervisory Authority; and
 - the existence of Automated decision-making, including Profiling, and at least when such Processing produces legal effects concerning the Data Subject or similarly significantly affects them, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such Processing for the Data Subject.
- (iv) Where Personal Data has not been obtained from the Data Subject, the BCR Affiliated Companies acting as Data Controller must provide the Data Subject with the information listed in the above paragraph (i), as well as the following additional information:
- the categories of Personal Data concerned, and
 - from which source the Personal Data originate, and if applicable, whether it came from publicly accessible sources,
- (v) A BCR Affiliated Company acting as Data Controller must provide the above mentioned information to the Data Subjects, either:
- within a reasonable period after obtaining the Personal Data, but at the latest within one (1) month, having regard to the specific circumstances in which the Personal Data is processed;
 - if the Personal Data is to be used for communication with the Data Subject, at the latest at the time of first communication to that Data Subject; or
 - if a disclosure to another Recipient is envisaged, at the latest when the Personal Data is first disclosed.
- (vi) This information requirement does not apply:
- where and insofar the Data Subject already has the information for direct or indirect collection of Personal Data;
 - the provision of such information proves impossible or would involve disproportionate effort **for indirect collection only**. In such case, the BCR Affiliated Company shall take appropriate measures to protect Data Subject's privacy rights and legitimate interests, including making the information publicly available;
 - where such indirect collection is expressly laid down by applicable law to which the BCR Affiliated Company is subject and which provides appropriate measures to protect Data Subject's legitimate interests; or
 - where the Personal Data must remain confidential subject to an obligation of professional secrecy regulated by applicable law, including statutory obligation of secrecy.

2.1.2. Purpose limitation

Personal Data are collected and processed for specified, explicit and legitimate purposes and not further processed in a way incompatible with those purposes.

Binding Corporate Rules

2.1.3. Data minimization and accuracy

The BCR Affiliated Companies will ensure that Personal Data processed is:

- adequate, relevant and limited to what is strictly necessary for the purposes for which they are originally collected and processed, and
- accurate and, where necessary, kept up to date. Consequently, inaccurate or incomplete Personal Data must be rectified, supplemented or erased without delay. In order to ensure that the Personal Data processed by BCR Affiliated Company remains accurate and up-to-date, BCR Affiliated Company actively encourages Data Subjects to inform it of any changes and intends to develop user-friendly interfaces and tools allowing Data Subjects to directly update their Personal Data.

2.1.4. Limited storage periods

The BCR Affiliated Companies will not keep the Personal Data in a form which permits identification of Data Subjects for longer than is necessary for the purposes for which the Personal Data are processed.

However, Personal Data may be stored for longer periods for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes or as required by applicable Laws and Regulations, and in line with the Airbus' Data Retention policy and/or any other applicable local data retention policies. The BCR Affiliated Companies will store Personal Data only in a secure manner in accordance with the Airbus Security Requirements (Appendix 7).

2.2 Processing of Special Categories of Personal Data

BCR Affiliated Company will prohibit the Processing of Special Categories of Personal Data, unless where one or more of the following legal basis apply:

- the Data Subject has given his or her explicit Consent to the Processing of those Personal Data for one or more specified purposes, except where applicable Laws and Regulations provide that the prohibition referred to above may not be lifted by the Data Subject;
- Processing is necessary for the purposes of carrying out the obligations and specific rights of a BCR Affiliated Company or of the Data Subject in relation to employment and social security and social protection law in so far as it is authorized by applicable Laws and Regulations or a collective agreement providing for appropriate safeguards for the fundamental rights and the interests of the Data Subject;
- Processing is necessary to protect the vital interests of the Data Subject(s) or of another person where the Data Subject is physically or legally incapable of giving their Consent;
- Processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade-union aim and on condition that the Processing relates solely to the members or to the former members of the body or to persons who have regular contact with it in connection with its purposes and that the Personal Data are not disclosed outside that body to a Third Party without the Consent of the Data Subject(s);
- Processing relates to Personal Data which are manifestly made public by the Data Subject(s);
- Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;

Binding Corporate Rules

- Processing is necessary for reasons of substantial public interest, on the basis of applicable Laws and Regulations which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the Data Subject(s);
- Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of applicable Laws and Regulations or pursuant to contract with a health professional and under the responsibility of a professional subject to the obligation of professional secrecy under applicable national law or rules established by national competent bodies or by another person also subject to an obligation of secrecy under applicable Laws and Regulations established by national competent bodies;
- Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of applicable Laws and Regulations which provides for suitable and specific measures to safeguard the rights and freedoms of the Data Subject(s), in particular professional secrecy;
- Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with GDPR and/or applicable Laws and Regulations, which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the Data Subject(s).

