

The Flex Wind Group Binding Corporate Rules Policy





TABLE OF CONTENT

DEFINITIONS 4

PART I INTRODUCTION 6

A BACKGROUND 6

B SCOPE 7

PART II THE BINDING CORPORATE RULES 9

RULE 1 - COMPLIANCE WITH APPLICABLE LAWS 9

RULE 2 - LAWFULNESS, FAIRNESS AND TRANSPARENCY 9

RULE 3 - PURPOSE LIMITATION AND DATA MINIMISATION 10

RULE 4 - LEGAL BASIS FOR PROCESSING PERSONAL DATA 10

RULE 5 - DATA QUALITY 12

RULE 6 - DATA RETENTION 13

RULE 7 - THE DATA SUBJECTS' RIGHTS 13

RULE 8 - INFORMATION SECURITY AND PERSONAL DATA BREACH 13

RULE 9 - DATA PROCESSORS AND JOINT CONTROLLERS 14

RULE 10 - RESTRICTIONS ON TRANSFERS AND ONWARD TRANSFERS TO THIRD PARTIES 14

RULE 11 - DIRECT MARKETING 15

RULE 12 - AUTOMATED INDIVIDUAL DECISIONS 15

RULE 13 - EFFECTIVENESS OF THE BINDING CORPORATE RULES – INTERNAL GOVERNANCE 15

RULE 14 - AUDIT 16

RULE 15 - ORGANIZATION FOR SUPERVISION OF COMPLIANCE AND COMPLAINT HANDLING 16

RULE 16 - ACTIONS IN CASE OF NATIONAL OR THIRD COUNTRY LEGISLATION PREVENTING
RESPECT FOR THE BINDING CORPORATE RULES 16

RULE 17 - THIRD PARTY BENEFICIARY RIGHTS AND LIABILITY 17

RULE 18 - COOPERATION WITH THE DATA PROTECTION AUTHORITIES 18

RULE 19 - ACCOUNTABILITY 19

RULE 20 - UPDATES OF THE BINDING CORPORATE RULES 19

RULE 21 - FINAL PROVISIONS 20

PART III APPENDICES 21

APPENDIX 1 - DESCRIPTION OF PROCESSING AND DATA FLOWS 21

APPENDIX 2 - AUDIT PROTOCOL 24

1 PERSONNEL 24

2 MANDATE WHEN AUDITING 24

3 PLANNING AND SCOPE 24

4 CADENCE 25

5 REPORTS 26

APPENDIX 3 – INFORMING THE DATA SUBJECTS 27

1 INFORMATION GIVEN TO FLEX WIND GROUP EMPLOYEES 27

2 INFORMATION GIVEN TO FLEX WIND GROUP DATA SUBJECTS 27

APPENDIX 4 - RETENTION GUIDELINES WITH INSTRUCTIONS 28

APPENDIX 5 - DATA SUBJECT RIGHTS AND PROCEDURE OF HANDLING REQUESTS 29

1 MAKING THE REQUEST 29

2 FLEX WIND’S PROCEDURE FOR HANDLING THE REQUEST 29

3 THE RIGHTS OF THE DATA SUBJECT 29

4 OFFICIAL COMPLAINTS 31



APPENDIX 6 - FLEX WIND IT SECURITY POLICIES32

1 SECURITY OF THE PROCESSING.....32

APPENDIX 7 – DATA BREACH PROCESS36

1 INITIATING THE DATA BREACH PROCESS36

2 OPERATIONALISATION OF THE DATA BREACH TEAM36

APPENDIX 8 – EXTERNAL GOVERNANCE.....37

1 PROCESSORS AND JOINT CONTROLLERS37

2 DATA PRIVACY TEMPLATE AGREEMENTS USED.....37

APPENDIX 9 – INTERNAL GOVERNANCE38

1 INTERNAL POLICIES38

2 INTERNAL TRAINING38

APPENDIX 10 – FLEX WIND PRIVACY OFFICE39

1 THE ROLE OF THE DPO.....39

2 INTERNAL NETWORK39

DEFINITIONS

The below definitions shall, where applicable, be interpreted in accordance with the 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 the Brazilian General Data Protection Law (LGPD), Federal Law no. 13,709/2018, entered into force on September 18, 2020:

Consent means any freely given, specific, informed and unambiguous indication of the Data Subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the Processing of Personal Data relating to him or her.

