

## EUROPEAN ONSHORE POWER SUPPLY ASSOCIATION ASBL [IN FORMATION] PRIVACY POLICY

### 1. General

- 1.1. This is the privacy policy of the European Onshore Power Supply Association VZW/ASBL [in formation], a non-profit association with registered offices in Belgium at rue Charles Jaumotte, 31, 1300 Limal, registered in the Banque Carrefour des Entreprises under number 0712871113 ("EOPSA"). EOPSA acts as the controller of your personal data, which it can obtain (i) directly from you, or (ii) indirectly through third parties, such as your employer, your organization, subcontractors, its partners or its contracting parties.
- 1.2. EOPSA is actively promoting onshore power supply (OPS) in Europe and worldwide. It coordinates international policy, communications, research and analysis. EOPSA analyses, formulates and establishes policy positions for the OPS industry on key strategic sectoral issues, cooperating with industry and research institutions on a number of market development and technology research projects. Additionally, the lobbying activities undertaken by EOPSA help create a legal framework within which members can develop their businesses. EOPSA produces information tools and manages campaigns aimed at raising awareness about the benefits of OPS and enhancing social acceptance, dispelling myths about OPS and providing access to credible information. EOPSA regularly organizes numerous events, such as conferences, exhibitions, launches, seminars and workshops.
- 1.3. EOPSA can at any moment modify this privacy policy. Consult it therefore regularly.

### 2. Legal framework

- 2.1. This privacy policy is subject to privacy legislation, i.e.:
  - I. the Belgian Data Protection Act of 8th December 1992 on the protection of privacy in relation to the processing of personal data (as amended) (the "Privacy Act"); and/or
  - II. 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 personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ("GDPR"); and/or
  - III. All other applicable legislation regarding the protection of privacy and the processing of personal data;

### 3. Purpose

- 3.1. EOPSA can process personal data in accordance with the Privacy Legislation and this privacy policy, in order to:
  - I. achieve the purpose and exercise its activities, as described in article 1.2; and/ or
  - II. provide direct marketing regarding its activities such as updates, newsletters, direct marketing info brochures, emails, marketing materials, invitations to events such as conferences, exhibitions, launches, seminars and workshops and other information that may be useful to you; and/ or
  - III. execute the contract(s) that have been concluded with you or your employer or organization you are a member of; and/ or
  - IV. prospect new partners (e.g. members, subcontractors, or contracting parties); and/ or
  - V. better understand your needs and preferences in order to adjust its services hereto; and/ or
  - VI. acquire statistical data; and/ or
  - VII. inform third parties (e.g. subcontractors, partners or contracting parties); and/ or
  - VIII. comply with applicable legislation.

### 4. Legal basis and applicability

- 4.1. EOPSA has the following legal grounds for the processing of personal data:
  - I. your free, specific, informed and unambiguous consent to EOPSA, its partners (e.g. subcontractors, partners or contracting parties) to process your personal data. You can give your consent by any means, such as, but not limited to mail, email, an online or offline consent form, a membership form; and/or
  - II. the contract or membership agreement you have entered into with EOPSA regarding one of its activities set out in article 1.2; and/ or
  - III. a legal obligation; and/ or
  - IV. a legitimate interest of EOPSA.
- 4.2. Providing your personal data to EOPSA and/or entering into a contract/membership agreement with EOPSA, implies that you:
  - I. declare that you are fully informed about this privacy policy and that you fully accept this privacy policy without any reservation; and
  - II. give your free, specific, informed and unambiguous consent to EOPSA to process or have processed your personal data in accordance with this privacy policy and the Privacy Legislation.
- 4.3. As a consequence, you expressly grant EOPSA permission to use your personal data to accomplish the Purpose set out under article 3.
- 4.4. This privacy policy is not necessarily applicable to services, activities or products of third parties to which can be referred and on which a different privacy policy might apply.

### 5. Personal data

- 5.1. The personal data EOPSA can process are, i.e.: first name, name, address, email address, phone number, birth date, birthplace, profession, and function within your organization.
- 5.2. With agreeing to this privacy policy, you guarantee that the personal data you have provided, are complete and correct.
- 5.3. With agreeing to this privacy policy, partners that provide personal data of third parties (e.g. their employees, members, board members, staff, subcontractors, and contracting parties) to EOPSA guarantee that (i) these personal data are lawfully obtained and (ii) that the partner is authorized to transfer these personal data to EOPSA. These partners will comply with the Privacy Legislation. These partners will indemnify EOPSA against, hold EOPSA harmless against and shall compensate EOPSA for all claims that would result from non-compliance with the abovementioned guarantees and Privacy Legislation.

