



DATA PROTECTION

Privacy Notice - Business Customers, Suppliers and Business Partners

This Policy sets out what personal data we collect, for what purposes and your rights in this respect

What does this Privacy Notice cover?

This Privacy Notice provides information regarding the personal data which are processed by ubitricity Gesellschaft für verteilte Energiesysteme mbH (ubitricity) and its affiliates within the Shell group of companies ('Shell') in relation to (i) individuals who work for, or on behalf of, or who are shareholders of our business customers ('Business Customers'), (ii) suppliers or vendors ('Suppliers'), (iii) business partners, investors and shareholders ('Business Partners').

For individuals who require access to a ubitricity site on behalf of a Business Customer, Supplier or Business Partner you will be asked to provide additional information to enable you to be identified for health, safety and security purposes and to manage the relationship between ubitricity and the relevant Business Customer, Supplier or Business Partner.

For individual end customers, members of ubitricity loyalty programs, visitors of ubitricity websites or users of ubitricity applications, please refer to the Privacy Notice – Customer at www.ubitricity.com.

For individuals who apply to work for ubitricity, or who attend a recruitment event or undertake an assessment please refer to the Privacy Notice - Recruitment at www.ubitricity.com.

For individuals who are successful in their application for employment, internship or engagement as a contractor, the Privacy Notice – ubitricity Employee, Contractor and Dependents' Personal Data of ubitricity G.f.v.E. mbH or ubitricity DES UK Ltd. for positions in the UK available at <https://www.ubitricity.com/privacy-policy/> will apply.

Bespoke notices and supplementary privacy statements may contain further information about how ubitricity is processing your personal data. In those instances, such privacy notices will be communicated to you separately. These privacy notices may vary among the countries in which we operate to reflect local practices and applicable law requirements.



If personal data of children is gathered this requires consent of the parent or guardian.

The categories of personal data we collect about you.

This Privacy Notice explains what personal data are processed about you, why we are processing your personal data and for which purposes, how long we hold your personal data for, how to access and update your personal data, as well as the options/individual rights you have regarding your personal data and where to go for further information.

Special Notice - if you are under 16 years old. Processing children's personal data

Except in those cases where ubitricity or its affiliates may organize educational events specifically designed for children, we do not intentionally collect personal data of individuals under 16 years old. If you are under 16 years old and you wish to contact ubitricity in a way which requires you to submit your personal data (such as for education or innovation events) please get your parent or guardian to do so on your behalf.

What personal data do we process about you? Collection of information

We process personal data from and in relation to individuals who are, or who work for or on behalf of or who are shareholders in our Business Customers, Suppliers, Business Partners in the following categories:

- Private contact information (such as name, postal or e-mail address and phone number) only if necessary;
- Business contact and other information (such as job title, department, name of organization and your dealings with ubitricity or its affiliates on behalf of the relevant Business Customer, Supplier, Business Partner.

Screening

In addition, in order to comply with legal and regulatory obligations, to protect ubitricity's and its affiliates' assets and employees/contractors and specifically to ensure that ubitricity and its affiliates can comply with trade control, anti-money laundering and/or bribery and corruption laws and other regulatory requirements, we carry out screening (pre-contract and on a periodic basis post-contract) on owners, shareholders and directors of our Business Customers, Suppliers and Business Partners. This screening takes place against publicly available or government issued sanctions lists and media sources.

The review does not involve profiling or automated decision-making in relation to existing or potential contractors.



Who is responsible for any personal data collected?

ubitricity Gesellschaft für verteilte Energiesysteme mbH, a German limited liability company, registered with the Commercial Court Charlottenburg under no. HRB 113 258 B, with offices located at EUREF-Campus 7-8, 10829 Berlin, Germany, will be responsible for processing your personal data, either solely or jointly with its affiliates within the Shell group of companies.

For what purposes do we process your personal data? How will we use your personal data?

We process personal data covered by this Privacy Policy for the following purposes:

- **Business execution** - including providing, researching, developing and improving products or services; concluding and executing agreements with Business Customers, Suppliers and Business Partners; recording and settling services, products and materials to and from ubitricity; managing relationships and marketing such as maintaining and promoting contact with existing and prospective customers, account management, customer service, and development, execution and analysis of market surveys and marketing strategies, dealing with any complaints or enquiries, purposes permitted under the Privacy Act and credit reporting legislation, debt-recovery
- **Organisation and management of the business** - including financial management, asset management, mergers, demergers, acquisitions and divestitures, implementation of controls, management reporting, analysis, internal audits and investigations;
- **Health, safety and security** - including protection of an individual's life or health, occupational health and safety, protection of ubitricity and staff, authentication of individual status and access rights; or
- **Legal and/or regulatory compliance** - including compliance with legal or regulatory requirements.

We may also process your personal data for a secondary purpose where it is closely related, such as:

- storing, deleting or anonymising personal data;
- fraud prevention, audits, investigations, dispute resolution or insurance purposes, litigation and defence of claims; or
- statistical, historical or scientific research.



We will only process your personal data where we have a lawful basis to do so.

ubitricity is committed to safeguarding your personal data.

Who do we share your personal data with?

Communication and marketing

You may receive marketing communications on behalf of the relevant Business Customer, Supplier or Business Partner. On all occasions you will be given the opportunity to use the unsubscribe functionality through the different digital channels we use to interact with you.

Why do we process your personal data?

The personal data covered by this Privacy Notice are only processed:

- in order to take steps at the request of an individual prior to entering into a contract;
- in order to provide services to the relevant Business Customer.
- where it is necessary to comply with a legal or regulatory obligation to which ubitricity or its affiliates are subject to;
- where it is necessary for the purposes of the legitimate interests pursued by the ubitricity or its affiliates, except where such interests are overridden by the interests or fundamental rights and freedoms of the individual/s; or
- (only if legally required) with the explicit consent of the individual.

