

## Fortum Charge & Drive India Privacy Policy

When Customer uses Fortum Charge and Drive Native App (“**App**”) or the website chargedrive.in, it may have to provide certain Personally Identifiable Information (which may comprise of Personal Sensitive Information *(as defined under the applicable laws of India)*) or Non-Personally Identifiable Information. To register itself as a user (“**Customer**” or “**you**” or “**your**”), it may have to provide Personally Identifiable Information such as email address etc. Additional Personally Identifiable Information might be required based on the services requested by the Customer. Fortum Charge & Drive India Private Limited (“**Fortum Charge & Drive**” or “**we**” or “**us**”) is committed to protecting the security of this information and safeguarding Customer’s privacy. This Privacy Policy sets out the details of the Personally Identifiable Information collected, the manner in which it is collected and the purposes for which it is used. This Privacy Policy applies only to information collected on this App and does not apply to information collected through any other means. At the time of registration, Customer accepts the terms of this Privacy Policy and Customer’s use of the App signifies its continued acceptance of the terms thereof. This Privacy Policy may be revised from time to time and Customer will be notified of all such changes. In order to use the App, Customer will be required to consent to the terms of the Privacy Policy as revised from time to time.

### 1. INFORMATION COLLECTED AND MANNER OF COLLECTION

Fortum Charge & Drive collects two types of information from users/Customers of this App: (1) Personally Identifiable Information; and (2) Non- Personally Identifiable Information, such as your IP address or cookies.

#### (1) Personally Identifiable Information

"Personally Identifiable Information" is information that identifies Customer personally, such as Customer’s name, gender, address, telephone number, email address, products/services purchased or company name and includes Personal Sensitive Information etc. Fortum Charge & Drive collects and stores the Personally Identifiable Information that Customer have provided. Here are some examples of manners in which Fortum Charge & Drive may collect Customer’s Personally Identifiable Information on the App:

- (i) For the purpose of registration on the App and providing services, Customer’s email address is collected and the Customer is required to create a password for the account. Additional Personally Identifiable Information might be collected after registration depending on the services requested by the Customer, such as name, phone number and correspondence address for being able to receive a Radio Frequency Identification Device

("RFID") tag or invoice, and also credit / debit card details for being able to purchase charging services at charging stations. The credit / debit card details shall be stored on Stripe servers and/or RazorPay servers (referred to as "Payment Gateway Service Provider") or any other payment gateway service provider server at the sole discretion of Fortum Charge & Drive located in India, for processing of payments, and all other information shall be stored on our authorized server, Amazon Web Service, located in Europe ("Server") and the Customer hereby specifically authorizes us for this purpose.

- (ii) Fortum Charge & Drive may collect Customer's first and last name and product or service details, if Customer contacts Fortum Charge & Drive with a question related to products or services.
- (iii) Fortum Charge & Drive may collect Customer's first and last name and mailing address, if Customer requests a product on this App.
- (iv) Fortum Charge & Drive may collect Customer's name, email address or phone number, if Customer contacts Fortum Charge & Drive with a question.

The above list provides an example of the Personally Identifiable Information that may be collected on this App. If Customer does not want Fortum Charge & Drive to collect their Personally Identifiable Information, please do not provide it to Fortum Charge & Drive.

It is the Customer's responsibility to ensure that the user information is always correctly registered in the App. Fortum Charge & Drive is not responsible for incorrect input data during registration, regardless of the registration method.

## (2) Non-Personally Identifiable Information

"Non-Personally Identifiable Information" can be technical information or it can be demographic information, such as your age, location or interests. Non-Personally Identifiable Information does NOT identify you personally. Here are some examples of the Non-Personally Identifiable Information that is collected via this App:

- (i) Internet Protocol (IP) address - Your IP address is a number that lets devices attached to the Internet know where to send your data, such as the web pages you view; or
- (ii) Location – to provide customized services to customers based on their location; or
- (iii) Cookie - We may use a variety of methods, including "cookies" to collect information.

### **What is a cookie?**

Cookies are text files containing small amounts of information which are downloaded to your device when you visit a website. Cookies are then sent back to the originating website on each subsequent

visit, or to another website that recognizes that cookie. Cookies are useful because they allow a website to recognize a user's device.

