



DATA PROTECTION INFORMATION IN ACCORDANCE WITH ART. 13 OF THE GENERAL DATA PROTECTION REGULATION (“GDPR”)

Dear Award-Applicants,

in accordance with the provisions of Art. 13 GDPR, we hereby inform you about the processing of the personal data collected about you in connection with the Aquila Capital Transformation Award – Solving the Climate Crisis through Innovation (the „Award”) and the respective business relationship with us („Contract”) as well as your data protection rights in this regard. In order to ensure that you are fully informed about the processing of your personal data please take note of the following information:

1. Identity and Contact Details of the Controller

The entity responsible for your personal data within the meaning of the GDPR is Aquila Capital Management GmbH (“Aquila”), which can be contacted as follows

Aquila Capital Management GmbH
Valentinskamp 70
20355 Hamburg
Phone: +49 40 87 50 50-100
info@aquila-capital.de.

2. Contact details of the Data Protection Officer

Aquila has appointed a data protection officer, who can be reached as follows:

Aquila Capital Management GmbH
c/o the Data Protection Officer
Valentinskamp 70
20355 Hamburg

3. Processing Purposes and Legal Basis

We process your data in accordance with the data protection regulations, in particular the GDPR, for the following purposes:

- **Fulfilment of the Contract** – insofar as the processing of your personal data is necessary for the conclusion or fulfilment of the Contract with you, this is done on the basis of Art. 6 para. 1 sentence 1 lit. b. GDPR. This includes, for example, the storage and use of your contact data and evaluation of other Award-related data submitted by you.
- **Other Purposes upon Consent** – if you have given us your express consent to process your data for specific purposes, your data will be processed on the basis of Art. 6 para. 1 sentence 1 lit. a. GDPR. A granted consent can be revoked at any time with effect for the future. For this purpose, please contact the data protection officer or the controller directly. For the following purposes we generally require your consent:
 - **Documentation, Marketing and Publicity Purposes** – we would like to process certain personal data of you, in particular image, video or audio recordings submitted by you or taken from you during or in connection with the Award ceremony for marketing-, publicity-, and documentation purposes of the Award-event and to promote the public image of the Aquila Group (these are all entities affiliated with Aquila Capital Holding GmbH in terms of Art. 15 et. Seq. of the German Companies Act (AktG)) in general. The photos and videos may be, in connection with your name or other Award-related information, published on our intranet page, the Aquila-website and on job-related social networks such as Xing, LinkedIn and Twitter for these purposes.
 - **Recruitment Purposes** – if your profile and resume fits Aquila’s interests and requirements, we would like to store your submitted information, in particular your resume and contact details, and contact you in case of a potentially suitable job-opening.
 - **Internal Meeting Purposes** – with regard to Aquila Group’s internal workshops on strategic development in the context of the energy transition and decarbonization in Europe, we would like to store your information and contact you for potential participation.



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- **Client / Third-Party Meeting Purposes** – with regard to Aquila Group’s client / third-party meetings in the context of the energy transition and decarbonization in Europe, we would like to store your information and contact you for potential participation.
- **Legitimate Interests** – in addition to the above-mentioned legal bases, we may process your personal data to pursue or protect the legitimate interests of Aquila or third parties on the basis of Art. 6 para. 1 lit. f. GDPR. This includes, for example, the processing of your data in connection with legal procedures.

4. Data Transmission and Recipients

In order to execute the contract and to fulfil legal or official obligations, it may be necessary to transfer personal data to other recipients. For example, due to the group structure of the Aquila Group it may be or become necessary to transfer your data to another entity within the Aquila Group if the specific department to be integrated is located in another group entity (e.g. the legal department). In these cases, the personal data will only be transferred if there is a legitimate interest of Aquila and if the interests or fundamental rights and freedoms of the person concerned do not outweigh Aquila’s interests. Further, the Award Paper submitted by you may be transmitted to third parties involved in the Award.

If it becomes necessary to have personal data processed on our behalf, we ensure that the processing of personal data is carried out in accordance with the provisions of the GDPR, in particular Art. 28 GDPR.

We would like to publish your personal data (e.g. name and photo) on the Aquila Group’s intranet or official website or use it for publicity and marketing purposes. In addition, a photographer will be present at the events surrounding the Award, who may take photos, videos and sound recordings of participants present and in particular of the Award-winner. Of course, each participant can inform the photographer that he/she does not wish to be recorded. However, it cannot be ruled out that participants will be seen in individual pictures. Subsequent deletion is generally possible at any time. The photos and videos may be, in connection with your name or other Award-related information, published on our intranet page, the Aquila-website and on job-related social networks such as Xing, LinkedIn and Twitter

for marketing and publicity purposes of the Award as well as to promote the public image of the Aquila Group. The lawfulness of such data processing follows either from a legitimate interest of Aquila in the data processing (Art. 6 para. 1 sentence 1 lit. f. GDPR) or on the basis of the consent of the participant (Art. 6 para. 1 sentence 1 lit. a. GDPR).

