



TITLE: Personal Data Privacy and Protection Policy			
TYPE: Corporate Policy			
APPROVER: Policy Committee			
SPONSOR: Chief Legal Officer			
HISTORY	EFF. DATE 25 May 2018	REV. NO. 4	REV. DATE 22 March 2018

1. Purpose and Scope

1.1 LyondellBasell Industries N.V., including its subsidiaries and affiliates over which it has operational control, (collectively **LyondellBasell** or the **Company**) has Workers, Service Providers, customers, agents, and operations throughout the world and therefore desires to have in place policies and practices to ensure the protection of Personal Data and compliance with global Personal Data protection laws. This Policy is intended to facilitate LyondellBasell's adherence to Personal Data protection laws.

1.2 This Policy explains the Company's obligations relating to Personal Data and the purposes for which Personal Data may be Processed by the Company. This Policy is intended to be a practical guide to compliance with applicable Personal Data protection laws, in particular those of the European Union (**EU**), which stem from the General Data Protection Regulation (Commission Regulation (EC) 2016/679) (the **GDPR**).

1.3 The Company will identify and analyze the Personal Data it Processes, establish standards and procedures designed to ensure the protection of Personal Data the Company Processes, and maintain a program to ensure compliance with applicable Personal Data protection laws and regulations. Personal Data protection laws and regulations continue to evolve, requiring the standards and procedures also be subject to revision as Company data flows and applicable laws change. If local laws require a higher standard of conduct than this Policy, local laws must be complied with locally. In the event of any inconsistency between this Policy and the local laws, compliance with the local laws prevails.

2. Definitions

Except as otherwise indicated, capitalized terms in this Policy are defined in the Data Protection Glossary.

3. Roles and Responsibilities

3.1 LyondellBasell Data Privacy Committee

The Company shall establish the LyondellBasell Data Privacy Committee (**Committee**), with representatives from functional units within the Company that are most affected by this Policy, including at a minimum: Legal, Human Resources, and Information Technology Services.

3.2 Personal Data Incident Response Team

The Committee shall establish a Personal Data Incident Response Team with responsibility to respond to any actual or potential Policy violations in compliance with applicable law and this Policy.

3.3 Functional Units

Each functional unit's management is responsible to assist the Committee in its analysis of data flows and other implementation efforts as well as a functional unit's compliance with the Policy and applicable standards and procedures.

4. Policy

4.1 Processing of Personal Data

4.1.1 What is Processing?

Processing is managing Personal Data and is further defined in the Data Protection Glossary.

4.1.2 What Are LyondellBasell's General Processing Principles?

LyondellBasell respects the privacy rights and interests of each individual whose Personal Data LyondellBasell Processes, and adheres to the following general principles when Processing Personal Data:

- (a) Personal Data will be Processed fairly and lawfully and in accordance with this Policy.
- (b) Personal Data will be Processed for legitimate purposes.
- (c) Before LyondellBasell collects Personal Data, Data Subjects will be informed about: the purposes for which their Personal Data is collected and used; how they can make inquiries or complaints about the Processing of their Personal Data; the types of third parties to which LyondellBasell discloses their Personal Data; the means LyondellBasell offers for limiting the use and disclosure of their Personal Data; and the security measures that LyondellBasell adopts to safeguard their Personal Data.
- (d) Personal Data will be complete, accurate and kept up-to-date. Reasonable steps will be taken to rectify or delete Personal Data that is inaccurate or incomplete.
- (e) Personal Data will be collected for specific and explicit purposes and not further processed in a manner which is incompatible with the original purposes for collection.

(f) Personal Data will be relevant to, and not excessive for, the purposes for which it is collected and used.

(g) Subject to applicable local record retention laws and any other applicable legal requirements, Personal Data will be held by LyondellBasell only as long as it is necessary for the purposes for which it was collected and Processed.