Cookies do lots of different jobs, like letting you navigate between pages efficiently, remembering your preferences, and generally improve the user experience. They can also help to ensure that advertisements you see online are more relevant to you and your interests.

A list of all the cookies used on our websites and/or services by category is set out below:

1. Web Beacons

Web Beacons (also known as "clear gifs," "web bugs" or "pixel tags") are tiny graphics with a unique identifier, similar in function to cookies, and are used to allow us to count users who have visited certain pages of the websites and to help determine the effectiveness of promotional or advertising campaigns. When used in HTML-formatted email messages, web beacons can tell the sender whether and when the email has been opened. In contrast to cookies, which are stored on a user's computer hard drive, web beacons are embedded invisibly on web pages.

2. Performance Cookies

Fortum Charge & Drive may collect cookies, such as, performance cookies, on our websites and/or services to capture information about page visits. This information is anonymous and Fortum Charge & Drive may use this information only internally - to deliver the most effective content to our visitors. Information from the cookie is used to gauge page popularity, analyze traffic patterns on our websites and/or services and guide development of other improvements to our websites and/or services.

3. Targeting, Performance, and Functionality Cookies

In our email programs, Fortum Charge & Drive may employ some tracking methods, such as, targeting, performance and functionality cookies. We may track "opens" via a tracking pixel in the email, meaning thereby, we may track who opens our e-mail messages and when Customers open our e-mail messages; and we track "clicks" via encoded URLs, meaning we may track whether Customers click on the links contained in our e-mail messages. This information is used internally only to help us deliver relevant messaging, and is not shared with any third parties.

4. Functionality and Necessary Cookies

Fortum Charge & Drive does not require that Customer accepts cookies and/or Customer may withdraw their consent to our use of cookies at any time by adjusting their browser's privacy settings, however, some functionality on our websites, such as, functionality cookies, our product or service check-out process, and services may be disabled if Customer declines to accept necessary cookies.

### **Cookies' expiration time**

We use session cookies, which expire once the Customer closes the App. In addition, we also use persistent cookies, which remain on the Customer's device for a specified period of time or until the Customer removes them. The expiration time of persistent cookies ranges from a few months to a few years.

### **Customer's Rights Regarding Personally Identifiable Information**

In addition to Customer's right given under Clause 9, pursuant to the personal data legislation, Customer as a data subject, is entitled to:

- check the data collected on them and request the rectification or supplementation of incorrect or incomplete information by sending a written and signed request on the matter to Fortum Charge & Drive, by visiting the Fortum Charge & Drive's office, or by changing, supplementing or removing your data through the application;
- forbid the use of your Personally Identifiable Information for direct marketing or distance selling by contacting Fortum Charge & Drive in writing or by phone, or by clicking the opt-out link provided at the end of each marketing e-mail from Fortum Charge & Drive;
- block the use of cookies or clear cookies from browser settings, or to clear your application ID from mobile device settings;
- lodge a complaint with the competent authority, if you consider that your personal data have been processed in violation of the valid personal data legislation and send your complaints to [chargedrive.in@fortum.com](mailto:chargedrive.in@fortum.com).

## **2. USE OF INFORMATION**

Fortum Charge & Drive uses Customer's information that is collected through the App primarily for the following purposes:

### **(1) Personally Identifiable Information**

We use your Personally Identifiable Information that is collected on the App primarily for the following purposes:

- (i) To process Customer's request for registration on the App;
- (ii) To complete a transaction or service requested by Customer from Fortum Charge & Drive and for receiving due amount against the service. Customer shall be providing appropriate payment information to enable Fortum Charge & Drive to receive due amount against transaction and create a valid invoice for the transaction;
- (iii) To alert you to special offers, updated information and other new products or services from Fortum Charge & Drive or other third parties, or to forward promotional materials to you;
- (iv) To fulfill the terms of a promotion;
- (v) To ensure this App/website are relevant to your needs;
- (vi) To help us create and publish content most relevant to Customer;
- (vii) To notify Customer about a material change to this Privacy Policy or the Terms of Use Agreement, if necessary;
- (viii) To allow Customer access to limited-entry areas of the App;
- (ix) To contact Customer in response to sign up forms such as contact-us or other inquiry;
- (x) To optimize our services we may wish to use Customer's Personally Identifiable Information for direct marketing. As we respect Customer's privacy we will only use Customer's Personally Identifiable Information for this purpose when Customer is aware thereof and if required we will request Customer's consent prior to using Customer's personal data for direct marketing; or
- (xi) for internal record keeping.