2.3 Processing of Personal Data relating to criminal convictions and offences

BCR Affiliated Companies must ensure that the Processing of Personal Data relating to offences and criminal convictions or security measures are carried out only under the control of official authority, or as authorized by EU or local law subject to appropriate safeguards for the rights and freedoms of Data Subjects.

2.4 Security

2.4.1 Processing in compliance with the Airbus' Security Requirements

The BCR Affiliated Companies will adopt appropriate technical and organizational security measures in compliance with the relevant Security Requirements as referenced in Appendix 7, to protect the Personal Data during Personal Data Transfer and Processing.

2.4.2. Obligations relating to Personal Data Breaches

In the event of an actual and/or suspected Personal Data Breach, the relevant BCR Affiliated Company is responsible to inform promptly the GDPR Focal Point within the relevant BCR Affiliated Company and the Data Protection Office.

The Data Protection Office and/or relevant BCR Affiliated Company through its GDPR Focal Point and in coordination with Data Protection Office will assess whether or not the Personal Data Breach needs to be notified to the relevant Supervisory Authority(ies) and/or to the concerned Data Subjects. If so the Personal Data Breach will be promptly notified to the competent Supervisory Authority(ies) *by Data Protection Office and/or relevant Affiliate GDPR Focal Point and if possible* within seventy-two (72) hours from the time the relevant BCR Affiliated Company being aware of the Personal Data Breach; if the Personal Data Breach needs to be notified to the concerned Data Subject(s), this will be undertaken without undue delay.

Binding Corporate Rules

The BCR Affiliated Company acting as Data Controller must maintain a Record and keep evidence(s) of any and all Personal Data Breaches in a form provided by the Data Protection Office, including but not limited to the facts relating to the Personal Data Breach, its effects and the remedial action taken, regardless of whether the Personal Data Breach has been notified or not to the Supervisory Authority and/or to the concerned Data Subject(s). Such documentation must be made available to the Supervisory Authority upon request.

2.5 Sub-processing

The BCR Affiliated Companies must ensure that sub-Processors (appointed either within Airbus Companies or Third Party acting on their behalf) will provide sufficient guarantees to meet and comply with GDPR requirements by adopting amongst other, appropriate technical and organizational security measures.

The BCR Affiliated Companies may use as sub-processor(s) other BCR Affiliated Companies based or located within or outside the EU/EEA. In such a case, such BCR Affiliated Companies may elect to be bound by the attached Intra-Group Data Processing Agreement or "IGDPA" (Appendix 9) either by signing such IGDPA or any specific document referring expressly to IGDPA (Appendix 9) or including similar provisions ensuring the same level of protection of Personal Data as in the IGDPA is entered into by such BCR Affiliated Companies.

If a BCR Affiliated Company uses Third Parties as sub-processors, such BCR Affiliated Company will only appoint sub-processors that commit to comply with all the requirements as set out in Article 28.3 of the GDPR in the form of a written binding agreement and Standard Contractual Clauses (or any other appropriate Personal Data Transfer mechanism pursuant to section 2.6 below) where applicable.

2.6 Personal Data Transfers to Third Parties whether as Data Controllers or Processors

BCR Affiliated Companies transferring Personal Data to Third Parties shall implement appropriate Personal Data Transfer mechanisms with Third Parties (acting as subcontractors or Processors) or Third Party Data Controllers to protect the Personal Data Transfers including security and confidentiality measures.

