

# VIACOM INC. PRIVACY SHIELD PRIVACY POLICY

Last Modified and Effective as of June 21, 2017

Viacom respects individuals' privacy, and strives to collect, use and disclose personal information in a manner consistent with the laws of the countries in which it does business. Viacom complies with the EU-U.S. Privacy Shield Framework (the "**Privacy Shield**") as set forth by the U.S. Department of Commerce ("**DOC**") regarding the collection, use, and retention of personal information transferred from the European Economic Area ("**EEA**") to the United States. This Privacy Shield Privacy Policy (this "**Policy**") is intended to supplement and to be read in conjunction with any privacy policies available on Viacom's websites, applications or online services that link or refer to this Policy and other materials provided by Viacom that disclose our privacy practices. Viacom has also taken additional measures to protect your Personal Data in compliance with applicable law.

## **Privacy Shield**

The DOC and the European Commission have agreed on a set of data protection principles to enable U.S. companies to satisfy EEA law requiring that Personal Data transferred from the EEA to the U.S. be adequately protected. Consistent with its commitment to protect personal privacy, Viacom has certified to the DOC that it adheres to the principles set forth in the Privacy Shield (collectively, the "**Privacy Shield Principles**"). [Click here](#) to learn more about the Privacy Shield or [click here](#) to view a list of companies that have self-certified to the Privacy Shield.

## **Definitions**

"**Agent**" means any third party that processes, collects or uses Personal Data under the instructions of, and solely for, Viacom or to which Viacom discloses Personal Data for use on Viacom's behalf.

"**Personal Data**" means any information or set of information that (1) identifies or could be used by or on behalf of Viacom to identify any individual (such as name, email address, telephone number, photograph, etc.), (2) is recorded in any form and (3) is received by Viacom in the U.S. from the EEA. Personal Data does not include anonymized information, aggregated information or publicly available information that has not been combined with non-public personal information. Personal Data includes all Sensitive Personal Data (as defined below).

"**Sensitive Personal Data**" means Personal Data that: (a) reveals race; ethnic origin; political opinions, religious, ideological or philosophical beliefs; or trade union membership, views or activities; (b) concerns health or sex life, information about social security benefits, or information on criminal or administrative proceedings and sanctions other than in the context of pending proceedings or (c) is received from a third party where that third party reasonably identifies and treats the information as sensitive personal data pursuant to the European Union Data Protection Directive 95/46/EC (the "**Data Protection Directive**").

"**Viacom**," "**we**," "**our**" or "**us**" means Viacom Inc. and the Viacom Affiliates in the U.S.

“**Viacom Affiliates**” means any affiliate directly or indirectly owned or controlled by Viacom Inc., either now or in the future.

### **Privacy Shield Principles**

The privacy practices set forth in this Policy have been developed based on the Privacy Shield Principles (Notice; Choice; Accountability for Onward Transfer; Security; Data Integrity and Purpose Limitation; Access; Recourse, Enforcement and Liability and the Supplemental Principles).

### **Notice about our data collection and disclosure practices**

With respect to Personal Data received pursuant to the Privacy Shield, Viacom informs data subjects about the purposes for which it collects and uses Personal Data about them, the types of non-Agent third parties to which Viacom discloses that Personal Data, the choices and means, if any, Viacom offers individuals for limiting the use and disclosure of their Personal Data, and how to contact Viacom about its practices concerning Personal Data. Notice will be provided in clear and conspicuous language when individuals are first asked to provide Personal Data to Viacom or any Viacom Affiliate, or as soon as practicable thereafter, and in any event before Viacom discloses the information to a third party that is not an Agent or uses the information for a purpose which is materially different than that for which it was originally collected or subsequently authorized. We may share Personal Data within the U.S. family of Viacom companies. We may also disclose Personal Data to our Agents in the U.S. and other third parties when required to do so under law or by legal process. Where Viacom receives Personal Data from Viacom Affiliates or other entities in the EEA, it will disclose such Personal Data in accordance with the notices provided by such entities and the choices made by the individuals to whom such Personal Data relates.

Categories of Data: In addition to any other Personal Data described, requested or required at the point of collection, Viacom may collect:

- with respect to consumer data, the types of data described in our publicly available website and application privacy policies.
- with respect to employee-related data (including contractors, consultants, temps and interns), the following types of data:
  - business and personal contact information;
  - financial information (*i.e.* compensation, benefits and bank information)
  - job related information;
  - historical information;
  - sensitive personal data and other information that may be provided by or received in relation to the individual;
  - connection/access data and location (*e.g.*, IP address, date/time/location/method of accessing Viacom systems or physical locations); and
  - other information related to employment.