## (2) Non-Personally Identifiable Information

Non-Personally Identifiable Information is used as described above and in other ways as permitted by applicable laws, including combining Non-Personally Identifiable Information with Personally Identifiable Information. We may use cookies to learn more about the way Customer interacts with our content and help us to improve your experience when visiting our App/website.

Cookies remember the type of browser Customer uses and which additional browser software Customer has installed. They also remember Customer's preferences, such as language and region, which remain as default settings when Customer revisits the App/website. Cookies also allow you to rate pages and fill in comment forms. Some of the cookies Fortum Charge & Drive may use session

cookies and only last until you close your browser, others are persistent cookies which are stored on Customer's device for longer.

The information collected under Clause 1 will not be used for any purpose other than those mentioned in this Clause 2.

***Fortum Charge & Drive never gives away information about our Customers or sells it to third parties. If Customers choose to provide Personally Identifiable Information about themselves, Fortum Charge & Drive will use this information only to communicate directly with Customers. Fortum Charge & Drive will not sell, rent or otherwise disclose that information to third parties unless such disclosure is necessary for the purposes set forth in this Privacy Policy, by law or a policy or notice contained or associated with a specific site(s) and/or service(s).***

#### **Information Sharing with parent company/subsidiaries/affiliates**

Fortum Charge & Drive may have to share Customer's data with these parties in order to provide Customer with products/services that have been requested by Customer, or so that we can ensure our products/services are meeting Customer's needs. For example, in some instances, Fortum Charge & Drive may be required to transfer Customer's data to our parent company out of India in order to provide Customer with a product or service requested by Customer. In addition, Fortum Charge & Drive may share Customer's data with its affiliates and subsidiaries around the world for the purposes described in this Privacy Policy. The term 'affiliates' or 'subsidiaries' refers to group companies who may be using Fortum Charge & Drive name or who has common ownership or control.

We generally do not share with third parties the information we receive as a result of Customer using the App/website. Nevertheless, please be aware of the following circumstances where Fortum Charge & Drive may share such information with the following entities:

1. Third Party Service Provider providing items/services

If Customer purchases an item/service from our site/App, Fortum Charge & Drive may share Customer's data in order to provide the item/service to Customer. In addition, if Customer emails us a question, we may use Customer's email address to process Customer's request and respond to Customer's question. In addition, if Customer purchases a product/service via the App, we may need to share Customer's data with third parties in order to have that product/service delivered to Customer as requested.

Further, we may share Customer's Personally Identifiable Information to strategic partners, agents, third party marketers or other unaffiliated parties who are offering products or services that we believe may be of interest to the Customer. These parties may use Customer's Personally Identifiable Information to contact Customer with an offer or advertisement related to a product or service. If Customer does not want us to share their Personally Identifiable Information in this manner, please do not provide Fortum Charge & Drive with this information.

## 2. Third-party service providers maintaining Fortum websites

We may share Customer's Personally Identifiable Information to unaffiliated third-party service providers, agents or independent contractors who help Fortum Charge & Drive develop and maintain our App/website and provide other administrative services to us (including, but not limited to, order processing and fulfillment, providing customer service, maintaining and analyzing data, sending customer communications on Fortum Charge & Drive's behalf etc.). We seek to ensure that these unaffiliated third parties will not use the data for any other purpose than to provide the administrative services for which they are responsible. As such unaffiliated third-party service providers that help us administer our App/website, will have access to Customer's data. If Customer does not wish for our unaffiliated third-party service providers to have access to Customer's information, please do not register or submit any Personally Identifiable Information to us.

Further, such unaffiliated third parties help us track and analyze non-identifying and aggregate usage and volume statistical information from our visitors and Customers and provide such information to third parties.