Furthermore, data will only be passed on to recipients outside the Aquila Group if this is permitted or required by law or official regulations, if the transfer is necessary for processing and thus for the fulfilment of the contract, if we have your consent or if we are authorized to provide information. Under these conditions, recipients of personal data may be public bodies and institutions (e.g. tax office). This only applies, however, if there is a legal or official obligation.

A transfer of your data to a third country does not currently take place and is not planned. If such a transfer of your data should become necessary, this will only take place with your consent or in order to fulfil our contractual obligations in accordance with the rules of the GDPR, in particular Art. 44 et seq. GDPR.

5. Duration of storage

We process your personal data as long as this is necessary for the establishment, execution or processing of the Contract, for the exercise or fulfilment of the rights and obligations arising from or in connection with the Contract or from law, or – in the cases we process your data on the basis of your express consent - until your consent is revoked.

If no consent has been granted, we will therefore generally process applicants’ personal data for the duration of the business-relationship arising from the Contract. Nevertheless, data, especially that of the winners of the Award, may be stored for a longer period, in particular if it is subject to storage and documentation obligations, which may, for example, arise from the German Commercial Code (HGB) and the German Fiscal Code (AO). The periods of retention or documentation prescribed there are two to ten years. Finally, the duration of storage also depends on the statutory limitation periods, which, for example, according to §§ 195 ff. of the German Civil Code (BGB), are usually three years, but in certain cases can be up to thirty years.



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6. Voluntary Nature and Necessity of providing Personal Data

The provision of personal data in the context of participation in the Award and the conclusion of a Contract is not required by law or contract. You are therefore not obligated to provide any information about your personal data. Please note, however, that this may be necessary for participation in the Award and the conclusion of a corresponding Contract with us. If you do not provide us with the necessary personal data when concluding the Contract, we cannot enter into an effective contractual relationship with you and participation in the Award is not possible.

7. Automated Decision-Making including Profiling

We do not use any automated decision-making processes in accordance with Art. 22 GDPR to establish and conduct business relations, i.e. no procedures in which decisions are made exclusively automatically.

8. Your Rights

As a data subject within the meaning of the GDPR, you have various rights vis-à-vis us in relation to your data, about which we inform you in the following. Details of your rights can also be found in Art.15-21 of the GDPR:

■ **Right to Access and Information in accordance with Art. 15 GDPR:**

You have the right to request information about your personal data processed by the data controller. In particular, the purposes of the processing, the categories of personal data and the recipients or categories of recipients to whom the personal data have been disclosed. You also have the right to obtain information on the planned duration of storage.

■ **Right of Rectification under Art. 16 GDPR:**

You have the right to request without delay the correction of incorrect data or the completion of your personal data stored with the controller.

■ **Right of Deletion according to Art. 17 GDPR**

You have the right to request the deletion of your data under the conditions specified in Art. 17 GDPR.

■ **Right of Restriction under Art. 18 GDPR**

In special cases, as laid down in the GDPR, you have the right to request that the processing of your personal data be restricted.

■ **Right to Data Transferability according to Art. 20 GDPR**

In specific cases, as defined in the GDPR, you have the right to receive all personal data concerning you and to transfer it to another controller (right to data transferability).

In particular you have a

■ **Right of Objection under Art. 21 GDPR**

If personal data is collected on the basis of legitimate interests in accordance with Art. 6 para. 1 sentence 1 lit. f. GDPR, you have the right to object to the processing of your personal data for reasons arising from the specific situation of the data subject;

and a

■ **Right of Revocation according to Art. 7 para. 3 GDPR**

Insofar as we collect your data on the basis of your consent (Art. 6 para. 1 sentence 1 lit. a. or Art. 9 para. 2 GDPR), you have the right to revoke this consent at any time with effect for the future, without this affecting the legality of the consent valid up to that point. The revocation is - as the granting of consent itself – possible orally or in text form.

To assert your rights, you can contact us or our data protection officer (for contact details see points 1 and 2).

You also have a

■ **Right of Appeal under Art. 77 GDPR**

You have the right to complain to a data protection supervisory authority. As a rule, they can contact the supervisory authority at their usual place of residence or workplace or at the registered office of the person responsible for data protection.

For further information on Aquila and Aquila Group's Privacy Policy you can visit <https://www.aquila-capital.de/en/>.