Data Processor means the individual or legal entity that Processes Personal Data on behalf of a Data Controller.

Data Controller means the legal entity or branch that, alone or jointly with others, determines the purposes and means of Processing of Personal Data.

Data Protection Authorities means an independent public authority which is established by a Member State pursuant to GDPR Article 51 and LGPD Article 5 XIX.

Data Retention Guidelines means Flex Wind Group's guidance to ensure compliance with the retention rules as specified in Appendix 3.

Data Subject means an individual whose Personal Data is Processed by or on behalf of The Flex Wind Group.

EEA means the member states of the European Economic Area.

Europe means EEA and Switzerland.

GDPR means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016.

LGPD means Brazilian General Data Protection Law, Federal Law no. 13,709/2018

The Flex Wind Group means Flex Wind Group A/S and all legal entities that are owned or controlled directly or indirectly by Flex Wind Group A/S. A company chart is included in Appendix 1.

Flex Wind entity means a member of the Flex Wind Group.

Joint Controllers means the legal entities that jointly determines the purposes and means of Processing of Personal Data.

Personal Data means any information relating to an identified or identifiable natural person ('Data Subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Processing means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. This definition will also apply to the word "Processed" etc. when used in this context.

Sensitive Data means Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Third Party means an individual or a legal entity that cannot be ascribed to The Flex Wind Group.



BINDING CORPORATE RULES POLICY – THE FLEX WIND GROUP

PART I INTRODUCTION

A Background

The Flex Wind Group is engaged in installation and repair of windmills to create a greener tomorrow.

The Flex Wind Group operates on the basis of a number of values, where quality and people safety rank among the highest. For us quality means the challenge of continuous improvement, not in the least when it comes to privacy. We respect and understand the importance of privacy and the need to protect Personal Data.

This Binding Corporate Rules Policy outlines the Flex Wind Group's global corporate policy regarding the Processing of Personal Data, as well as the security measures implemented to protect Personal Data and the rights of individuals to access or object to the accuracy or Processing of Personal Data.

In this Binding Corporate Rules Policy, we have chosen to use the word "Data Subject" in its singular form. This deliberate choice has been made in the light of the fact that the overarching purpose of data protection laws in general, and of this Binding Corporate Rules Policy in particular, is to protect the integrity of each individual as an individual.

Purpose

The purpose of the Binding Corporate Rules Policy is to implement a global set of rules focusing on the protection of Personal Data and the integrity and privacy of individuals.

By implementing and enforcing a global set of standards for the collection, sharing, use and protection of Personal Data, the Binding Corporate Rules Policy also provides a legal framework under the 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, the Brazilian General Data Protection Law (LGPD), Federal Law no. 13,709/2018 and relevant legislation for the flow of Personal Data between Flex Wind entities around the world.

The Binding Corporate Rules will also serve as a code of conduct for all Flex Wind employees with the Binding Corporate Rules being implemented as a mandatory Flex Wind Group corporate policy.

The Binding Corporate Rules will allow the Flex Wind Group to transfer and share information between different Flex Wind entities more efficiently and make better use of our data Processing resources, while maintaining a consistently high standard of data privacy and compliance with EU Data Protection regulation and the Brazilian Data Protection Regulation. In this regard the Binding Corporate Rules will be used as a standard processing agreement together with relevant documentation for the specific Processing taking place between the Flex Wind entities.

Questions

If you have any questions, please contact the Global Data Protection Officer of The Flex Wind Group:

Kamilla Malmbæk
Chief Legal officer
Flex Wind Group A/S
Hjortsvangen 26
7323 Give
Email: privacy.officer@flex-wind.com

B Scope

The Flex Wind Group is a global company engaged in installation and repair of windmills around the world. In the course of its business, the Flex Wind Group collects a variety of Personal Data related to employees, business contacts, customers and other third parties.

The Flex Wind Group is organised cross functionally based on roles in different purpose driven business units and not exclusively on a country or entity basis.

Being a responsible company group, the Flex Wind Group takes data privacy seriously and is committed to protecting all Personal Data from improper or incorrect collection, Processing or disclosure.

The Binding Corporate Rules Policy applies to and are legally binding on all entities within the Flex Wind Group and all Flex Wind employees worldwide, and covers all Personal Data Processed by or on behalf of The Flex Wind Group regardless of source, subject, location or format. A description of the Processing are provided in Appendix 1.

