



# ERS PRIVACY POLICY

**Entry into force:** 1st september 2023

At Ecosystem Restoration Standard, protecting your personal data is our priority. This privacy policy is part of the Terms of Use of our Registry. The capitalized terms shall have the meaning given by the Terms of Use.

When using our Registry, we may collect personal data about you. The purpose of this policy is to inform you about how we process your personal data in compliance with Regulation (EU) 2016/679 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 (hereinafter the "GDPR").

## 1. Who is the data controller?

The data controller is Ecosystem Restoration Standard SAS, a French limited company with a place of business at 25 rue Frémicourt, 75015 Paris, France ("Us" or "We").

## 2. What personal data do we collect?

Personal data is data that identifies an individual directly or indirectly, in particular by reference to an identifier such as a name.

We may collect the following personal data:

- Identification data (full name, email, telephone number);
- Data relating to your professional life (company name, position);
- Login data (logs, IP address)



### 3. On what legal basis, for what purposes and for how long do we keep your personal data?

<b>Objectives</b>	<b>Legal basis</b>	<b>Data retention period</b>
To provide Users and their Authorized participants with our Services	Performance of a contract to which you are party	Personal data are retained for the duration of our business relationship.
To perform operations related to contracts, invoices, and customer relationship management	Performance of a contract to which you are party	Personal data are retained for the duration of our business relationship.
To answer to your information request and other inquiries	Our legitimate interest in responding to your inquiries	Personal data are retained during the processing of your request and is deleted once the request has been processed.
To process data subjects' requests to exercise their rights	Our legitimate interest in responding to your requests and keeping records of them	<p>If we ask you a proof of identity: we only retain it for the necessary time to verify your identity. Once the verification has been carried out, the proof is deleted.</p> <p>The information allowing the management of your requests to exercise your rights under the GDPR will be kept for 3 years from the date of the request.</p>



#### 4. Who are the recipients of your personal data?

The following categories of recipients will have access to your personal data:

- (i) The staff of our company;
- (ii) Our processor: APX, Inc., as our registry solution provider; Amazon AWS and Google Cloud Platform as our hosting solution;
- (iii) If applicable: public and private organizations, exclusively to comply with our legal obligations.

#### 5. Are your personal data likely to be transferred outside the European Union?

Your personal data is hosted for the duration of the processing on the servers of APX, located in the United States.

As part of the tools, we use (see article on the recipients of your personal data, especially our processors), your personal data may be transferred outside the European Union. The transfer of your personal data in this context is secured with the use of following safeguards:

- Either personal data are transferred to a country that has been recognized as ensuring an adequate level of protection by a decision of the European Commission, in accordance with article 45 of the GDPR: in this case, this country ensures a level of protection deemed sufficient and adequate to the provisions of the GDPR; or
- The personal data are transferred to a country whose level of data protection has not been recognized as adequate to the GDPR: in this case these transfers are based on appropriate safeguards indicated in article 46 of the GDPR, adapted to each provider, including but not limited the execution of Standard Contractual Clauses approved by the European Commission, the application of Binding Corporate Rules or an approved certification mechanism; or
- The personal data are transferred under any appropriate safeguards described in Chapter V of the GDPR.



## 6. What rights can you exercise on your personal data?

You have the following rights with regard to your personal data:

- Right to be informed: this is precisely why we have drafted this privacy policy as defined by articles 13 and 14 of the GDPR.
- Right of access: you have the right to access all your personal data at any time as defined by article 15 of the GDPR.
- Right to rectification: you have the right to rectify your inaccurate, incomplete or obsolete personal data at any time as defined by article 16 of the GDPR.
- Right to restriction of processing: you have the right to restrict the processing of your personal data in certain cases defined in article 18 of the GDPR.
- Right to erasure (“right to be forgotten”): you have the right to request that your personal data be deleted and to prohibit any future collection as defined by article 17 of the GDPR.
- Right to file a complaint to a competent supervisory authority (in France, the CNIL), under article 77 of the GDPR, if you consider that the processing of your personal data constitutes a breach of applicable regulations.
- Right to define instructions related to the retention, deletion and communication of your personal data after your death.
- Right to withdraw your consent at any time: for purposes based on consent, Article 7 of the GDPR provides that you may withdraw your consent at any time. Such withdrawal will not affect the lawfulness of the processing carried out before the withdrawal.
- Right to data portability: under specific conditions defined in article 20 of the GDPR, you have the right to receive the personal data you have provided us in a standard machine-readable format and to require their transfer to the recipient of your choice.
- Right to object: You have the right to object to the processing of your personal data as defined by article 21 of the GDPR. Please note that we may continue to process your personal data despite this opposition for legitimate reasons or for the defense of legal claims.

You can exercise these rights by writing us using the contact details below. For this matter we may ask you to provide us with additional information or documents to prove your identity.



## **7. Contact information for data privacy matters**

Contact email: [dpo@ers.org](mailto:dpo@ers.org)

Contact address: 25 rue Frémicourt, 75015 Paris, FRANCE

## **8. Modifications**

We may modify this privacy policy at any time, in particular in order to comply with any regulatory, jurisprudential, editorial or technical change. These modifications will apply on the date of entry into force of the modified version. Please regularly consult the latest version of this privacy policy. You will be kept posted of any significant change of the privacy policy.