

PRIVACY STATEMENT FOR BUSINESS PARTNER DATA

1. INTRODUCTION

This Privacy Statement is applicable to the processing by EM3, based at Unit 18 Charleville Town Centre, Charleville, Co. Cork (hereafter referred to as “Our Company”, we or us) of all personal data belonging to consumers, customers, suppliers and business partner data (“Business Partner”). This Privacy Statement is not applicable to business related data and/or data on companies.

Our Company is the controller for the processing of Business Partner’s personal data. In this statement we describe who we are, how and for which purposes we process your personal data and all other information that may be relevant to you. In case you have any additional questions you can contact us via the contact details provided at the bottom of this statement.

This Privacy Statement applies since 29/11/21. The last modifications were made on 14/12/21. This statement may change over time and the most up-to-date version is published on our website. If significant changes are being made, we will actively inform you.

2. FOR WHICH PURPOSES DO WE PROCESS YOUR PERSONAL DATA?

Our Company will process your personal data when you do business with us, when you use our websites or apps or when you interact with us.

A. For answering your questions

If you get in touch with us, we will use your personal data in order to reply and answer your question(s). When you call us, we may record the conversation for training and evaluation purposes.

For this purpose

- we process your personal data for this purpose on the basis of your consent when you provide us with your personal data or on the basis of our legitimate interest to train and evaluate our staff so that they can better help our customers.
- we process your name, contact details, your correspondence with us your question, call recording and all other personal data which are necessary to answer your question

B. For the development and improvement of products and/or services

We process your personal data, such as customer data regarding the products and services purchased from us and information about your use of the Website via cookies, in order to assess, analyse and improve our products and (customer) services. We use and combine personal data to analyse customer behaviour and to adjust our products and services accordingly. When you use a Website or the App, enter or search data through this Website or the App; we also process your personal data to compile analytics reports. We use personal data to analyse customer behaviour, to assess our (online) campaigns and to adjust our products and services accordingly, to ensure that it is relevant to our customers. This means that we analyse how often you read our newsletters, how often you visit our Website or Apps, which pages you click on and what goods you purchase through our Website or Apps. We may purchase supplementary data from public sources to complement our database for the above purposes.

For this purpose

- we process your information based on our legitimate interest to develop and improve our products and services
- we process the information we receive from you via cookies only if you have given prior consent. You can withdraw your consent at any time, without this affecting the lawfulness of processing based on consent before withdrawal. See our [cookie statement here](#) for more information.
- we process your contact details such as your address and email address, personal details such as your name and date of birth, payment and credit information, and correspondence with us. In addition, we process the personal data you entered into a Website or that were generated by the functionalities you used in a Website and the technical data from your device such as its IP-address, the pages you visited on our Websites, your click- and surf behaviour and the length of your session
- If you choose to participate in our surveys, we may ask you to provide us with personal data, such as name and business email. We may also use the personal data that you have provided in the survey for this purpose

C. For the assessment and acceptance of a customer, supplier or business partner

When you get in contact with us, we will process your personal data for assessment and acceptance purposes, for example in order to confirm and verify your identity. Our Company will further process your personal data for other administrative purposes such as due diligence and screening against publicly available government and/or law enforcement agency sanctions lists.

For this purpose

- We process personal data because this is necessary for the conclusion of a contract between you and us. Our Company cannot enter into contracts without obtaining the required information
- we process your contact details such as your business address and email address, personal details such as your name and details of your correspondence with us

D. For the conclusion and execution of agreement

When you have purchased a product or service from us as a customer, or when you work together with us as a supplier or business partner, we process your personal data for administrative purposes such as sending invoices and making payments. We also use your personal data in order to deliver or receive and administer our or your products or services. Our Company will process your personal data in order to further execute our agreement, including for the delivery of customer services. When you require access to Our Company's premises, we process your personal data for screening purposes.

In case you have a gas tank from us we might deploy telemetry to measure the gas levels and usage of the tank. In that case we can ensure that you do not run out of gas, check the safety of your tank and ensure the tank is well maintained.

For this purpose

- we process personal data because this is necessary for the conclusion of a contract between you and us and to ensure compliance with environmental and health and safety laws. Our Company cannot enter into contracts without obtaining the required information.

- we process your contact details such as your business address and email address, personal details such as your name and details of your correspondence with us

E. For relationship management and marketing

We use the information stored in our customer database to send you suitable offers and newsletters, as well as to provide customer services, perform account management and communicate recalls. We also use your personal data for the development, execution and analysis of market surveys and marketing strategies.

For this purpose

- when sending you newsletters and/or other relationship management and marketing communications, we process personal data based on your consent. In addition, we process personal data based on our legitimate interest to improve our marketing strategies
- we process your contact details such as your business address and email address, personal details such as your name, contact preferences and correspondence with us

F. For business process execution and internal management

We process your personal data in the performance and organisation of our business. This includes general management, order management and management of our assets. Our Company also processes your personal data for its internal management. We provide central processing facilities in order to work more efficiently. We conduct audits and investigations, implement business controls, and manage and use customer, supplier and business partner directories. Also, we process your personal data for finance and accounting, archiving and insurance purposes, legal and business consulting and in the context of dispute resolution.