The management of each group entity has acceded to this intragroup agreement wherein they have accepted responsibility for auditing and enforcing compliance lies within Flex Wind Group corporate compliance functions organised across all entities.

An updated list of the encompassed Flex Wind entities is in Appendix 1.

Part II The Binding Corporate Rules

Rule 1 - Compliance with applicable laws

The Flex Wind Group will Process Personal Data in compliance with all applicable legislation regarding Personal Data e.g. in Denmark the Data Protection Act No. 502/2018 and in Brazil Brazilian General Data Protection Law (LGPD), Federal Law no. 13,709/2018. For GDPR the Group head quarter in Denmark will be the main controller.

If there is no law or the applicable law provides a lower level of protection than the Binding Corporate Rules, the Flex Wind Group will Process Personal Data in accordance with the Binding Corporate Rules.

If the applicable law provides a higher level of protection than the Binding Corporate Rules, the applicable law shall take precedence over the Binding Corporate Rules, and the Flex Wind Group will Process Personal Data in accordance with applicable law.

All policies regarding Processing of Personal Data introduced by the Flex Wind Group or a Flex Wind entity will comply with local law as well as the Binding Corporate Rules or exceed the requirements of local law and the Binding Corporate Rules, which will be subject to regular audits as laid out in Appendix 2.

Rule 2 - Lawfulness, Fairness and Transparency

The Flex Wind Group will Process the Personal Data lawfully, fairly and transparently.

The Data Subject will be informed as laid out in the regulations about how the Flex Wind Group will be Processing the Personal Data, including the identity of the Data Controller, contact details of the Data Protection Officer, the purposes and legal bases for Processing, the categories of recipients, the legitimate interests pursued (where applicable), transfer to third countries and the safeguards, retention periods, the Data Subject's rights and any other information to ensure lawful, fair and transparent Processing. This will take place at the time of the collection of the Personal Data or as soon as practicable thereafter, e.g. through a privacy policy or a similar document.

The Flex Wind Privacy Policy is shown in Appendix 3 in its current format. They are regularly updated on Flex-wind.com.

In the following special cases The Flex Wind Group may choose not to inform the Data Subject about the Processing of its Personal Data, either partly or in full, or by postponing the information to the Data Subject: (a) the Data Subject already has the information; (b) the provision of such information proves impossible or would involve a disproportionate effort or seriously impair the achievement of

the objectives of the Processing. In such cases The Flex Wind Group will take appropriate measures to protect the Data Subject's rights and freedoms and legitimate interests; (c) obtaining or disclosure is expressly laid down by Union or state law to which The Flex Wind Group is subject and which provides appropriate measures to protect the Data Subject's legitimate interests; or (d) where the Personal Data must remain confidential subject to an obligation of professional secrecy regulated by state law, including a statutory obligation of secrecy. Such national law shall only be applied to the extent that it does not go beyond what is necessary in a democratic society in the interests of national security; defence; public security; the prevention, investigation, detection and prosecution of criminal offences, or of breaches of ethics for regulated professions; important economic or financial interest of a Member State or of the European Union, including monetary, budgetary and taxation matters; or the protection of the Data Subject or of the rights and freedoms of others, including enforcement of civil law claims.

The reason for not informing the Data Subject could therefore for example be if this is necessary for the investigation of crime, if the Flex Wind Group does not have contact information regarding the Data Subject or to protect The Flex Wind Group's legitimate interests during legal proceedings.

If the Flex Wind Group subsequently wishes to Process the Personal Data for a new purpose, which has not been communicated to the Data Subject, then the Flex Wind Group will inform the Data Subject about this, unless the Flex Wind Group has a legal basis under national law for not doing so, as described above in Rule 2.

The Flex Wind Group will make a summary of this Binding Corporate Rules Policy available to the Data Subject via its websites, including www.flex-wind.com, and will refer to it in other documents where appropriate, e.g. in the privacy policies provided or made available to the Data Subject.

Especially for Flex Wind Group employees a summary of this Binding Corporate Rules Policy will be made available on the Flex Wind Group intranet.

Rule 3 - Purpose Limitation and data minimisation

Processing of Personal Data by the Flex Wind Group will only take place for specified, explicit and legitimate purposes, and the Personal Data Processed and retained will be adequate, relevant and not excessive in relation to the purposes for which the Personal Data is Processed. Personal Data will only be Processed for the purposes, for which the Personal Data was collected, or for other purposes that are not incompatible with the original purposes.

