



Summary

The purpose of this Policy is to discuss the principles and general rules regarding Data Processing that must guide the Embraer's Group operations. The Embraer Group, in view of its global footprint, is required to comply with laws and regulations providing for the protection of Personal Data in all countries in which it operates including the GDPR.

Content

TITLE: DATA PROTECTION

1. DEFINITIONS:

“Affiliate” refers to an establishment, in Brazil or abroad, without an independent legal identity but which contains the same root CNPJ as Embraer.

“Compliance Department” refers to the Legal and Compliance Vice-Presidency of Embraer.

“Legal Department” refers to the Legal and Compliance Vice-Presidency of Embraer, through the Defense and Security and Regulatory Legal Department, responsible for updating and answering questions about this Policy and for the leadership of Data Protection activities at the Embraer Group.

“Data Protection Work Group (DPW)” refers to the work group responsible for providing instructions and conducting inspections related to the enforcement of this Policy. The DPW mandatorily consists of one Legal representative, one Information Technology representative, one Compliance representative, one Human Resources representative and one Internal Audit representative, in addition to representatives of other Departments based on specific needs.

“Personal Data” refers to any type of data or information that may directly or indirectly allow the identification of an individual, even if this identification depends on the association of this data/information with other elements.

“Sensitive Personal Data” refers to Personal Data that reveals racial or ethnical origins, political opinions, religious or philosophical beliefs, or union membership, as well as genetic data, biometric data used to unequivocally identify individuals, genetic or health status or sexual orientation.

“IT Department” refers to Vice-Presidency of Operations, through the Information Technology Department.

“Embraer” or “Company” refers to Embraer S.A. its Representation Offices and Affiliates.

“Employee” refers to any person that works for Embraer, its Controlled Companies or Joint Ventures, including directors, officers, managers, and employees, irrespective of the employment regime (employment contract, service agreement or internship contract, among others).

“Controlled Companies” refers to any company, in Brazil or abroad, which Embraer, either directly or indirectly, is the controlling partner or shareholder, guaranteeing a preponderance in business deliberations and the power to elect a majority of administrators.

“Embraer Group” refers to Embraer together with its Controlled Companies and Joint Ventures of the group.

“Incident” refers to a security breach or potential security breach that accidentally or intentionally results in unauthorized destruction, loss, change, disclosure or access to personal data.

“Joint Venture” means all of the companies, in Brazil or abroad, in which the business deliberations and naming of administrators are performed conjointly by Embraer (directly or indirectly) and by one or more partners with significant relevance.

“Guidebook” means the Guidebook for Events Involving Breach of Personal Data - doc.emb 13771.

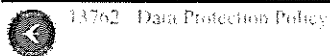
“Policy” refers to this Global Data Protection Policy of the Embraer Group.

“GDPR” refers to General Data Protection Regulation – Regulation (EU) 2016/679, providing for Personal Data Protection.

“Third Party” or “Data Processor” means any engaged individual, except Employees of the Embraer Group, or company and formal or informal business partners that may conduct any type of Processing activities.

“Data Subjects” means the individual to which the Personal Data refers, including, but not limited to, an Employee of the Embraer Group.

“Data Processing” or “Processing” means any type of activity conducted with Personal Data, including access, storage, cleaning, visualization, collection, deletion and sharing, among others.



2. THE POLICY

This Policy applies to the entire Embraer Group, including the Company's international operations. This Policy provides for ethical business operations and ensures the right to the protection of Personal Data processed by the Group. This Policy shall also apply to Third Parties.

Accordingly, as a company that is committed to the protection of Personal Data, the Embraer Group expects all Employees and Third Parties to comply with this Policy, all related procedures, the Code of Ethics, and all applicable Data Protection laws and regulations.

This Policy, and the examples therewith, does not aim to be an exhaustive compendium related to Data Protection, rather it is intended to help the reader understand the subject matter and the critical importance of compliance. Therefore, whenever there is any uncertainty about whether this Policy applies, or if you have any questions or suspicions about the propriety of any conduct, you must promptly seek advice from the Legal Department and the DPW.

Embraer expects all Employees and business partners of the Embraer Group to: (i) know and follow this Policy; and (ii) recognize and report potential issues related to Data Protection with sufficient time to allow the Legal Department and the DPW to adequately address the potential issue.