## **Purposes for which we will collect and use your Personal Data**

Purposes for which we may collect and use Personal Data from our employees and job applicants include:

- Responding to individual's inquiries, including in connection with prospective employment at Viacom, and administering and processing an individual's employment application to Viacom.
- Carrying out human resources functions such as employee record-keeping, corporate administration, training, operations and management, implementing career and succession planning, administering employee contracts, evaluating employees, implementing employment-related actions and obligations and providing employment benefits and related information.
- Enabling Viacom and its employees to contact one another using an employee's telephone and fax numbers, e-mail address or mailing address or use Viacom's systems (*e.g.*, authentication).
- Administering compensation, bonus and benefits plans and other employment matters.
- Arranging, booking and implementing employees' travel plans and arrangements for business related purposes.
- Enabling Viacom to maintain building security, systems security and employee security, health and safety.
- Transferring Personal Data in connection with Viacom's legal, regulatory compliance and auditing purposes.
- Facilitating Viacom's internal administration operations and analytics, such as project staffing, headcount, statistics initiatives and internal investigations.
- Complying with Viacom's legal obligations, policies and procedures.
- As otherwise stated when you provide your information.

Purposes for which we may collect and use Personal Data from our customers, consumers and other non-employees include:

- Communicating to individuals about our or third party products, services and related issues (*e.g.*, e-mail marketing and advertising).
- Notifying individuals of, and administering, contests, sweepstakes, promotions and other offers.

- Evaluating the quality of and supporting our products and services.
- Allowing individuals to register for our websites, online communities and other social networking services, and administering and processing these registrations.
- Enhancing or customizing your experience on our websites (*e.g.*, online behavioral advertising).
- Transferring Personal Data in connection with Viacom’s legal, regulatory compliance and auditing purposes.
- Facilitating Viacom’s internal administration operations and analytics, maintaining and administering and operating Viacom’s websites and complying with Viacom’s legal obligations, policies and procedures.
- As otherwise described in the privacy policies of any consumer websites, applications or online services.

Where Viacom receives Personal Data from Viacom Affiliates or other entities in the EEA, it will use such Personal Data in accordance with the notices provided by such entities and the choices made by the individuals to whom such Personal Data relates.

We do not use Personal Data for purposes incompatible with the purposes for which the information was originally collected or subsequently authorized without notifying the relevant individuals of such uses and offering an opportunity to opt out. Viacom will also take reasonable steps to ensure that Personal Data is relevant to its intended use, accurate, complete and current.

**Your choices with respect to disclosure and use of your Personal Data**

Viacom will allow individuals whose Personal Data is collected in the EEA and transferred to the U.S. to decide, by either opt-in or opt-out, as may be required by relevant local laws, rules or regulations (including, the Privacy Shield Principles), whether your Personal Data may be (1) disclosed to a third party that is not an Agent or (2) used for a purpose that is materially different from the purpose for which it was originally collected or subsequently authorized by that individual, as may be identified by Viacom from time to time.

For Sensitive Personal Data, we will give you the opportunity to affirmatively and explicitly consent (opt in) to permit Viacom to (1) disclose Sensitive Personal Data to a third party that is not an Agent or (2) use Sensitive Personal Data for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual.

**Liability for onward transfers of your Personal Data to third parties**

As further described in the Privacy Shield Principles, when our Agents process your Personal Data on our behalf, we remain liable for our Agents’ failure to comply with the Privacy Shield Principles, unless we prove that we are not responsible for the event giving rise to the damage.

## **How we secure your Personal Data**

Viacom will take reasonable precautions to protect Personal Data from loss, misuse and unauthorized access, disclosure, alteration or destruction. As necessary, Viacom will take additional precautions regarding the security of Sensitive Personal Data. While Viacom strives to secure Personal Data, even reasonable security measures do not guarantee the security of any information, and Viacom cannot guarantee that the Personal Data it seeks to protect will be protected in all circumstances, including those beyond its reasonable control. Records containing Personal Data are considered Viacom property and should be afforded confidential treatment at all times, regardless of whether these records are in electronic or paper form.

## **How you can access your Personal Data**

If you request it, we will grant you with reasonable access to your Personal Data that is held by us. In addition, we will take reasonable steps to permit you to correct, amend or delete Personal Data that you tell us is inaccurate or incomplete. However, to the extent permitted by applicable local laws, Viacom may limit or deny your access to your Personal Data where the burden or expense of providing access would be disproportionate to the risks to your privacy, the legitimate rights of other persons would be violated or an exception applies under applicable law.