Rule 4 - Legal Basis for Processing Personal Data

The Flex Wind Group will ensure that all Processing of Personal Data has one of the following legal bases:

- (a) the Data Subject has given Consent to the Processing for one or more specific purposes;
- (b) Processing is necessary for the performance of a contract to which the Data Subject is party or in order to take steps at the request of the data Subject prior to entering into a contract;
- (c) Processing is necessary for compliance with a legal obligation to which the Data Controller is subject;
- (d) Processing is necessary in order to protect the vital interests of the Data Subject or of another natural person;
- (e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Data Controller;
- (f) Processing is necessary for the purposes of the legitimate interests pursued by the Data Controller or by a Third Party, except where such interests are overridden by the interests or fundamental rights and freedoms of the Data Subject.

The Flex Wind Group will pay particular attention to the Processing of Sensitive Data, and will only Process Sensitive Data if one of the following applies:

- (a) the Data Subject has given explicit Consent to the Processing for one or more specified purposes, except where state law prohibits such Processing;
- (b) Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the Data Controller or of the Data Subject in the field of employment and social security and social protection law in so far as it is authorised by state law or a collective agreement pursuant to state law providing for appropriate safeguards for the fundamental rights and the interests of the Data Subject;
- (c) Processing is necessary to protect the vital interests of the Data Subject or of another natural person where the Data Subject is physically or legally incapable of giving Consent;
- (d) Processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the Processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the Personal Data are not disclosed outside that body without the Consent of the Data Subjects;
- (e) Processing relates to Personal Data which are manifestly made public by the Data Subject;
- (f) Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;

- (g) Processing is necessary for reasons of substantial public interest, on the basis of state law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the Data Subject;
- (h) Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of state law or pursuant to contract with a health professional. However, that is conditioned on the Personal Data being Processed by or under the responsibility of a professional subject to the obligation of professional secrecy under state law or rules established by national competent bodies or by another person also subject to an obligation of secrecy under state law or rules established by national competent bodies;
- (i) Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of state law which provides for suitable and specific measures to safeguard the rights and freedoms of the Data Subject, in particular professional secrecy;
- (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

The Flex Wind Group will only Process Personal Data relating to criminal convictions and offences or related security measures based on GDPR article 6(1) if authorised by state law providing for appropriate safeguards for the rights and freedoms of Data Subjects.

Where other state law sets out additional legal requirements for processing of Personal Data than laid out above, The Flex Wind Group will also Process Personal Data accordingly to the relevant state law.

Rule 5 - Data Quality

The Flex Wind Group will keep the Personal Data accurate and updated. The Flex Wind Group will implement appropriate procedures to ensure every reasonable step are taken to ensure Personal Data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay. The Flex Wind Group will also encourage the Data Subject to truthfully and actively inform the Flex Wind Group about their Personal Data and changes to their Personal Data.

Rule 6 - Data Retention

The Flex Wind Group will only keep the Personal Data for as long as required to serve the purposes for which the Personal Data was collected or further Processed.

The Flex Wind Group will implement Data Retention Guidelines that describes the rules and procedures for data retention management in The Flex Wind Group. Compliance with the Data Retention Guidelines will be included in the audit of the Flex Wind Group Binding Corporate Rules, see Rule 14 and Appendix 4.

Rule 7 - The Data Subjects' Rights

The Data Subject will be informed about its rights in the information provided to the Data Subject in accordance with Rule 2.

The Data Subject is entitled to request access to and rectification or erasure of Personal Data or restriction of Processing or to object to Processing and, under certain conditions, receive the Personal Data in a structured, commonly used and machine-readable format (data portability). The rights are described in detail in Appendix 5. Furthermore, the Data Subject may object to Processing for direct marketing purposes, see Rule 11, and to automated individual decisions, see Rule 12.

The Data Subject is recommended to contact the Flex Wind Group in accordance with the Subject Access and Objection Procedure, see Appendix 5, and the Flex Wind Group will also apply the Subject Access and Objection Procedure when dealing with the request.

The Data Subject may always file a complaint regarding the Processing of Personal Data with the Flex Wind Group, the Data Protection Authorities or the competent courts. Such complaint will be handled in accordance with Rule 15 and Appendix 5.