Such Personal Data Transfer mechanisms include, in particular :

- EU Standard Contractual Clauses approved by European Commission 2001/497/EC or 2004/915/EC (Data Transfer Agreement Controller to Controller) or 2010/87/EU (Data Transfer Agreement Controller to Processor),
- adequate protection provided according to the GDPR : articles 45 (transfers on the basis of an adequacy decision by the European Commission), 46 (transfers subject to appropriate safeguards, including binding corporate rules, approved codes of conduct, approved certification, etc.), 47 (rules applicable to binding corporate rules) and 48 (transfers based on an international agreement or other lawful basis),
- a derogation according to Article 49 (derogations for specific situations, including the Data Subject's Consent, performance of a contract, etc.) applies.

BCR Affiliated Companies located within the EU/EEA will ensure that the Data Subjects have been informed of the Personal Data Transfer and of their rights to access, rectify or delete, the Personal Data concerning them, or restrict or object to its Processing, and their right of data portability as further detailed in section 2.7 below.

2.7 Data Subject rights

The BCR Affiliated Companies acting as Data Controller shall guarantee each and every Data Subject the following rights:

Binding Corporate Rules

- **Right of access:** Data Subjects have the right to access the Personal Data concerning them processed by BCR Affiliated Company.
- **Right to rectification:** Data subjects have the right to obtain from BCR Affiliated Company without undue delay the rectification of inaccurate Personal Data concerning them or the right to have incomplete Personal Data completed.
- **Right to erasure** (“right to be forgotten”): Data Subjects have the right to obtain from BCR Affiliated Company, the erasure of Personal Data concerning them without undue delay notably when (i) the Personal Data are no longer necessary in relation to the purposes for which they were collected or otherwise processed, (ii) the Data Subject withdraws Consent on which the Processing is based and where there is no other lawful basis for the Processing, (iii) the Data Subject objects to the Processing and there are no overriding legitimate grounds for the Processing, (iv) the Personal Data has been unlawfully processed, (v) the Personal Data has to be erased for compliance with a legal obligation in applicable law to which the Data Controller is subject, (vi) the Personal Data have been collected in relation to the offer of information society services.

BCR Affiliated Company shall not respond to such right of erasure / right to be forgotten, if the Personal Data is necessary for (i) exercising the right of freedom of expression and information, (ii) compliance with a legal obligation, (iii) reasons of public interest in the area of public health (iv) archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, (v) the establishment, exercise or defence of legal claims.

- **Right to restriction:** Data Subjects have the right to obtain from BCR Affiliated Company, restriction of Processing where (i) the accuracy of the Personal Data is contested by the Data Subject, for a period enabling BCR Affiliated Company to verify the accuracy of the Personal Data, (ii) the Processing is unlawful and the Data Subject opposes the erasure of the Personal Data and requests instead, restriction of their use, (iii) BCR Affiliated Company no longer needs the Personal Data for the purposes of the Processing, but the Data Subject requires them for the establishment, exercise or defence of legal claims, (iv) Data Subject has objected to Processing, restriction applies pending the verification whether the legitimate grounds of BCR Affiliated Company override those of the Data Subject.

Data Subject who has obtained restriction of Processing shall be informed by the BCR Affiliated Company acting as Data Controller or Processor before the restriction of Processing is lifted.

- **Right to data portability:** Data Subjects have the right to receive the Personal Data concerning them, which they have provided to BCR Affiliated Company, in a structured, commonly used and machine-readable format and have the right to transmit those Personal Data to another service provider or Third Party. Such right to portability will apply, subject to the rights and freedoms of others, in the following cases: (i) the Processing is based on Consent or a contract, and (ii) the Processing is carried out by automated means.
- **Right to object:** Data Subjects have the right to object, at any time to Processing of Personal Data concerning them which is used for marketing purposes or leads BCR Affiliated Company to take decision based solely on Automated decision-making, including Profiling, which produces legal effects concerning a Data Subject or similarly significantly affects him or her, and based on the following lawful basis for Processing: (i) the performance of a task carried out in the public interest or in the exercise of official authority vested in BCR Affiliated Company, or (ii) the purposes of the legitimate interests pursued by BCR Affiliated Company or by a Third Party.

If the Data Subject exercises such right to object, the BCR Affiliated Company acting as Data Controller shall no longer process the Personal Data unless such BCR Affiliated Company

Binding Corporate Rules

demonstrates compelling legitimate grounds for the Processing or for the establishment, exercise or defence of legal claims.

However, if the Data Subject objects to Processing for direct marketing purposes, the Personal Data shall no longer be processed for such purposes.

