
Data Protection Policy

Atlas Agro Holding AG

2024

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Policy owner: General counsel

Approver: Board of directors

Policy statement: Data Protection Policy ensures that Atlas Agro handles Personal Data responsibly, securely, and in compliance with applicable data protection regulations, prioritizing data subject rights and ongoing adherence through regular reviews

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1. Definitions

Unless stated otherwise, the capitalized terms used in this Policy shall have the meanings set forth in Appendix A to this Policy;

2. Our principles

We are committed to safeguarding Personal Data in accordance with applicable data protection laws handling personal data responsibly, transparently, and securely.

3. Application of the Policy

This Policy applies to all Staff.

The requirements of this Policy apply regardless of local customs and practices. Non-compliance may result in disciplinary action, up to and including termination of employment or other contractual arrangements. If there is a conflict between this Policy and a law or regulation, the more restrictive requirement shall apply.

This Policy will be reviewed by the General Counsel on an annual basis and shall be approved by the Board of Directors of the Company.

4. Responsibility for ensuring adherence to the Policy

The CEO and management team of the Company and each Member of the Group have primary responsibility for ensuring adherence to this Policy and shall be supported by the Board of Directors of the Company and the General Counsel.

All Staff are required to comply with this Policy and to follow the reporting requirements set out in this Policy.

5. Enquiries

Any questions relating to this Policy should be referred to the General Counsel. If you have doubt about the propriety of a particular situation or proposed act, you should consult with the General Counsel at the earliest opportunity.

6. Compliance with Applicable Laws

Atlas Agro is dedicated to complying with all applicable data protection laws and regulations in every jurisdiction where we conduct business, including but not limited to Swiss, Brazilian, US, and EU regulations.

7. Lawful Basis for Processing

We are Processing Personal Data only when we have a lawful basis for doing so, in accordance with the requirements of Swiss FADP, LGPD, CCPA, GDPR, and other relevant regulations.

8. Data Collection and Processing

We collect and process Personal Data only for specified, explicit, and legitimate purposes, ensuring that it is adequate, relevant, and limited to what is necessary for the intended purposes. Any collection of Personal Data or Processing is conducted in compliance with applicable data protection laws and regulations, including the implementation of appropriate safeguards such as standard contractual clauses or obtaining Data Subject Consent.

Without prejudice to the above, the Group may collect and process Personal Data for the purposes of: (i) managing Staff and relationships with a counterparty of the Group or a Member of the Group, (ii) conducting the Group's business operations and providing services to Atlas Agro's clients; (iii) complying with express legal or regulatory requirements, court order or direction of a supervisory authority, and (iv) improving and developing Atlas Agro's products and services.

9. Data Security

Atlas Agro implements appropriate technical and organizational measures, including the measures and instruments could be set out in the Group's policies, to protect Personal Data against unauthorized access, alteration, disclosure, or destruction, as required by Swiss, Brazilian, US, and EU data protection laws.

10. Data Subject Rights

We respect the rights of Data Subjects under Swiss, Brazilian, US, and EU data protection laws, including the rights to access, rectification, erasure, restriction of Processing, data portability, and objection to Processing.

All requests for the execution of the abovementioned rights, must be directed to General counsel. Unless otherwise permitted under applicable data protection laws: (i) each request must be done in writing, and (ii) a response to each request shall be provided within 10 days of the receipt of the written request from a Data Subject.

11. Data Transfers

Transfers of Personal Data between jurisdictions are conducted in compliance with applicable data protection laws and regulations, including the implementation of appropriate safeguards such as standard contractual clauses or obtaining Data Subject Consent.

Without prejudice to, and in each case with compliance with, the above, the Group may transfer Personal Data to third parties explicitly for the purposes of such third party rendering services for, or in favour of, any Member of the Group, provided in each case that access to such Personal Data: (i) is conducted in compliance with applicable data protection laws and regulations, including the implementation of appropriate safeguards such as standard contractual clauses or obtaining Data Subject Consent, and (ii) is restricted on a need-to-know basis.

Prior to transferring any Personal Data to a third party, each Member of the Group shall make enquiries through due diligence processes and assess whether such third party complies with applicable data protection laws and regulations.

12. Data Protection Breach Notification

In the event of a Personal Data breach, Atlas Agro promptly notifies the relevant supervisory authorities and affected data subjects in accordance with the requirements of Swiss, Brazilian, US, and EU data protection regulations.

Where a personal data breach is likely to result in a "high risk" to the rights and freedoms of individuals, the Group shall notify those concerned directly. A "high risk" means the threshold for notifying individuals is higher than for notifying the relevant supervisory authority. If individual notifications would be a disproportionate effort, the Group can use some form of public communication instead provided that this will be equally effective in informing individuals.

13. Reporting Data Protection Breach

Staff must report any suspected or actual violations of this Policy and any attempted or actual instances of Data protection breach in relation to activities of any entity within the Group to the Chief Growth Officer or General Counsel. If Staff member reasonably suspects the General Counsel or the Chief Growth Officer has participated or is complicit in the suspected or actual violations, such Staff member must directly report the activity to the Chief Executive Officer or a member of the Board of Directors of the Company.

Each Staff member and its respective supervisor shall report directly to Chief executive officer on any Personal Data breaches, as well as accompanying investigations and their results, which entail or may entail a "high risk" to the rights and freedoms of individuals (as per Section 12 above).

Staff are protected from retaliation in accordance with applicable law and Whistleblowing Policy of the Group.

14. Training and Other Activities

Staff must complete data protection training when required by the respective corporate entity within the Group and may, from time to time, be requested to participate in risk assessments designed to identify data protection risks across the business and the appropriate procedures to manage them.

Appendix A

Definitions

“**Atlas Agro**” or “**Group**” shall mean the Company and any and all of its subsidiaries, and each of them individually shall be referred to as a “**Member of the Group**”;

“**Company**” shall mean Atlas Agro Holding AG;

“**Data Subject Consent**” means any freely given, specific, informed and unambiguous indication of the Data Subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of Personal Data;

“**Data Processing**” means any operation or set of operations which is performed on Personal Data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

“**Data Subject**” means any living individual who is the subject of Personal Data held by the Group;

“**Personal Data**” means any information relating to an identified or identifiable Data Subject including, but not limited to, a natural person's name, (professional) telephone number, (professional) email address, identification number, location data, online identifier, etc.;

“**Processing**” means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

“**Staff**” shall mean directors, officers, managers, employees, agency workers, secondees, consultants, and independent contractors of any Member of the Group; and