(h) LyondellBasell will not Transfer Personal Data to any third party unless the third party provides at least the same level of privacy protection as is required by this Policy, except as permitted by this Policy.

(i) Reasonable precautions will be taken by LyondellBasell and those processing on its behalf to prevent: unauthorized or accidental destruction; alteration or disclosure of; accidental loss of; unauthorized access to; misuse of; unlawful Processing of; or damage to; Personal Data.

4.1.3 What are the Purposes of Processing?

(a) LyondellBasell collects and uses Personal Data for the purpose of: selecting and administering its workforce; managing its commercial relationships; running its operations; marketing to potential clients; and ensuring the safety and protection of both Data Subjects and LyondellBasell resources, in the context of its relationship with Data Subjects.

(b) For example and without limitation, the following LyondellBasell business activities require the Processing of Personal Data in the context of LyondellBasell's relationships with Data Subjects:

- (i) managing business and business transactions;
- (ii) marketing to current and potential customers;
- (iii) managing vendors and service providers;
- (iv) payroll, compensation and benefits administration;
- (v) business travel and employee relocation administration;
- (vi) employee management and discipline;
- (vii) employee appraisal, and training and development;
- (viii) LyondellBasell facility, security, and health and safety management;
- (ix) staff recruitment;

- (x) backgrounds checks and tracking engagement of LyondellBasell contingent workers;
- (xi) LyondellBasell employee identification;
- (xii) reimbursement of employee business expenses as per Company policies;
- (xiii) compliance and risk management;
- (xiv) communication with Data Subjects;
- (xv) investigations and audits by LyondellBasell or (government or supervisory) authorities;
- (xvi) internal technical and operational support;
- (xvii) business development and growth opportunities; or
- (xviii) compliance with applicable legal requirements.

4.2 Transfers of Personal Data

4.2.1 When Will LyondellBasell Share Personal Data Among its Various Entities?

A Transfer of Personal Data between LyondellBasell companies around the world will only occur if the Transfer is (i) based on a business purpose, (ii) for one of the purposes described in section 4.1.3 above, and (iii) shared in accordance with applicable local law and/or under one or more inter-company agreements which safeguard the integrity of the Personal Data and the privacy rights of the Data Subject to whom the Personal Data concerns.

4.2.2 What Personal Data Transfers May be Made to Organizations Outside of LyondellBasell?

LyondellBasell may, from time to time, Transfer Personal Data outside of LyondellBasell:

- (a) where required as a matter of law (e.g. to tax and social security authorities);
- (b) where required to protect its legal rights (e.g., to assert or defend legal claims or disputes);
- (c) where required in an emergency where the health or security of a Data Subject is endangered (e.g. an accident at work);

- (d) at the direction of the relevant Data Subject;
- (e) to select third parties, where permitted by applicable local law; or
- (f) to select third parties, as described below.

4.2.3 Under What Circumstances May Disclosures Be Made to Service Providers and Clients?

LyondellBasell may disclose Personal Data to select third parties:

(a) that have been engaged to provide business or Human Resources-related services to or on behalf of LyondellBasell (e.g., the management of LyondellBasell's supply chain; the administration of LyondellBasell's payroll and pension plans; etc.) (***Service Providers***). In such circumstances, LyondellBasell will only disclose Personal Data that is necessary for, relevant, and limited to, the Service Provider's provision of those services to which the Service Provider is under contract to provide;

(b) that obtain services from LyondellBasell (***Clients***) and that require specific information concerning the Data Subjects involved in the provision of those services for the purposes of:

(i) assessing the suitability of LyondellBasell or the Data Subject to provide services to the Client; or

(ii) safety, security, and the protection of the Client's resources; and

(c) in such circumstances, LyondellBasell will only disclose Personal Data that is necessary for, and material, relevant and limited to, such purposes; or

(d) where otherwise permitted under applicable local law.

