# 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 Bulgaria

OMV International Services Gmbh, Trabrennstraße 6-8, 1020 Wien ("OIS”) as controller in the meaning of GPDR.

(hereinafter 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

Purpose of 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. The personal data may be processed for the conclusion and execution of the contract represented by the terms and conditions you adhere to when using the application, including for the following purposes: (i) usage of the eMotion Mobile app, (ii) user registration, (iii) the search and display of Charging Stations, (iv) navigation, (v) performance of charging processes, (vi) administration of charging processes, (vii) payment of charging processes, (viii) tax and accounting purposes, (ix) statistical purposes, (x) correspondence with the user, (xi) audit purposes, (xii) protection of information security, and (xiii) the establishment, exercise or defence of legal claims.

Legal basis for processing

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. Processing is necessary for the performance of the contract represented by the terms and conditions you adhere to when using the application or in order to take steps at the request of the data subject prior to entering into the contract (Art. 6 (1) lit b GDPR).

b. Fulfillment of a legal obligation when it comes to the payment process and fiscal and tax purposes for handling such payment or other legal obligation (Art. 6 (1) lit c GDPR).

c. Our legitimate interest (i) to manage and control the charging processes, (ii) as well as in fraud monitoring and prevention, (iii) to establish, exercise or defend legal claims, (iv) to carry out audits, and (v) to ensure the protection of information security (Art. 6 (1) lit f GDPR).

## 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 (e.g. performance of charging processes).

## 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).

Data processed on the basis of a legal obligation is retained in accordance with the respective retention periods provided for by law. The specific retention period for the relevant data may be derived from various legal provisions, e.g. Art. 12 of the Accountancy Act and/or Art. 38 of the Tax and Social Insurance Procedure Code. Accounting and tax documents are retained for the statutory period of up to 11 years.

Where necessary for the establishment, exercise or defence of legal claims, the relevant data may be retained for a period longer than the standard retention period.

## 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 controller in running the application, to Processors and Sub-Processors who provide IT maintenance and support services, including payment services, as well as to companies within the OMV Group (e.g. OMV International Services GmbH, Trabrennstraße 6-8, 1020 Vienna, etc.) for the purposes mentioned above and, where applicable, for the conclusion and execution of the contract represented by the terms and conditions you adhere to when using the application. Personal data may also be disclosed to auditors and inspectors, lawyers, Mobility Service Providers, purchaser of part of OMV's business, if your data is part of the acquired assets, and public authorities, to the extent necessary. Thus, personal data may be disclosed, only to the extent necessary.

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. In Bulgaria, this is the Commission for Personal Data Protection (https://cpdp.bg/).

If you have any questions, the Group data protection officer of OMV can be contacted at privacy@omv.com.