

EDFI Management Company - Privacy Policy

1. General

- 1.1 This is the privacy policy of **EDFI Management Company SA**, a limited liability company with registered offices in Belgium at 1000 Brussels, Rue du Trône 4, registered with the Crossroads Bank for Enterprises under number 0652.957.874 ("**EDFI MC**"). EDFI MC 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, online and offline research, subcontractors, its partners or its contracting parties.
- 1.2 EDFI MC is a company established in 2016 on behalf of the members of European Development Finance Institutions asbl. EDFI MC delivers development finance solutions that enable European development finance institutions, development banks and private sector investors to increase the scale and impact of their work.
- 1.3 EDFI MC can at any time modify this privacy policy, please therefore consult it regularly.

2. Legal framework

This privacy policy is subject, amongst others, to the following privacy legislation:

- I. the Belgian Data Protection Act of 30 July 2018 on the protection of privacy in relation to the processing of personal data (as amended, modified and/or completed from time to time) (the "**Privacy Act**");
- 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
- III. all other applicable legislation regarding the protection of privacy and the processing of personal data; (together or separately, the "**Privacy Legislation**").

3. Purpose

EDFI MC 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;
- 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;
- III. execute the contract(s) that will be or have been concluded with you or your employer, legal entity or organisation;
- IV. prospect new parties (e.g. clients, investees, members, subcontractors, or contracting parties);
- V. better understand your needs and preferences in order to adjust its services hereto;
- VI. inform third parties (e.g. subcontractors, partners or contracting parties); and/ or
- VII. comply with applicable legislation; (together or separately the "**Purpose**").

4. Legal basis and applicability

- 4.1 EDFI MC has the following legal grounds for the processing of your personal data:
 - I. the contract you have entered into with EDFI MC in connection with its activities as set out in article 1.2;
 - II. your free, specific, informed and unambiguous consent to EDFI MC or 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, e-mail, an online or offline consent form, a membership form or orally;
 - III. a legal obligation; and/ or
 - IV. a legitimate interest of EDFI MC.
- 4.2 Providing your personal data to EDFI MC and/or entering into a contract with EDFI MC, 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 EDFI MC to process or have processed your personal data in accordance with this privacy policy and the Privacy Legislation.
- 4.3 As a consequence, you hereby expressly grant EDFI MC permission to use your personal data to accomplish the Purpose.
- 4.4 This privacy policy is not necessarily applicable to services, activities or products of third parties which EDFI MC may use in carrying out its activities and which may apply a different privacy policy.

5. Personal data

- 5.1 The personal data EDFI MC may process are, amongst others: first name, name, address, email address, phone number, birth date and/or copy of passport or ID.
- 5.2 By agreeing to this privacy policy, you guarantee that the personal data you have provided, are complete and correct.
- 5.3 By agreeing to this privacy policy, partners which provide personal data of third parties (e.g. their employees, members, board members, staff, subcontractors, contracting parties) to EDFI MC warrant and represent that (i) these personal data have been

lawfully obtained; (ii) that the partner is authorized to transfer these personal data to EDFI MC; and that (iii) they comply with the Privacy Legislation to the extent and as applicable to them. The partners will indemnify EDFI MC against, hold EDFI MC harmless against and shall compensate EDFI MC for all claims that would result from non-compliance with the abovementioned warranties and representation.

6. Transfer of personal data to third parties

6.1 EDFI MC guarantees that it does not transfer your personal data to third parties, unless:

- I. there is a legal obligation to transfer personal data;
- II. to its partners (e.g. subcontractors, partners, legal advisors, notaries or contracting parties) for the achievement of the Purpose;
- III. to its affiliated entities, the investment committees of EDFI MC, the European Development Finance Institutions (EDFIs) and the shareholders of EDFI MC for the achievement of the Purpose;
- IV. to the European Commission; and/or
- V. EDFI MC has a legitimate interest to do so.

6.2 EDFI MC will not sell your personal data.

6.3 Third parties to whom EDFI MC 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. EDFI MC cannot be held responsible regarding the transfer of personal data and cannot be liable for the further processing of the personal data by such third parties.

7. Storage period

EDFI MC 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 of errors;
- 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 request that your personal data are 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 EDFI MC is allowed to process your personal data;
- VIII. to lodge a complaint with the Commission for the Protection of Privacy (the "**Privacy Commission**") if you are of the opinion that the processing of your personal data violates 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 ordinary mail to EDFI Management Company NV, Troonstraat/Rue du Trône 4, 1000 Brussels, Belgium or by email to info@edfimc.eu.

8.3 By 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

EDFI MC 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. The personal data are stored by EDFI MC, or, if applicable, by the processor of the personal data. You acknowledge and accept that the transfer and storage of personal data is never without risk and consequently, EDFI MC cannot be held liable for the damages that you may suffer as a result of the unlawful use of your personal data by third parties.

10. Liability

EDFI MC can solely be held liable for damages which directly result from the processing of your personal data due to a fault or negligence of EDFI MC. In any event, EDFI MC cannot be held liable: (i) in circumstances of force majeure, (ii) for any indirect or consequential damage, and/or (iii) for damages that result from errors, faults or negligence by you or third parties. The total amount of EDFI MC's liability for breaches of this privacy policy and/or Privacy Legislation cannot exceed euro 5,000 (five thousand euro).

11. Severability

- 11.1 If any provision in this privacy policy is deemed to be unlawful or unenforceable, such provision shall be amended insofar as necessary in order to make it lawful or enforceable, while retaining the original meaning of 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 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 EDFI MC 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 should be submitted to the exclusive jurisdiction of the courts of Brussels, Belgium, excluding any other court.