3. OBJECTIVE:

The purpose of this Policy is to discuss the principles and general rules regarding Data Processing that must guide the Embraer's Group operations. The Embraer Group, in view of its global footprint, is required to comply with laws and regulations providing for the protection of Personal Data in all countries in which it operates—including the GDPR.

This Policy must be read in conjunction with the Code of Ethics and related policies and procedures, especially those concerning information security rules. In the event of conflict between this Policy and other policies of the Embraer Group, the strictest policy or procedure related to the Data Protection shall prevail. In these circumstances, Employees or Third Parties must notify the Legal Department or the DPW to allow them to immediately handle the conflict, recommend the adequate measures to be taken, and review the relevant Policy or procedure, if required.

4. APPLICATION:

This Policy applies to the Embraer Group, including the Company's international transactions and any business activities managed or conducted on behalf of the Embraer Group by Third Parties.

The Legal Department and the DPW will assist the Controlled Companies and the Joint Ventures in the adoption of rules and procedures that promote the principles and objectives proposed by this Policy.

5. GUIDELINES

5.1. Principles – all Processing activities conducted by those who are required to comply with this Policy must follow the principles set forth below:

5.1.1. [LAWFULNESS, FAIRNESS AND TRANSPARENCY] Respect lawfulness, fairness and transparency in Data Processing activities, which means that Personal Data must be processed only in the events permitted by applicable law, with maximum transparency to Data Subjects and in accordance with the ethical principles that guide the activities of the Embraer Group;

5.1.2. [PURPOSE LIMITATION] To achieve the purpose that justifies the collection of Personal Data, not using Personal Data for purposes other than those for which it was obtained;

5.1.3. [DATA MINIMISATION] To process the lowest volume of Personal Data required to achieve the purposes that justify its collection; keeping Personal Data for the shortest period of time possible;

5.1.4. [ACCURACY] To adopt reasonable technical and organizational measures to keep Personal Data accurate and current at all times, including the possibility of correction requests made by Data Subjects;

5.1.5. [PSEUDONYMIZATION] To apply, whenever possible, pseudonymization techniques that make it impossible to identify Data Subjects, preventing association with other data or complementary information (which must be stored in a way to ensure that identification does not occur). Therefore, Processing activities must always try to disassociate information that allows the direct identification of Data Subjects;

5.1.6. [INFORMATION SECURITY] To adopt all security measures required to ensure the confidentiality and integrity of Personal Data, based on the technical specifications set forth by the Embraer Group;



5.1.7. [ACCOUNTABILITY] To implement measures to demonstrate compliance with this Policy and other rules applicable to Data Protection, including the preparation of written documents with all measures adopted to ensure data protection (from technical studies on security measures to impact assessments, as required pursuant to applicable law).

5.2. Procedures:

5.2.1. Enabling the Exercise of Rights –The Embraer Group shall ensure that Data Subjects are able to exercise their rights. These shall include:

5.2.1.1. Correcting Personal Data that is processed by the Embraer Group or Third Parties to whom the Embraer Group transferred said Personal Data;

5.2.1.2. Upon request, deleting Personal Data (in the event no legal obligations exist requiring the Embraer Group to store the relevant Personal Data);

5.2.1.3. Limiting Personal Data Processing and revoking consent—i.e., Data Subjects may request their data to be processed within certain limits—pursuant to applicable law and the Compliance guidelines of the Embraer Group, as well as revoke their consent to Processing activities, especially if their data is processed for business/marketing purposes;

5.2.1.4. Request portability of Personal Data to another company, irrespective of the company's economic group, delivering to Data Subjects, in a machine-readable format (i.e., in a structured format that is of common use and automated reading), the data they provided to the Embraer Group; and

5.2.1.5. Requesting an Employee review of decisions exclusively made by the automated Processing of Personal Data.

5.2.2. Complying with Information Security Rules

All Processing activities must be based on technical and operating Information Security standards indicated by the Embraer Group to ensure the confidentiality and integrity of Personal Data.