### 6. Transfer of personal data to third parties

- 6.1. EOPSA guarantees it does not transfer your personal data to third parties, unless:
  - I. There is a legal obligation to transfer the personal data;
  - II. To its partners (e.g. subcontractors, partners or contracting parties) for the achievement of the Purpose;
  - III. EOPSA has a legitimate interest to do so.
- 6.2. Third parties to whom EOPSA may, or is obliged to, transfer personal data on the basis of the above categories, can be located within or outside the European Union. The personal data may thus be transferred to companies or authorities of non-EU countries. EOPSA cannot be held responsible regarding the transfer of personal data and cannot be liable for the further processing of the personal data by third parties.

### 7. Storage period

- 7.1. EOPSA stores the personal data for as long as is necessary to achieve the Purpose.

### 8. Your rights

- 8.1. The Privacy Legislation provides you with a number of rights in relation to your personal data. You have the right, free of charge:
  - I. to have access to and receive a copy of your personal data;
  - II. to have your personal data corrected in case errors would occur;
  - III. to have your personal data erased in case:
    - a. your personal data are no longer necessary to achieve the Purpose;
    - b. you withdraw your consent and there is no other legal ground for the processing of the personal data;
    - c. you object to the processing of the personal data and there is no other legal ground for the processing of the personal data;
    - d. the personal data have been unlawfully processed;
    - e. there is a legal obligation to erase the personal data;
  - IV. to have the processing of your personal data restricted;
  - V. to have your personal data transferred to a third party;
  - VI. to object against the processing of your personal data, in particular the processing in light of direct marketing purposes;
  - VII. to withdraw your consent pursuant to which EOPSA is allowed to process your personal data;
  - VIII. to lodge a complaint with the Commission for the Protection of Privacy ("Privacy Commission") if you are of the opinion that the processing of your personal data breaches the Privacy Legislation.
- 8.2. In case you want to exercise the above rights, and provided you prove your identity, you can send a written, dated and signed request by mail to Roland Teixeira, Director Rue Charles Jaumotte, 31, 1300, Limal, Belgium or by email to [info@EOPSA.eu](mailto:info@EOPSA.eu).
- 8.3. With agreeing to this privacy policy, partners that provide personal data of third parties (e.g. their employees, members, board members, staff, subcontractors, contracting parties) guarantee that they will inform the aforementioned data subjects regarding the abovementioned rights and how to exercise these rights.

### 9. Security

- 9.1. EOPSA commits to take (or have) all reasonable measures (taken) to its best ability to safeguard the protection of the personal data through technical safety measures and an appropriate safety policy for its employees. The personal data are stored with EOPSA, or, if applicable, with the processor of the personal data on servers located in Dublin, Ireland. You acknowledge and accept that the transfer and storage of personal data is never without risk and consequently, the damage that you may suffer from the unlawful use of your personal data by third parties can never be collected from EOPSA.

### 10. Liability

- 10.1. EOPSA can solely be held accountable for damages which directly result from the processing of your personal data due to a fault or negligence of EOPSA. In any event, EOPSA cannot be held liable: (i) in circumstances of force majeure and/or (ii) for any indirect or consequential damage and/or (iii) for damages that result from errors, faults or negligence by you or third parties. EOPSA's liability cannot exceed 1,000 euro (thousand euro) for breaches regarding this privacy policy and/or Privacy Legislation.

### 11. Severability

- 11.1. If any provision in this privacy policy is deemed to be unlawful or unenforceable, that provision shall be amended by EOPSA and yourself insofar as necessary in order to make it lawful or enforceable, while retaining the meaning of EOPSA and yourself with respect to that provision as much as possible.
- 11.2. Whenever possible, the provisions of this privacy policy shall be interpreted in such a manner as to be valid and enforceable under the applicable law. However, if one or more provisions of this privacy policy are found to be invalid, illegal or unenforceable, in whole or in part, the remainder of that provision and of this privacy policy shall remain in full force and effect as if such invalid, illegal or unenforceable provision had never been contained herein.

### 12. Applicable law and competent court

- 12.1. You agree that all disputes between you and EOPSA regarding personal data and privacy issues, are exclusively subject to Belgian law, excluding any conflict of law principles.
- 12.2. Every dispute regarding personal data and privacy issues belongs to the exclusive jurisdiction of the French speaking courts of Brussels, Belgium, excluding court.