When providing access to your Personal Data, unless prohibited by applicable law, Viacom may charge a non-excessive fee for administrative and/or extraordinary expenses that it may incur to provide such access and/or for repetitious or vexatious requests.

With respect to Personal Data of employees and job applicants, Viacom will provide such access either directly or through the employer located in the EEA. Employees should request information directly from their human resources representative. Consumers should request information from the contact listed on the applicable website or application privacy policy. If you do not fall under these categories or if you are uncertain who to contact, e-mail us at [privacyshieldaccess@viacom.com](mailto:privacyshieldaccess@viacom.com).

For all access requests, please include your name, street address, city, state, zip code and email address (your street address is optional if you wish to receive a response to your request via email), indicate your preference on how our response to your request should be sent (email or postal mail) and include "EEA Data Access Request" in the subject of the email. Please make sure that your request is clear and, to expedite the process, please be specific as to the nature of the request as well as your relationship with Viacom, including the URL of the website(s) and/or the name of the app(s) that prompted your inquiry. We shall not accept requests via postal mail, telephone or facsimile. We are not responsible for notices that are not labeled or sent properly, or may not be able to respond if you do not provide complete information.

## **Questions, complaints and recourse mechanisms**

Stage 1: Directly Contact Company

HR Personal Data: Any questions or concerns regarding the use or disclosure of employment-related Personal Data that we received from the EEA (“**HR Personal Data**”) should be directed to your human resources representative.

Non-HR Personal Data: Any questions or concerns regarding the use or disclosure of all other Personal Data (other than HR Personal Data) that we received from the EEA (“**Non-HR Personal Data**”) should be directed to Chief Privacy Counsel at the e-mail address listed below.

We will investigate and attempt to resolve complaints and disputes regarding use and disclosure of Personal Data using our internal procedures. We will respond to complaints within 45 days following receipt of the complaint.

Please submit questions, comments and complaints regarding this Policy or our practices concerning Non-HR Personal Data to:

Chief Privacy Counsel  
privacyshield@viacom.com

For all questions, comments and complaints, please include your name, street address, city, state, zip code and email address (your street address is optional if you wish to receive a response to your request via email), indicate your preference on how our response to your request should be sent (email or postal mail) and include “EEA Data” in the subject of the email. We shall not accept requests via postal mail, telephone or facsimile. We are not responsible for notices that are not labeled or sent properly, or may not be able to respond if you do not provide complete information.

### Stage 2: Dispute Resolution

If we are unable to resolve your complaints in a satisfactory manner through our internal procedures, you are entitled to the below recourse mechanisms at no cost to you.

For disputes relating to HR Personal Data that we received from the EEA, we have agreed to (1) cooperate with investigations by the appropriate [national Data Protection Authority](#) (“**DPA**”) in the EEA with respect to such data and (2) comply with the advice provided to us by the informational panel of DPAs.

For disputes relating to Non-HR Personal Data that we received from the EEA, we have agreed to use JAMS for dispute resolution, which is based in the U.S. For information about the JAMS dispute resolution process or to submit a complaint, please [click here](#) to go to JAMS’ website.

### Stage 3: Binding Arbitration

If your complaint has not been resolved by any other means, you have the further right to seek binding arbitration. Please note that you may be responsible for attorney’s fees in binding arbitration if you decide to hire an attorney to represent you. Please visit the [Privacy Shield website](#) for information on how to invoke binding arbitration.

## **FTC**

The Federal Trade Commission has jurisdiction over Viacom's compliance with the Privacy Shield.

## **Limitations**

Viacom's adherence to this Policy may be limited by any applicable legal, regulatory, ethical or public interest consideration and as expressly permitted or required by any applicable law, rule or regulation. For example, we may disclose Personal Data to judicial or government authorities (including, without limitation, to law enforcement) when this is requested of us as part of civil or criminal law enforcement or legal proceedings to comply with our legal obligations. We will use our reasonable efforts to ensure the security and confidentiality of Personal Data in such cases.

Viacom may also sell, transfer or otherwise disclose Personal Data reasonably related to the sale, assignment, transfer or other disposition of all or part of our business, subject to and in accordance with applicable law.

## **Changes to this Policy**

This Policy may be amended from time to time. Subject to any local law requirements, we will post or display notices of material changes at the top of this Policy, on the homepage or otherwise on the websites that link to this Policy, and/or via e-mail; the form of such notice is at our discretion.