Also, to protect against potential fraud, we may verify with third parties, the information collected from the App/website. In the course of such verification, we may receive Personally Identifiable Information about Customer from such services. Except as described in this Privacy Policy or at the time we request the information, we do not otherwise use, share or otherwise disclose your Personally Identifiable Information to any third parties.

If Customer chooses to make a purchase on the App, we may collect from the Customer their debit/credit card number, billing address and other information related to such purchase, and we may use such collected information in order to fulfill Customer's purchase. It is however, clarified that any debit/credit card number details shall be stored on Payment Gateway Service Provider's server. We may also provide such information, or other Personally Identifiable Information provided by Customer, to unaffiliated third parties, such as Payment Gateway Service Provider, as necessary to complete Customer's purchase (for example, to process your debit/credit card).

3. Other Parties When Required by Law

As required by court order or other government or law enforcement authorities in order to comply with legal process or law, protect and defend our rights or property, including the rights and property of Fortum Charge & Drive or act in urgent circumstances to protect the personal safety of our end users.

4. Other Parties in Connection with Corporate Transactions

In connection with a corporate event, such as a merger or sale of all or part of Fortum Charge & Drive business, where Fortum Charge & Drive may need to disclose information to a potential buyer and its professional advisers.

5. Other Parties when it is Necessary to Protect Our Service

In order to protect and defend our rights and property, including by way of legal proceedings.

6. Other Parties when it is to Protect Any of Our Users' Personal Safety or Property

In order to protect the personal safety or property of our users or the public.

**Overseas Transfers**

We, our affiliates and suppliers may use information (including Customer's Personally Identifiable Information) in countries other than where Customer is located in connection with providing Customer with our service and any other purposes outlined in this Privacy Policy. The data protection laws in many of these countries may not offer the same level of protection as those in the country where Customer is located. However, before transferring Customer's Personally Identifiable Information, we will take steps to ensure that such information will be afforded the same level of protection. By agreeing to this Privacy Policy Customer expressly consents to us and our business associates and suppliers processing Customer's data in any jurisdiction, including, without limitation, India and European Union in accordance with this Privacy Policy.

**3. RETENTION OF DATA**

All Personally Identifiable Information collected from the Customer, will be retained for as long as the Customer does not request cancellation of its registration from availing the service or the registration is terminated. If Customer cancels its registration or if the registration is terminated due to any reason under the Terms and Conditions, all the information Customer had provided to Fortum Charge & Drive will be deleted, provided it is not required to be retained to comply with any statutory obligations.

**4. LOCATION-BASED SERVICES**

We may collect, use, and share (with Fortum Charge & Drive's partners, service providers and licensees) precise location data, including the real-time location of your mobile or fixed location device for providing you the services, especially charging services for EVs.

## **5. ANALYTICS TOOLS**

We may use analytics tools and other third party technologies to collect Non-Personally Identifiable Information in the form of various usage and user metrics, when Customer uses our online websites/App and/or services. These tools and technologies collect and analyze certain types of information, including cookies, IP addresses, device and software identifiers, referring and exit URLs, onsite behavior and usage information, feature use metrics and statistics, usage and purchase history, MAC Address, mobile unique device ID, and other similar information. The third party analytics companies who may collect information on our websites/App and/or services and other online products and/or services may combine the information collected, with other information they have independently collected from other websites/App and/or other online or mobile products and services, relating to Customer's activities across their network of websites as well as online and/or mobile products and services. Many of these companies collect and use information under their own privacy policies.

In addition to our use of technologies as described herein, we may permit certain third party companies to help us tailor advertising that we think may be of interest to Customer based on Customer's use of Fortum Charge & Drive App and/or services and to otherwise collect and use data about Customer's use of Fortum Charge & Drive App and/or services. For more information about this practice, please see the "Third Party Advertising Technologies" section below.