In those cases where processing is based on consent, you have the right to withdraw your consent at any time. This will not affect the validity of the processing prior to the withdrawal of consent.

Security of your personal data: how will we hold your personal data?

We have implemented technology and policies with the objective of protecting your privacy from unauthorized access and improper use. In particular, we may use encryption for some of our services, we apply authentication and verification process for access to ubitricity services and we regularly test, assess and evaluate the effectiveness of our security measures.

Who will we share your personal data with?

The personal data covered by this Privacy Notice are exclusively processed for the purposes referred to above and will only be shared on a strict need to know basis with:



- Other companies within the Shell group of companies;
- Authorized third party agents, service providers, external auditors and/or subcontractors of ubitricity or its affiliates; or
- A competent public authority, government, regulatory or fiscal agency where it is necessary to comply with a legal or regulatory obligation to which ubitricity is subject to or as permitted by applicable local law.

Interacting with ubitricity through social media

If you choose to interact with ubitricity through social media on a ubitricity or Shell administered social media page such as Facebook, Instagram, Twitter or LinkedIn, your personal data (such as your name, your profile picture and the fact that you are interested in ubitricity) will be visible to all visitors of your personal webpage depending on your privacy settings on the relevant social media platform, and will also be visible to ubitricity. You can delete any information that you share on these sites at any time through your relevant social media platform's account. ubitricity does not track your activity across the different social media sites that you use. Please contact ubitricity if you wish to make a request that you are unable to action yourself and which relates to a ubitricity social media page - see the section '**Your rights in relation to your personal data**' below.

Additionally, and to the extent ubitricity is jointly responsible with a social media platform of a social media page, ubitricity and its affiliates will have access through the social media platform to aggregated data providing statistics and insights that help to understand the types of actions you take on those sites. For more information on how your personal data are processed on those social media platforms, including any targeted advertising that you may receive, please refer to your privacy settings accessible through your relevant social media platform's account.

Transfers of your personal data to other countries

Where your personal data have been transferred to companies within the Shell group and/or to authorized third parties located outside of your country (including outside of the European Economic Area) we take organizational, contractual and legal measures to ensure that your personal data are exclusively processed for the purposes mentioned above and that adequate levels of protection have been implemented in order to safeguard your personal data.

What are the consequences of not providing your personal data?

Your personal data may be transferred outside of your country, subject to appropriate safeguards.



ubitricity will only hold your personal data for a defined period of time.

Your rights and how to exercise them.

Personal data gathered by ubitricity and its affiliates for these processes either directly or indirectly are required in order to:

- Fulfil legal requirements and/or which is required for entering into a contract with a counter-party and continuing to contract with that counter-party; or
- Maintain contact with Business Customers, Suppliers and Business Partners.

Failure to provide us with the information required will negatively affect our ability to communicate with you, or our ability to enter into a contract with a counter-party or continue to contract with a counter-party.

How long do we hold your personal data for?

With some exceptions any personal data that are required for the purposes of conclusion and execution of agreements with Business Customers, Suppliers and Business Partners or for considering bids or tenders, will be held during the duration of the contractual relationship and up to 15 years after. For agreements which have a term of more than five years and for the purposes set out above, these agreements will be held for 35 years with effect from the commencement of the agreement.

In all other cases for the purposes set out above, including personal data gathered as part of any unsuccessful bids to ubitricity or which relates to the screening against publicly available or government issued sanctions lists and media sources, such personal data are held for no longer than 15 years after it was first gathered.

In all cases information may be held for (a) a longer period of time where there is a lawful reason to do so (in which case it will be deleted once no longer required for that purpose) or (b) a shorter period where the individual objects to the processing of their personal data and there is no longer a legitimate business purpose to retain it.

Your rights in relation to your personal data

We aim to keep our information as accurate as possible. You can request:

- access to your personal data;
- correction or deletion of the personal data (but only where they are no longer required for a legitimate business purpose);
- that you no longer receive marketing communications on behalf of the relevant Business Customer, Supplier or Business Partner;



- that the processing of your personal data is restricted; and/or
- that you receive personal data that you have provided to ubitricity, in a structured, digital form to be transmitted to another party, if this is technically feasible.

To make any of these requests, please contact dataprotection@ubitricity.com.

Who can you contact if you have a query, concern or complaint about your personal data?

If you have any issues, queries or complaints regarding the processing of your personal data please contact dataprotection@ubitricity.com -

You may also contact the Shell Group Chief Privacy Office at Shell International B.V. The Hague, The Netherlands - Trade Register No. 27155369 Correspondence: PO Box 162, 2501 AN, The Hague, at privacy-office-SI@shell.com.

If you are unsatisfied with the handling of your personal data by Shell, then you have the right to lodge a complaint with the German Federal Data Protection Commissioner or the German States Data Protection Commissioners responsible for you or the Dutch Data Protection Authority whose address is Prins Clauslaan 60, 2595 AJ The Hague, The Netherlands. Please visit <https://autoriteitpersoonsgegevens.nl/en> or https://www.bfdi.bund.de/DE/Infothek/Anschriften/Links/anschriften_links-node.html more information.

Cookies and similar technologies

ubitricity uses cookies and similar technologies. For more information, please refer to the ubitricity Cookie Policy at <https://www.ubitricity.com/privacy-policy/>.

Changes to this Privacy Notice

This Privacy Notice is updated periodically. This Privacy Notice was last updated on November 09th 2021.

We use cookies on our websites to provide you with the best user experience possible.