Applicable local Laws and Regulations may provide for additional Data Subject rights.

Data Subjects can exercise those rights or file a claim by contacting:

- preferably the specific Personal Data protection mailbox made available in the applicable Privacy Notice;
- Alternatively, the dedicated Personal Data protection mailbox set up by the Data Protection Office at dataprotection@airbus.com; or by mail: Airbus SAS, Data Protection Office, 2 rond-point Emile Dewoitine 31700 Blagnac cedex France;
- and/or, if it is an Airbus Employee, it may in addition contact its line manager(s), its HR Business Partners and/or the Airbus Ethics and Compliance organisation through notably the Airbus Ethics and Compliance Openline.

With the support of the relevant BCR Affiliated Company, the Data Protection Office and/or relevant BCR Affiliated Company GDPR Focal Point shall coordinate and respond to the request of Data Subjects without undue delay and in any event within one (1) month from receipt of the Data Subject request, unless restrictive period applies under local law. This period may be extended by two (2) further months where necessary.

If the Data Subject is not satisfied by the response, the Data Subject has the right to lodge a complaint with the competent Supervisory Authority.

2.7 Prior formalities

The fact that the BCR Affiliated Companies comply with all the rules set forth in this Chapter 0 does not release them from their obligation to fulfil prior formalities, if any, with the relevant Supervisory Authorities as required by the applicable local law.

3. ACCOUNTABILITY MECHANISMS

The BCR Affiliated Companies are responsible for and must be able to demonstrate compliance with the BCR notably by implementing the following documents and principles:

3.1 Records of Processing activities

Each BCR Affiliated Company acting as Data Controller and/or Processor is responsible to maintain a Record of the Processing activities under its responsibility as set out in Article 30 of the GDPR.

The Record must be in writing, including electronic form. The BCR Affiliated Company will use the Tool of the Data Protection Office and seek the guidance of Data Protection Office where necessary.

The BCR Affiliated Company will make the Record available at any time to the Data Protection Office which will be entitled to disclose it to the Supervisory Authority upon request by the latter.

Binding Corporate Rules

3.2 Data Protection Impact Assessment (DPIA)

When a Processing in particular using new technologies, and taking into account the nature, scope, context and purposes of the Processing, is likely to result in a high risk to the privacy rights for Data Subject(s), the BCR Affiliated Company acting as Data Controller is responsible to, prior to the Processing, carry out an assessment of the impact of the envisaged Processing operations on the protection of Personal Data (DPIA) unless otherwise agreed by Data Protection Office.

Where a DPIA indicates that the Processing would result in a high risk in the absence of measures taken by the BCR Affiliated Company acting as Data Controller to mitigate the risk, the competent Supervisory Authority, prior to Processing, shall be consulted.

3.3 Data protection by design and by default

Privacy by design

The BCR Affiliated Companies acting as Data Controller shall, both **at the time of the determination of the means for Processing and at the time of the Processing itself**, implement appropriate technical and organisational measures designed to implement data protection principles, in an effective manner and to integrate the necessary safeguards into the Processing in order to meet the requirements of the GDPR and protect the rights of Data Subject(s). This principle shall apply to every project, product or service provided by BCR Affiliated Companies.

Privacy by default

The BCR Affiliated Companies acting as Data Controller shall implement appropriate technical and organisational measures for ensuring that, **by default**, only Personal Data which are necessary for each specific purpose of the Processing are processed. This obligation applies to the amount of Personal Data collected, the extent of their Processing, the period of their storage and their accessibility. In particular, such measures shall ensure that by default Personal Data Protection principles as expressed in section 2.1 above are complied with.

3.4 Other accountability mechanisms implemented by Airbus

Without limitation, the BCR Affiliated Companies must also :

- Provide training / awareness campaigns on data privacy and BCR to the Personnel that have permanent or regular access to Personal Data or who are involved in the development of tools used to process Personal Data (as described in Chapter 4 below);
- Carry out regular internal audits to ensure verification of compliance with BCR (as described in section 5.2 below);
- Roll out Internal policies relating to Personal Data implementing the Directive, the Method and BCR.