## **6. THIRD PARTY ADVERTISING TECHNOLOGIES**

In addition to using cookies and related technologies as described above, we also may permit certain third party companies to help us tailor advertising that we think may be of interest to users and to collect and use other data about Customer activities on our App and/or services (e.g., to allow them to tailor ads on third party services). These companies may deliver ads that might also place cookies and otherwise track user behavior. These companies may use information about Customer behavior in order to provide customized advertisements across various services and products. In the course of providing these services, products or placing advertisements, these third party companies may place

or recognize a unique cookie, and may record information to these cookies based upon Customer's activities on our App and/or services and on third party websites. Each of these companies uses this cookie information according to their own privacy and security policies. If Customer wishes to not have this information used for the purpose of serving Customer targeted ads, Customer may opt-out as indicated in this Privacy Policy. Please note this does not opt Customer out of being delivered advertising. Customer will continue to receive generic ads. If Customer does not want Fortum Charge & Drive to have access to this information, please do not visit our websites.

## **7. SHARING AND DICLOSURE OF INFORMATION**

### **(1) Personally Identifiable Information**

Fortum Charge & Drive may offer Customer the possibility to connect Customer's accounts from third party social networking websites, such as Facebook and Twitter (each, a "Social Networking Site"), with the services by an application programming interface or other software. If Customer allows Fortum Charge & Drive to connect the services with Customer's accounts on such Social Networking Websites, we may access Customer's account information and other information, which may include Personally Identifiable Information, from such Social Networking Websites. In addition, we may collect, use and store such information as set forth in this Privacy Policy and we may combine this information with other information in our records. While Customer's account from such Social Networking Site is connected to the services, we can display on the services information about Customer's social networking activity and account. It is Customer's choice whether to use any such Social Networking Site, and Customer understands that in some instances such Social Networking Websites may request permission to access and publish information about Customer or Customer's friends that is included in your Fortum Charge & Drive account.

### **(2) Non-Personally Identifiable Information**

We use Non-Personally Identifiable Information collected on the App/website in the manner disclosed above, in the Clause 2 (2). We may share this Non-Personally Identifiable Information with third parties.

## **8. COLLECTION AND USE OF INFORMATION FROM CHILDREN UNDER THE AGE OF 18**

Fortum Charge & Drive does not knowingly collect or solicit Personally Identifiable Information from anyone under the age of 18 years or knowingly allow such persons to use the App/website. If you are under 18 years of age, please do not attempt to register on the App/website or send us any Personally

Identifiable Information. By enrolling in the service, Customer certifies that he/she is over 18 (eighteen) years of age and (a) Customer is the account holder; or (b) Customer has the account holder's permission to do so.

## **9. RIGHTS OF CUSTOMER**

As a registered user, Customer has the right to access its profile at any time to add, remove or modify any information that it has supplied.

If the Customer wishes to withdraw its consent from the terms of this Privacy Policy, it may cancel its registration. Upon such cancellation of registration, subject to no outstanding payments are due from the Customer, all the information the Customer had provided to Fortum Charge & Drive will be deleted, provided it is not required to be retained to comply with any statutory obligations.

### **Email Opt-Out**

From time to time, we communicate with Customers who subscribe to our services via email or text message. For example, we may use Customer's email address to confirm Customer's request, to send Customer information about changes to our products and services, and to send notices and other disclosures as required by applicable laws in force. Generally, Customers cannot opt-out of these communications, but they will be primarily informational in nature rather than promotional. However, we provide Customer the opportunity to exercise an opt-out choice if they do not want to receive other types of communication from us, such as emails or updates from us regarding new services and products offered or if Customer does not want us to share their Personally Identifiable Information with third parties. The opt-out choice may be exercised by ticking or un-ticking the appropriate box if such checkbox is available at the points where Personally Identifiable Information is collected or by contacting us. We will process Customer's unsubscribe as soon as possible, but please be aware that in some circumstances Customer may receive a few more messages until the unsubscribe is processed. Customer also may opt-out of receiving such emails by clicking on the "unsubscribe" link within the text of the email.

## **10. FORUMS, CHAT ROOMS AND OTHER PUBLIC POSTING AREAS**

Please note that any information Customer includes in a message that is posted to any board, chat room, forum or other public posting area is available to anyone with internet access. If Customer doesn't want people to know, its e-mail address, for example, don't include it in any message that Customer may post publicly.

## **11. DATA COLLECTED ON OUR APP/ WEBSITE**

This Privacy Policy applies solely to information collected on this App.