Rule 8 - Information Security and Personal Data breach

The Flex Wind Group will ensure appropriate security of the Personal Data, including by complying with its relevant IT security policies, which shall ensure the Flex Wind Group implements the appropriate technical and organisational measures to protect Personal Data from accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, and against all forms of unlawful Processing. Appropriate security shall take into consideration the state of the art, the cost of their implementation, the nature, scope, context and purposes of Processing, to ensure a level of security appropriate to the risks represented by the Processing and the nature of the data to be protected.

The Flex Wind IT security policies and its underlying standards will be subject to regular updates in order to reflect the technological developments, the Flex Wind Group's continuous risk analysis and other relevant changes, see Appendix 6.

The Flex Wind Group entities must notify without undue delay any Personal Data breaches to the Data Protection Officer. The competent Data Protection Authorities will be notified without undue delay and, where feasible, no later than 72 hours (for China no later than 24 hours) after having become aware of it, unless the Personal Data breach is unlikely to result in a risk to the rights and freedoms of Data Subjects. Furthermore, Data Subjects will be notified without undue delay where the Personal Data breach is likely to result in a high risk to their rights and freedoms, see Appendix 7.

Personal Data breaches will be documented (comprising the facts relating to the Personal Data breach, its effects and the remedial action taken) and the documentation will be made available to the Data Protection Authorities on request.

Rule 9 - Data Processors and Joint Controllers

The Flex Wind Group will choose its Data Processors and Joint Controllers with due care and make the necessary prior evaluations of the Data Processors and Joint Controllers.

The Flex Wind Group will enter into written agreements with all Data Processors and Joint Controllers. The written agreements will include an obligation for Data Processors to only Process the Personal Data in accordance with The Flex Wind Group's instructions, to implement the necessary data security measures and all other requirements set by state law, whereas Joint Controllers together with the Flex Wind Group in a transparent manner will determine their respective responsibilities for compliance, see Appendix 8.

If the Data Processor or Joint Controller is a Flex Wind entity, these Binding Corporate Rules are to be seen as the instructions and/or common agreement regarding the responsibilities between the Flex Wind Group entities. The entity processing the data as a Data Processor or a Joint Controller agree to comply with the Binding Corporate Rules together will have to follow the mandatory Flex Wind Group processes for entering into data processing agreements with Third Parties to the Flex Wind Group.

Rule 10 - Restrictions on Transfers and Onward Transfers to Third Parties

The Flex Wind Group may as part of its business operations need to transfer Personal Data to Third Parties. If the recipient - either a new Data Controller or a Data Processor - of Personal Data is a Third Party located outside the EEA in a country not recognised by the EU Commission as ensuring an adequate level of protection, then the Flex Wind Group will provide additional safeguards to protect the Personal Data, for example by using the EU Standard Contractual Clauses adopted by the

EU commission or by other adequate contractual means, except in the special cases where there is a legal basis for not doing so under national law of the data exporting country.

Rule 11 - Direct Marketing

The Data Subject may free of charge object to its Personal Data being used for direct marketing purposes, including profiling to the extent that it is related to such direct marketing.

The Flex Wind Group will refrain from Processing Personal Data for direct marketing purposes, including profiling, to a Data Subject, who has objected to receive direct marketing, either directly to the Flex Wind Group or by signing up to applicable schemes.

Rule 12 - Automated Individual Decisions

The Flex Wind Group does not make automated decisions, to evaluate on a Data Subject or for other purposes, which produces legal effects concerning the Data Subject or similarly that significantly affects the Data Subject.

The Flex Wind Group will, if automated decisions are used, implement appropriate safeguards to protect the rights and freedoms and legitimate interests of the Data Subject. The Data Subject can obtain information about the logic involved with the automated decision, and may object against it, in accordance with the Subject Access Procedure in Rule 7, see Appendix 5.

Rule 13 - Effectiveness of the Binding Corporate Rules – internal governance

All Flex Wind Group entities as listed in Appendix 1 has agreed to legally obligate the employees of the Flex Wind Group entities to follow the Binding Corporate Rules.

It is mandatory for all Flex Wind Group employees to comply with this Binding Corporate Rules Policy and failure to comply with this Binding Corporate Rules Policy can lead to disciplinary sanctions.

The Binding Corporate Rules will be referenced as a mandatory policy to comply with internally in the Flex Wind Group on the policy portal.

The Flex Wind Group will ensure that appropriate training on the Binding Corporate Rules Policy is completed by employees, who have permanent or regular access to Personal Data, who are involved in the collection of Personal Data or in the development of tools to Process Personal Data, see Appendix 8.