For this purpose

- we process personal data based on our legitimate interest to maintain and improve sound business operations
- we process your contact details such as your business address and email address, personal details such as your name and correspondence with Our Company and data generated during the performance of the agreement between you and Our Company

G. For organizational analysis and development, management reporting and acquisition and divestitures

At Our Company, we process your personal data in the preparation and performance of management reporting and analysis. We use aggregated/anonymised personal data to create management reports and to analyse our business. We conduct customer, supplier and business partner surveys to learn more about your views and opinions in preparation of our management reporting. We also process your personal data for management reporting purposes in the context of mergers, acquisitions and divestitures and in order to manage such transactions.

For this purpose

- We process personal data based on our legitimate interest to maintain and improve sound business operations

- we process your contact details such as business address and email address, personal details such as your name and correspondence with us and the information you provide when responding to our surveys

H. When you use our websites or apps

If you use our Website, we process technical data to offer you our Website's functionalities and to allow our Website's administrators to manage and improve our Website's performance as well as secure our Website and underlying IT-systems and network. If you enter data in our Websites, such as a product preference or your location to receive relevant information or functionalities, Our Company processes this data to provide you with the requested information or functionalities. Further, we process your personal data to allow you to save your data (such as preferences and products) to your saved items and to allow you to share these with others using the sharing options you have configured on your device. We also register if we have obtained any consents from you for our compliance with laws.

For this purpose

- we process personal data based on our legitimate interest to offer technically adequately working Websites and to improve our Websites' performance
- we process the personal data you have entered into our Websites or that is generated by the functionalities you have used in our Websites and the technical data from your device such as its IP address, the internet browser you use, the pages you have visited on our Websites, your click- and surf behaviour and the length of your session

I. Interaction via social media

On our social media pages

Our Company is active on social media platforms like Facebook, Twitter, LinkedIn and YouTube. When you contact Our Company via social media, we process your personal data in order to answer your questions and to respond to your messages.

In addition, when you visit a 'Connect with us' screen on one of our Websites or Apps, you can contact us through a variety of communication channels. We provide you with our email address, for you to send us your feedback and suggested improvements, as well as our [Website, trade website, Twitter, Facebook and YouTube] details. When you click one of the corresponding icons we will refer you to the website or app of the applicable third party, whether this is your email provider or a social media platform. When you click on a Facebook 'Like' button, your personal data will be processed by Our Company and Facebook jointly.

For this purpose

- we process personal data based on our legitimate interest to adequately respond to your questions and correctly refer you to our social media pages
- we process the communication channel you have chosen to use to connect with us and the personal data you supply to Our Company. This includes your (user) name, address, email address and the personal data you have included in your message. In addition, when you click one of the buttons displayed, the relevant third party might place cookies on your device

On your social media pages

We also use social media to display advertisements. This is either based on the information the social media platform has collected from you or the information our Company has collected from you, such as when you subscribe to our newsletters (see above).

- In case the social media platform has collected the information, Our Company does not get access to that information. As a result, we have no say in how the platform stores and uses the information. We recommend reading the conditions and privacy statements of your social media provider. They also often provide you with account settings or some other means to change your privacy settings.
- In case we share your personal information, like your email address or phone number, the social media platform uses your information to include or exclude you from seeing a particular advertisement. Your information will be encrypted (hashed) when transferred to the social media platform. If you do not have a profile on a particular platform, that platform will not be able to decrypt the information and find out who you are.

We may also communicate with you on social media or via communications apps such as WhatsApp if you are connected to us, if you use social media or a communication app or if you post a photo or video linked to Our Company or our products.

You can opt out at any time from sharing your information with social media platforms for advertising by sending an email to dpo@shvenergy.com.

J. To monitor and investigate compliance

We monitor our processes to check compliance with our policies and regulations. During monitoring activities, your personal data may be accessed and viewed.

For this purpose

- we may process your personal data based on our legitimate interest to monitor our internal processes and in order to comply with the law
- any personal data that is stored in our systems may be accessed and viewed for compliance purposes. The personal data that are accessed and viewed will not be stored for compliance purposes, unless we need them to further investigate potential non-compliant behaviour
- we do not retain your personal data for this purpose, unless they are linked to non-compliant behaviour. We will then retain the relevant personal data until the investigation or proceedings have been concluded.

K. To protect health, safety, security and to ensure integrity

At Our Company, we value your health, safety, security and integrity highly. We process your personal data in order to safeguard our employees, customers, suppliers and business partners. As such, we authenticate your access rights to our premises and may screen your personal data against publicly available government and/or law enforcement agency sanctions lists. We also process your personal data to protect Our Company and employee and customer assets. More specifically, we protect our premises by using CCTV cameras that register what happens in our property.

