

# Privacy Policy in accordance with Art. 13 and 14 of the General Data Protection Regulation („GDPR“) for the usage of the OMV eMotion app for users located in Austria

OMV International Services GmbH, Trabrennststraße 6-8, 1020 Wien ("OIS") as controller in the meaning of GDPR.

(hereinafter jointly referred to as "OMV")

This privacy policy provides information on the purpose and the manner of processing personal data in connection with the administration, monitoring, billing of charging processes and related services for battery electric powered vehicles of OMV Customers.

We collect the data directly from you through the services offered to you within the application. You have no legal or contractual obligation to provide us with any personal data. However, depending upon the activity, some of the information we may ask you to provide is identified as mandatory (because we need it in order to provide the requested service). If you do not provide the mandatory data with respect to a particular service, you will not be able to use that service.

We do not use automated decision-making, including profiling, which produces legal effects concerning you or similarly affects you significantly.

## 1. Purpose and legal basis of the data processing

The personal data that you share with us is processed by OMV for the purpose of managing convenient user experience when using the eMotion Mobile app and charging services at accessible charging points. The eMotion Mobile app enables users to use various functions (e.g. user registration, for the search and display of Charging Stations, navigation as well as for the performance, administration, and payment of charging processes).

OMV processes your personal data in accordance with the data protection regulations within the meaning of Article 6 (1) GDPR based on various legal basis:

- a. Our legitimate interest to manage and control the charging processes as well as in fraud monitoring and prevention (Art. 6 (1) lit f GDPR).
- b. Based on the execution of the contract represented by the terms and conditions you adhere to when using the application (Art. 6 (1) lit b GDPR).
- c. Fulfillment of a legal obligation when it comes to the payment process and fiscal and tax purposes for handling such payment.

## 2. Which personal data is collected?

By using the eMotion Mobile app in accordance with Terms & Conditions the following personal data is processed:

- name
- gender
- billing address
- email address
- contract language
- The log information associated with a Charging Process
- unique identifier of the identification medium
- location of the Charging Station including information of the use
- Invoice and revenue data



The providing of personal data is not mandatory. However, failure to provide your personal data may result in the fact you might not be able to use the app and/or its functionalities.

### 3. How long is your data processed?

OMV stores your data as long as it is needed for the original purpose it was collected and at least for the duration the users use the eMotion Mobile app, in any case no longer than 12 months after the account is closed.

After this period, your personal data are only processed to the extent as it is required or permitted by legal regulations (such as tax, accounting or other legal requirements or to pursue our legal claims related to a charging process).

### 4. Personal data recipients

The personal data collected may be disclosed to the Processor ChargePoint Austria GmbH, FN 399512v and its Sub-Processors who assist the controllers in running the application, to the Processors and Sub-Processors who provide IT maintenance and support services, including payment services as well as to public authorities. Thus, personal data may be disclosed, only to the extent necessary, to the following categories of third parties:

Third parties to whom the personal information is transmitted or made available pursuant to the above paragraph are limited (by law and by contract) as to how they may use that data. The controller ensures that any third parties to whom personal data is voluntarily disclosed are subject to confidentiality and security obligations in accordance with this notice and applicable law (for the avoidance of doubt, this may not apply where the disclosure is not a voluntary decision of the controller).

The processing of the data shall take place exclusively in member states of the European Union or in states party to the Agreement on the European Economic Area or in such third countries for which an adequacy decision of the European Commission pursuant to Art 45 GDPR or appropriate guarantees pursuant to Art 44 and followings GDPR have been obtained.

In some cases, data may also be disclosed to Sub-processors in countries outside EU/EEA which do not benefit from an adequacy decision:

ChargePoint Technologies India Pty Ltd and ChargePoint, Inc. USA for the provision, maintenance, development and support of be.ENERGISED and the Rocket Science Group LLC, USA for operation of mail services. With such companies appropriate safeguards according GDPR have been concluded, such as EU Standard Contractual Clauses.

### 5. Other rights to process your personal data in accordance with GDPR

In order to ensure a fair and transparent processing, the controller informs you about the rights you benefit from, as data subjects, according to the applicable legal provisions:

- The right of access to processed personal data;
- The right to request the rectification or deletion of personal data;
- The right to request the restriction of processing;
- The right to withdraw your consent for processing;
- The right to object to the processing of personal data;
- The right not to be subject to a decision based exclusively on automated processing;
- The right to data portability;
- The right to file a complaint with the competent data protection authority.

If you have any questions, the Group data protection officer of OMV can be contacted at [privacy@omv.com](mailto:privacy@omv.com).