4. INFORMATION AND TRAINING

In order to ensure that all the Data Subjects are informed of the BCR and of Airbus' rules on Personal Data protection, Airbus will take all suitable steps and means, to make, the BCR as well as the Directive and Method, the Airbus Internal GDPR Privacy Information Notice ("**Privacy Documentation**") and the Airbus Code of Conduct available to the Data Subjects, in particular by publishing them on the Airbus' corporate website, Intranet and/or will also make available e-learning modules on data privacy. In addition, the BCR Affiliated Companies may consider further relevant steps and means to ensure that all the Airbus Employees, Customers, Suppliers and Business Partners receive the necessary information.

Binding Corporate Rules

The BCR Affiliated Companies are obliged to convey the information contained in the BCR by setting up programs intended to increase Employees' awareness of the Personal Data protection legal framework and by organizing training courses on the BCR intended to Employees that have permanent or regular access to Personal Data or are involved in the collection of Personal Data or in the development of tools used to process Personal Data to which the BCR apply as described in Airbus "Training and Communication Plan" detailed in Appendix 8.

5. GUARANTEES FOR BCR IMPLEMENTATION

5.1 Airbus Data Protection Governance

The Airbus Data Protection Office as described in Appendix 10 and led by Airbus Data Protection Officer (the "**DP Officer**") is responsible for promoting, supporting and supervising BCR, GDPR and any other applicable privacy legal obligations compliance by the BCR Affiliated Companies.

The Data Protection Office is independent and is supported by Airbus top management to fulfil its tasks as further detailed in the Method (Appendix 3(b)).

Each BCR Affiliated Company shall appoint in relevant area(s) of its organization and as necessary, one or several GDPR Focal Point(s) to represent the BCR Affiliated Company and associated businesses, in relation to BCR implementation.

Each BCR Affiliated Company shall involve the relevant GDPR Focal Point(s) in a timely manner, in all issues and/or projects using and/or impacting Personal Data locally. It includes amongst others, changes on existing processes or tools and the creation of new processes and tools when such processes or tools involve the Processing of Personal Data.

The GDPR Focal Point(s) shall notably be responsible for recording Personal Data Processing in the Tool made available by the DP Office, undertaking Data Protection Impact Assessment where needed, seeking guidance from and reporting issues to the Data Protection Office as necessary, facilitating Data Protection Office's action with the relevant BCR Affiliated Companies.

More information on the Airbus Personal Data Protection Governance may be found in Appendix 10 and in the Method (Appendix 3(b)).

5.2 Audits

To ensure proper compliance with the BCR, Airbus will define a yearly data protection Audit Program.

Such audit will be performed by the DP Office in the location of the BCR Affiliated Companies. The audit will be based on various means: questionnaire, documentation, system review, floor inspection, interview, (...) as detailed in Appendix 11.

The data protection Audit Program is described in Appendix 11 and covers all the significant aspects of the BCR, and its applicable Appendices (including Directive and Method), including methods of ensuring that corrective actions will take place.

The results of the audit in connection with the BCR will be communicated to the DP Office, to the relevant BCR Affiliated Company management and GDPR Focal Point, if any.

They will also be made accessible to the relevant Supervisory Authorities when requested. Supervisory Authorities can carry out a data protection audit of any BCR Affiliated Companies if required.

In case the competent Supervisory Authority carries out the Personal Data protection audit itself, all concerned BCR Affiliated Companies will cooperate with the competent Supervisory Authority conducting the audit.

5.3 Internal Complaint Procedures

Airbus has set up an internal complaint handling procedure enabling any Data Subject to file complaints about any BCR Affiliated Company's failure to comply with the BCR.

The Data Protection Office, which is in charge of supervising the handling of complaints by Data Subject(s), is granted an appropriate level of independence to advise the relevant BCR Affiliated Company and deal with such complaints.

Any Data Subject who is asserting that there has been a breach of the BCR, may contact:

- preferably the specific data protection mailbox made available in the applicable Privacy Notice;
- alternatively, the dedicated data protection mailbox set up by the Data Protection Office at dataprotection@airbus.com; or by mail: Airbus SAS, Data Protection Office, 2 rond-point Emile Dewoitine 31700 Blagnac cedex France;
- and/or, if it is an Employee, it may also contact its line manager(s), its HR Business Partners and/or the Airbus Ethics and Compliance organisation through notably the Airbus Ethics and compliance Openline.