For this purpose

- we may process your personal data based on our legitimate interest to monitor our internal processes and the protection of society and our habitat as well as our property and in order to comply with the law (transport, environmental and health and safety laws and regulations)
- we process your contact details such as your business address and email address, personal details such as your name and your visiting history to our premises

L. To comply with the law

In some cases, we process your personal data to comply with laws and regulations. This could, for example, be the case where tax or business conduct related obligations apply. In order to comply with relevant laws and regulations, we may need to disclose your personal data to government institutions or supervisory authorities.

For this purpose

- we process your personal data in order to comply with the law
- we process your contact details such as your address and email address, personal details such as your name and payment and order history, and your chamber of commerce and VAT details and tax details

M. When you participate in events or promotions

We send you emails with promotions and invitations to participate in events. If you choose to participate in one of these activities, we need your personal data to be able to announce and organise these. In addition, if you participate in any of these activities, we need your personal data to measure the response to events and/or promotions.

For this purpose

- we process personal data based on your consent. You can withdraw your consent at any time, without this affecting the lawfulness of processing based on consent before withdrawal
- we process your name, business address, email address and your entries in the relevant event

3. HOW LONG DO WE RETAIN YOUR PERSONAL DATA?

Our Company generally shall retain Business Partner Data only for the period required to serve the applicable Business Purpose, to the extent reasonably necessary to comply with an applicable legal requirement or as advisable in light of an applicable statute of limitations.

Promptly after the applicable storage period has ended, the Data shall be:

- (i) securely deleted or destroyed;
- (ii) anonymized;

(iii) transferred to an Archive (unless this is prohibited by law or an applicable records retention schedule)

4. WHO HAS ACCESS TO YOUR PERSONAL DATA?

Access to your personal data within Our Company

As a global organisation, data we collect may be transferred internationally throughout Our Company's worldwide organisation. Your personal data may be exchanged with the group that Our Company belongs to, shareholders and associated companies. We exchange your data for administrative purposes and so that we can have a complete overview of your contacts and contracts with the group that Our Company belongs to. We may also exchange your data in order to offer you a complete package of services and products.

Our Company's employees are authorised to access personal data only to the extent necessary to serve the applicable purpose and to perform their jobs.

In some cases, your personal data may be transferred to a country that does not provide an adequate level of protection of personal data. However, Our Company has taken measures to ensure that your personal data is adequately protected as Binding Corporate Rules are applicable throughout the group that Our Company belongs to.

Access to your personal data by third parties

The following third parties may have access to your personal data where relevant for the provisioning of their products or services to Our Company: banks, insurance companies, IT suppliers, accountants, forensic specialists, consultants, digital marketing consultants.

When third parties are given access to your personal data, Our Company will take the required contractual, technical and organisational measures to ensure that your personal data are only processed to the extent that such processing is necessary. The third parties will only process your personal data in accordance with applicable law.

If personal data is transferred to a third party in a country that does not provide an adequate level of protection of personal data, we will take measures to ensure that your personal data is adequately protected, such as entering into EU Standard Contractual Clauses with these recipients.

In other cases, your personal data will not be supplied to third parties, except when required by law.

We periodically appoint digital marketing agents to conduct marketing activity on our behalf, such activity may result in the compliant processing of personal information. Our appointed data processors:

- Prospect Global Ltd (trading as Sopro) Reg. UK Co. 09648733. You can contact Sopro and view their privacy policy here: <http://sopro.io>. Sopro are registered with the ICO Reg: ZA346877 their Data Protection Officer can be emailed at: dpo@sopro.io

5. HOW ARE YOUR PERSONAL DATA SECURED

We have taken adequate safeguards to ensure the confidentiality and security of your personal data. We have implemented appropriate technical, physical and organisational measures to

protect personal data against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorised disclosure or access, and against all other forms of unlawful processing (including, but not limited to unnecessary collection) or further processing.

6. HOW CAN YOU EXERCISE YOUR PRIVACY RIGHTS?

You have the right to request access or an overview of your personal data, and under certain conditions, rectification and/or erasure of personal data. In addition, you may also have the right of restriction of processing concerning your personal data, the right to object to processing as well as the right to data portability.

To invoke your privacy rights, please contact us by using the contact details at the bottom of this Privacy Statement. Keep in mind that we may ask for additional information to verify your identity.

7. CAN YOU WITHDRAW YOUR CONSENT?

Once given, you may always withdraw your consent. Please keep in mind that withdrawal does not have retrospective effect and the withdrawal of your consent is only possible in case you first have given your consent. Please contact us to withdraw your consent by using the contact details at the bottom of this Privacy Statement.

8. HOW TO LODGE A COMPLAINT?

If you have a complaint about the use of your personal data by Our Company, you can lodge a complaint via the contact details at the bottom of this statement. Besides lodging a complaint with Our Company, you are also able to lodge a complaint with your local data protection supervisory authority.

9. HOW CAN YOU CONTACT US?

If you have any questions about the way we process your personal data, please read this statement first. For additional questions, remarks, compliments or complaints, please contact info@em3.ie. To contact our Data Protection Officer (DPO), send your message to dpo@shvenergy.com