## **12. ASSIGNMENT**

In the event that all or part of our assets are sold or acquired by another party, or in the event of a merger, Customer grants us the right to assign the Personally Identifiable Information and Non-Personally Identifiable Information collected via the App/website.

## **13. CHANGES TO THIS PRIVACY POLICY**

We reserve the right to change this Privacy Policy from time to time in our sole discretion, as Fortum Charge & Drive regularly needs to develop its business processes and related policies, and also to follow up and comply with the changing personal data protection legislation. When we do, we will also revise the "last update" date at the bottom of this Privacy Policy.

## **14. DATA SECURITY AND CUSTOMER CONSENT**

No data transmissions over the internet can be guaranteed to be 100% secure. Consequently, we cannot ensure or warrant the security of any information Customer transmits to us and Customer understands that any information that it transfers to Fortum Charge & Drive is done at its own risk.

Once we receive Customer transmission, we make reasonable efforts to ensure security on our systems. We use firewalls to protect Customer's information from unauthorized access, disclosure, alteration or destruction. However, please note that this is not a guarantee that such information may not be accessed, disclosed, altered or destroyed by breach of such firewalls and secure server software.

If we learn of a security system's breach, we may attempt to notify Customer electronically, if required by laws and regulations, for Customer to take any remedial steps, if required. By using the App/website or providing Personally Identifiable Information to us, Customer agrees that we can communicate with it electronically regarding security, privacy and administrative issues relating to Customer's use of the App/website. We may post a notice on our websites if a security breach occurs. We may also send an email to Customer's email address that Customer has provided to us in these circumstances. Irrespective of whichever legal jurisdiction Customer may be living, governing laws for data protection, cyber security etc. will be as applicable in Republic of India.

As we value Customer's Personally Identifiable Information, we will ensure an adequate level of protection. As mentioned above, we have therefore implemented technology and policies with the objective of protecting Customer's privacy from unauthorized access and improper use and will update these measures as new technology becomes available, as appropriate at our sole discretion.

Fortum Charge & Drive is not liable for any loss of data due to Customer's choice of network.

Fortum Charge & Drive complies with all applicable laws for processing Personally Identifiable Information and Non-Personally Identifiable Information and the Customer is hereby giving its specific consent to collect, store information both inside and outside India and transfer relevant information to third-party as set out in this Privacy Policy.

## **15. GOVERNING LAW AND DISPUTE RESOLUTION**

This Privacy Policy, including all revisions and amendments thereto, is governed by and construed in accordance with the laws of the jurisdiction in Republic of India whether Customer is a resident in Republic of India or elsewhere, without regard to its conflict or choice of law principles of residence of Customer's jurisdiction.

By using the services in any way, Customer unconditionally consents and agrees that any claim, dispute, or controversy (whether in contract, tort, or otherwise) Customer may have against the officers, directors and employees of Fortum Charge & Drive and its parent, subsidiaries, affiliates (all such individuals and entities collectively referred to herein as the "Fortum GROUP") arising out of, relating to, or connected in any way with the services or the determination of the scope or applicability of this Privacy Policy to decide, will be resolved exclusively by arbitration in accordance with the Arbitration Rules of the Mumbai Centre for International Arbitration ("MCIA Rules"), which rules are deemed to be incorporated by reference in this clause. The Arbitration Tribunal shall consist of three arbitrators. The seat of the arbitration shall be New Delhi and the language of the arbitration proceedings shall be English. Without prejudice to the aforementioned arbitration agreement the courts of appropriate jurisdiction in New Delhi shall have exclusive jurisdiction to adjudicate any issue or dispute arising out of or in connection with the aforementioned arbitration agreement or proceedings in accordance with the Arbitration and Conciliation Act, 1996 or any amendments thereof.

## **16. ENQUIRIES**

Customer can address the enquiries and remarks regarding the Privacy Policy to Fortum Charge & Drive at [chargedrive.in@fortum.com](mailto:chargedrive.in@fortum.com) or 1800 120 3578.

## **17. GRIEVANCE**

If the Customer considers that its Personally Identifiable Information or Non-Personally Identifiable Information has been processed in violation of the applicable laws, the Customer can send its complaint to [chargedrive.in@fortum.com](mailto:chargedrive.in@fortum.com).