Regardless of whether the internal complaint process has been exhausted or not and if the Data Subject remains unsatisfied after having exercised its rights as described in section 2.7 above, the Data Subject has the right to lodge a claim before the competent court and/or before the competent Supervisory Authority.

If the complaint is justified, the relevant BCR Affiliated Company will implement the relevant measures it deems adequate to remedy the failure. The Data Controller may seek the guidance of the relevant Affiliate GDPR Focal Point and/or DP Office.

In compliance with labour legislation, Airbus and BCR Affiliated Companies policies and procedures and employment contract, Employees found to be negligent may be subject to disciplinary action.

Data Subjects are duly informed of the complaint handling procedure and how to file a complaint through the Method, these BCR and other Privacy Information notices published by Airbus on the corporate website, intranet and other media as described in Article 4 above.

5.4 Responsibility for BCR implementation

Once a BCR Affiliated Company adheres via a Letter of Adherence (as attached in Appendix 6), such BCR Affiliated Company and its management are bound to apply the BCR in the course of their Personal Data Processing activities.

5.5 Liability

As a matter of principle, where a Data Subject suffers from a damage as a result of a breach of the BCR by a BCR Affiliated Company and subject to such breach and damage being evidenced by the Data Subject, the BCR Affiliated Company which caused the damage :

- shall be liable towards the Data Subject, and
- shall take immediately the necessary action to remedy the damage and indemnify the Data Subject for any damages arising out the violation of the BCR by such BCR Affiliated Company.

Binding Corporate Rules

However, to ensure the proper enforcement of Data Subject's rights under the BCR in case of Personal Data Transfer from an EU/EEA, BCR Affiliated Company (Data Exporter) to a non-EU/EEA BCR Affiliated Company (Data Importer), the Data Exporter shall be deemed to be jointly and severally liable with the Data Importer for damages arising out of the violation of the BCR provisions by the Data Importer.

The Data Subject is entitled to take action against and be indemnified by the Data Exporter, the Data Importer or by both.

The BCR Affiliated Companies accept for this purpose the competence of the courts or other relevant authorities in the EU/EEA where the Data Exporter is established.

In case the Data Exporter has indemnified the Data Subject as a result of the joint and several liability above, then the Data Importer shall indemnify the Data Exporter for the amount paid to the Data Subject in proportion of its liability in the damage.

6. THIRD PARTY BENEFICIARY RIGHTS

A Data Subject whose Personal Data are processed under the BCR can enforce the following elements of the BCR before the competent Supervisory Authority or court in order to seek judicial remedies and right to obtain redress and, where appropriate, compensation in case of a breach of the enforceable principles of the BCR as enumerated below by a BCR Affiliated Company:

For a detailed description, please refer to the respective clauses in the BCR as listed below:

- Data Protection principles (as described in Chapter 0 of the BCR; the following sections of the Method: (i) section 5 (lawfulness and fairness, data minimisation, purpose limitation, data accuracy/quality, storage limitation, security, integrity, confidentiality, transparency, need to know, privacy by design, privacy by default, accountability), (ii) section 6 (lawfulness of Personal Data Processing), (iii) section 7 (Processing of Special Categories of Personal Data), (iv) section 8 (Privacy Impact Assessment), (v) section 10 (security and confidentiality measures), (vi) section 14 (Personal Data Transfers))
- Transparency and easy access to BCR (BCR, Chapter 4; A copy of these BCR is also available on Airbus website and intranet)
- Rights of access, rectification, erasure, restriction, objection to the processing, right not to be subject to decisions based solely on automated processing, including Profiling (BCR, section 2.7; Method, section 9.3)
- National Laws and Regulations preventing respect of BCR (BCR, Chapter 7)
- Right to complain through the internal complaint mechanism of the BCR Affiliated Companies (BCR, section 5.3; Method, section 9.4)
- Cooperation duties with Supervisory Authorities (BCR, Chapter 8)
- Liability and jurisdiction provisions (BCR, sections 5.4 and 5.5). In the context of section 5.4 and 5.5 of the BCR, the Data Subject can choose to lodge their claims, at their choice, either with the Supervisory Authority in the EU country of its usual residence, place of work or place of the alleged infringement or the competent courts where the BCR Affiliated Company has an establishment or where the Data Subject has its usual residence.