4.2.4 What Requirements Will Be Imposed on Service Providers and Clients?

Transfers to Service Providers will be subject to the requirements of the Data Protection Vendor Management Standard which includes appropriate due diligence requirements and standard contractual terms related to data protection as necessary for compliance with applicable law (e.g. the GDPR as it relates to EEA resident Personal Data). LyondellBasell will require that Service Providers and Clients undertake by written contract to guarantee at least the same levels of protection afforded under this Policy when Processing Data Subjects' Personal Data.

4.3 Security and Confidentiality

4.3.1 LyondellBasell is committed to adopting and maintaining appropriate technical, physical, and organizational measures in order to protect Personal Data (including Sensitive Personal Data) against: unauthorized or accidental destruction, alteration or unauthorized disclosure; accidental loss; unauthorized access; misuse; unlawful Processing; or damage.

4.3.2 These measures include: utilizing appropriate equipment, application and information security measures, continually assessing security sufficiency, and training Data Subjects who are required to Process Personal Data about this Policy and the appropriate Processing of Personal Data.

4.3.3 The level of appropriate measures will reflect the risks and nature of the types of Personal Data involved and will be reviewed and updated periodically consistent with LyondellBasell's information security policies.

4.4 Individual Rights

4.4.1 How Will LyondellBasell Treat Sensitive Personal Data?

Sensitive Personal Data may be Processed for the purposes set out above, or as allowed by applicable law. LyondellBasell will limit the Processing of Sensitive Personal Data to Processing that is strictly necessary for the purposes for which the data was collected.

4.4.2 What Are Data Subjects' Rights to Access Their Personal Data?

(a) Many Data Subjects, and any LyondellBasell Worker, may inquire as to the nature of his or her Personal Data held by LyondellBasell. LyondellBasell will endeavor to respond to an inquiry without excessive delay and within the time limits prescribed by applicable local law (if any) or otherwise within a reasonable time period.

(b) A Data Subject wishing to access his or her Personal Data held by LyondellBasell should contact his or her local client manager; or in the case of a LyondellBasell Worker, his or her Human Resources representative.

(c) LyondellBasell may request the following from any Data Subject who has requested access to his or her Personal Data:

(i) additional information needed to confirm the Data Subject's identity;

(ii) additional information on the concerns which led to or motivated the request, so that LyondellBasell may determine responsive information; and

(iii) the names of the LyondellBasell companies the Data Subject interacted with and the nature of the Personal Data requested.

(d) LyondellBasell may, at its discretion and to the extent permitted under applicable local law, require a Data Subject to pay the reasonable costs of providing access.

4.4.3 When Might Requests for Access to Personal Data Be Refused?

(a) LyondellBasell may refuse a Data Subject's request for access to his or her Personal Data in certain circumstances. For example, depending on the circumstances of the request, access may not be provided where:

(i) the burden or expense of providing access would be disproportionate to the risks to the requester;

(ii) the rights or interests of an individual other than the requester would be violated, such as where access would reveal another individual's Personal Data;

(iii) access would reveal information which LyondellBasell has taken steps to protect from disclosure because disclosure would help a competitor in the market (*Confidential Commercial Information*), such as where Confidential Commercial Information cannot be readily separated from the Personal Data;

(iv) the execution or enforcement of the law, including prevention, investigation or detection of offences or the right to a fair trial would be interfered with;

(v) an investigation or grievance proceeding being conducted by LyondellBasell would be prejudiced;

(vi) any confidentiality that may be necessary for limited periods in connection with LyondellBasell's management of their workforce (e.g. succession planning and corporate re-organizations; or in connection with monitoring, inspections, or regulatory functions connected with sound economic or financial management);

(vii) a court, or other authority of appropriate jurisdiction, determines that LyondellBasell is not required to provide access;

(viii) a legal or other professional privilege or obligation would be breached; or

(ix) there is no legal requirement for LyondellBasell to provide such access, including because local legal requirements for a valid Data Subject access request have not been met.