5.2.3. Compliance with the Guidebook

In the event of any Incident which compromises the confidentiality of Personal Data, i.e., whenever unauthorized Third Parties have access to Personal Data kept by the Embraer Group, the procedures set forth in the relevant Guidebook must be immediately adopted. The relevant Guidebook must be read and interpreted in accordance with this Policy.

5.2.4. Following the Corporate Rules for International Transfers of Personal Data

All parties subject to this Policy operating in the European Union must follow the corporate rules for International Transfer of Personal Data in any transfer of Personal Data to organizations of the same economic group or otherwise that are located outside the European Union. In these cases, the Legal Department and/or the DPW must be consulted prior to any International Transfer of Personal Data.

5.2.5. Maintaining an Active Communication Channel Accessible to Data Subjects

Data Subjects may send any inquiries or complaints related to their rights regarding Personal Data and/or Sensitive Personal Data to the Embraer Group via e-mail to: data.privacy@embraer.com. Data Subjects should also report violations or suspected violations to the Helpline using the site www.embraerhelpline.com. The Embraer Group shall reply within a reasonable time, pursuant to applicable local law.

6. MISCELLANEOUS

6.1. Penalties

The Embraer Group and/or its Employees may be investigated by government regulatory agencies in different jurisdictions and, depending on the circumstances, administrative, civil or criminal lawsuits may be filed against them. This may result in high fines and severe penalties, debarments and/or other penalties if the Company and/or its Employees violate the laws and/or regulations providing for protection of Personal Data.

Any Employee that is found in violation of this Policy is subject to disciplinary measures.

Third Parties found in violation of this Policy are subject to the termination of their business relationships and any other redress, without prejudice, and legal measures available to the Embraer Group pursuant to applicable law and relevant agreements.

6.2. Non-retaliation



The Embraer Group shall prohibit retaliation, reprisal or harassment, veiled or otherwise, by any Employee(s) against any individual, including an Employee or Third Party for making, or suggesting to make, any report or notification raising any good faith questions or concerns related to issues regarding: an actual or potential violation(s) of this Policy; and an actual or potential violation of any federal, state or local law or regulation which this Policy shall fall under. The Embraer Group shall take appropriate action, in accordance with this Policy along with the Code of Ethics and Conduct, and the Helpline Policy, as well as any relevant internal policy, against any Employee who violates this non-retaliation statement.

6.3. Training

Embraer Group's training about protection of Personal Data shall occur in accordance with the schedule annually promulgated by the Legal Department.

6.4. Policy Review

This Policy and related procedures will be reviewed by the Legal Department every two years, without prejudice to changes required by applicable law.

6.5. Data Protection Work Group (DPW)

The Embraer Group created a work group to assist in the compliance with this Policy, mandatorily consisting of one Legal representative, one Information Technology representative, one Compliance representative, one Human Resources representative, and one Internal Audit representative. Representatives of other Departments within Embraer may also participate in the DPW, based on specific needs, as well as representatives of Controlled Companies and Joint Ventures, to coordinate the activities of the Embraer Group.

The DPW shall meet regularly, at least once a month, and extraordinarily as required.

6.6. Communication

This Policy must be disclosed by the Legal Department to all parties who are required to comply with it.

6.7. Doubts and Reports

Any concerns and/or reports of noncompliance with this Policy must be immediately reported via e-mail to: data.privacy@embraer.com

Data Subjects may also report violations through the Helpline -- Whistleblowing Channel, available at www.embraerhelpline.com.

6.8. Effectiveness

This Policy takes effect as of the date of its disclosure, and may be amended at any time, at Embraer's sole discretion.

6.9. Controlled Companies and Joint Ventures

The implementation of this policy must fulfill the requirements set forth in applicable law and local rules of Controlled Companies and Joint Ventures. No amendment may change the principles of this Policy.

7. RESPONSIBLE - LEGAL DEPARTMENT

The Legal and Compliance Vice-Presidency of Embraer, through the Defense and Security and Regulatory Legal Department, shall be responsible for this Policy, for maintaining it, for the leadership of activities set forth in and related to this Policy, as well as for with the development of DPW activities.

This Policy may be amended as deemed required and appropriate, based on recommendations of the IT Department and Compliance Department and on changes in policies applicable to the Embraer Group or in the applicable laws and regulations.