However, the Data Subjects may not extend their rights to those elements of the BCR implemented through internal mechanisms within BCR Affiliated Companies such as detail of training, audit programmes, Airbus Data Protection Organization, and mechanism for updating of the BCR.

7. CONFLICT OF RULES

BCR Affiliated Companies will comply with any applicable local Laws and Regulations relating to Personal Data and will ensure that any Personal Data collected and processed, is done in accordance with the provisions of the BCR.

Binding Corporate Rules

If the local Laws and Regulations require a higher level of protection for Personal Data it will take precedence over the BCR. In any event, Personal Data shall be processed in accordance with the applicable law as provided by Article 3 of GDPR and the relevant local legislation.

In case of a conflict the Data Protection Office will provide guidance on what action to take and may consult the relevant Supervisory Authority if needed.

If a BCR Affiliated Company in a Third Country cannot apply the BCR due to local Laws and Regulations, or has reasons to believe that the Laws and Regulations applicable to such BCR Affiliated Company prevents it from fulfilling its obligations under the BCR or has substantial adverse effect on the guarantees provided by the BCR, it must immediately contact the Data Protection Office.

This includes any legally binding request for disclosure of the Personal Data by a local law enforcement authority or state security body. In such case, the Data Protection Office will inform the competent Supervisory Authority about the request, including information about the data requested, the requesting authority or body, and the legal basis for the disclosure (unless otherwise prohibited, such as a prohibition under criminal law to preserve the confidentiality of a law enforcement investigation).

If in specific cases the suspension and/or notification are prohibited, the requested BCR Affiliated Company will use its reasonable efforts to obtain the right to waive this prohibition in order to communicate as much information as it can and as soon as possible, and be able to demonstrate that it did so.

If, in the above cases, despite such efforts, the requested BCR Affiliated Company is not in a position to notify the competent Supervisory Authorities, it must commit to annually providing general information on the requests it received to the competent Supervisory Authorities (e.g., number of applications for disclosure, type of data requested, requester if possible, etc.).

In any case, Personal Data Transfers by a BCR Affiliated Company to any public authority cannot be massive, disproportionate and indiscriminate in a manner that would go beyond what is necessary in a democratic society.

8. COOPERATION WITH THE COMPETENT AUTHORITIES

The BCR Affiliated Companies undertake to cooperate with the Supervisory Authorities, particularly by applying any recommendations and advice the Supervisory Authorities may make and by responding within a reasonable timeframe to requests the Supervisory Authorities may make regarding the BCR, including audit request

9. UPDATING THE BCR

The Data Protection Office is responsible under all circumstances for (i) updating the BCR and the list of BCR Affiliated Companies and must make them available to the Data Subjects or competent Supervisory Authorities upon request for all intents and purposes and (ii) approving any amendment of the BCR and (iii) communicating the changes to the management of the BCR Affiliated Companies and Affiliate GDPR Focal Point without undue delay.

The Airbus Data Protection Office undertakes to inform once a year, the competent Supervisory Authority of any substantial modifications to the BCR or to the list of BCR Affiliated Companies with a brief explanation of the reasons justifying the update.

Where a modification would possibly affect the level of the protection offered by the BCR or significantly affect the BCR (i.e. changes to the binding character), it must be promptly communicated to the competent Supervisory Authority.

10. BINDING NATURE OF THE BCR

These BCR are binding upon BCR Affiliated Companies and their respective Employees.

To ensure that all the BCR Affiliated Companies are bound by the BCR including all the Privacy Documentation which implements the BCR principles, Airbus requests the management of each BCR Affiliated Company to sign the Letter of Adherence (attached in Appendix 6) as indicated in Article 2 of the BCR.

To make the BCR enforceable to Employees:

- BCR are a requirement set forth in Airbus Directive and Method, published on Airbus internal portal and website and applicable to all Airbus Companies and Employees to ensure free flow of Personal Data within Airbus (attached in Appendix 3).
- Where applicable, it is also part of the BCR Affiliated Company's internal regulations and has been subject to the local work council information / consultation where required, to ensure that Employees will not only benefit from the BCR data protection principles, but will also respect them when Processing Personal Data for the purpose of their function.

* * *
*