(b) If a request for access is refused, the reason for the refusal will be communicated to the Data Subject, and the Data Subject affected will have access to the dispute resolution processes described in the Grievance Mechanism section below.

4.4.4 What Are Data Subjects' Rights to Amend or Erase Their Personal Data?

If an Data Subject's Personal Data is inaccurate, incomplete, or no longer relevant to the purpose for which the Personal Data was collected, the Data Subject may request that his or her Personal Data be corrected or erased pursuant to the applicable Data Protection Access & Correction Standard, or the Data Protection Erasure Standard.

4.5 Grievance Mechanism

4.5.1 If at any time a Data Subject believes that his or her Personal Data has been Processed in violation of this Policy, the Data Subject may report the concern to the Personal Data Incident Response Team at personaldataprivacy@lyondellbasell.com.

4.5.2 If a complaint concerns Personal Data subject to local data protection law which has a competent Data Protection Authority (**DPA**), and the complaint remains unresolved after referral to, and investigation by, the Personal Data Incident Response Team, LyondellBasell will cooperate, as required, with the applicable DPA or their representatives, as appropriate, for investigation and resolution of the complaint.

4.5.3 If the DPA determines that LyondellBasell must take more specific action to comply with legal requirements, LyondellBasell will comply with the advice of the DPA as necessary to remedy non-compliance, which may include:

- (a) reversing or correcting the effects of any non-compliance, in so far as is feasible;
- (b) ensuring that future Personal Data Processing will comply with applicable law; and
- (c) where possible, ceasing the Processing of the relevant Personal Data.

4.5.4 LyondellBasell will provide the DPA with written confirmation of the actions it has taken to comply with the advice of the DPA.

5. Communication about this Policy

LyondellBasell is committed to communicating this Policy to all current and new Data Subjects, including instructions for ongoing access. LyondellBasell will make this Policy available on its internal website.

6. Assessment Procedures

6.1 LyondellBasell will maintain the documentation necessary to demonstrate compliance with this Policy and applicable law. Such documentation will include, without being limited to: standards, procedures, processing registries, data protection impact assessments, and internal compliance examination reports and similar documents.

6.2 LyondellBasell will periodically assess whether this Policy complies with applicable law and is being complied with internally.

6.3 A statement affirming successful completion of any such assessment will be signed by a corporate officer or other authorized representative of LyondellBasell at least once per year and made available as required by law or in the context of an investigation or complaint about compliance with this Policy or the associated Standards.

7. Policy Governance

7.1 This Policy supersedes and replaces any and all prior policies, guidelines and practices, written and unwritten, regarding its subject matter. Subject to any applicable local law requirements, the Company reserves the right to change, replace, or cancel this Policy with or without notice at its sole discretion at any time.

7.2 LyondellBasell's Workers must comply with this Policy and LyondellBasell is committed to ensuring such compliance. Non-compliance with this Policy may result in a LyondellBasell Worker being subject to disciplinary sanctions, up to and including (where appropriate and lawful) termination of employment.

7.3 Compliance with this Policy may be verified through various methods, including internal and external audits.

8. Resources

Workers should contact the Committee at personaldataprivacy@lyondellbasell.com with any questions about this Policy. Workers should contact the Personal Data Incident Response Team at personaldataprivacy@lyondellbasell.com with any concerns about possible violations of this Policy.

9. References

Applicable documents, including the following, may be accessed at the Data Privacy website on Elements.

Data Classification Policy
Data Labeling and Handling Standard
Data Protection Access & Correction Standard
Data Protection Audit Standard
Data Protection Consent Standard
Data Protection Erasure Standard
Data Protection Glossary
Data Protection Impact Assessment Standard
Data Protection Incident Investigation Standard
Data Protection Individual Complaint Standard
Data Protection Notice Standard
Data Protection Portability Standard
Data Protection Processing Registry Standard
Data Protection Training Standard
Data Protection Vendor Management Standard
Enterprise Risk Management Standard
Information Security Standards