Rule 14 - Audit

In order to ensure compliance with and enforcement of the Binding Corporate Rules, regular audits will be conducted as a part of the Flex Wind Group 's overall compliance programme.

The audits will be done on standard auditing principles including guidelines from the Danish Data Protection Agency and will focus on complying with the Binding Corporate Rules including methods of ensuring that corrective and preventive actions will take place.

The Flex Wind Group will audit the compliance with the Binding Corporate Rules in accordance with the Audit Protocol in Appendix 2.

Rule 15 - Organization for supervision of Compliance and Complaint Handling

In addition to the audits performed in accordance with Rule 14 and other relevant measures, the Flex Wind Group appoints a Data Protection Officer and local privacy agents at Flex Wind entities that Process large amounts of data or Process high-risk Personal Data.

The local privacy agents shall assist the Data Protection Officer on training, where the Data Protection Officer has the overall responsibility for the completion of training and ensuring that the Binding Corporate Rules are followed on a local basis. The local privacy agents must report major privacy issues to the Data Protection Officer.

The local privacy agents and the Data Protection Officer each report to the relevant management level in the relevant entities of the Flex Wind Group.

The Data Protection Officer are given sufficient independence in the roles, see Appendix 10.

Rule 16 - Actions in Case of National or Third Country Legislation Preventing Respect for the Binding Corporate Rules

If a Flex Wind entity believes that a conflict with applicable legislation prevents it substantially from meeting its obligations under the Binding Corporate Rules, the Flex Wind entity will immediately inform the Data Protection Officer about the issue, unless prohibited from doing so by a law enforcement authority. The Data Protection Officer will consult with and the competent Data Protection Authority, if necessary, about the appropriate steps to take.

Where the Flex Wind Group is subject to a legal requirement in a third country which is likely to have a substantial adverse effect on the guarantees provided by the Binding Corporate Rules, any issue will be reported to the Data Protection Authority, unless otherwise prohibited, such as a prohibition under criminal law to preserve the confidentiality of a law enforcement investigation or unless the data processed does not involve EU citizens (Processed outside the EU) . This includes any legally binding request for disclosure of Personal Data by a law enforcement authority or State security body.

A Flex Wind entity's transfers of Personal Data to any public authority cannot be massive, disproportionate and indiscriminate in a manner that would go beyond what is necessary in a democratic society.

Rule 17 - Third party beneficiary rights and Liability

The Data Subject can enforce these Binding Corporate Rules as third-party beneficiaries, including:

- The general data protection principles, in particular purpose limitation, data minimisation, limited storage periods, data quality, data protection by design and by default, legal basis, Processing of Sensitive Data, data security and onward transfers to bodies not bound by the Binding Corporate Rules;
- Transparency and easy access;
- Rights of access, rectification, erasure, restriction, objection to Processing, right not to be subject to decisions based solely on automated Processing, including profiling;
- National legislation preventing respect of the Binding Corporate Rules;
- Right to complain through the internal complaint mechanism of Flex Wind Group;
- Cooperation duties with Data Protection Authorities; and
- Liability and jurisdiction.

Such rights include judicial remedies for any breach of the rights guaranteed in the Binding Corporate Rules as well as the right to obtain redress and, where appropriate, receive compensation.

The Data Subjects have the choice of lodging a complaint as third-party beneficiaries with the competent court of the country:

- a. where the data exporter has an establishment;
- b. where the Data Subject has his or her habitual residence;
- c. where Flex Wind A/S is established, i.e. Denmark, or
- d. with the competent Data Protection Authorities, being either in the state of the Data Subject's habitual residence, or place of work or place of the alleged infringement.

To ensure the payment of compensation to the Data Subjects in accordance with the Binding Corporate Rules, Flex Wind Group A/S accepts responsibility for data collected about EU citizens and agrees to take the necessary action to remedy the acts or omissions of other Flex Wind entities located inside and outside of the EU and to pay, if legally required, compensation for any damages resulting from the violation of the Binding Corporate Rules by the Flex Wind Group. For data collected outside EU about non-EU citizens the local entity accepts responsibility and agrees to take the necessary action to remedy the acts or omissions to these Binding Corporate Rules and pay damages in accordance with applicable law.

Flex Wind Group A/S undertakes the burden of proof that the Flex Wind entity outside Europe is not liable for the violation resulting in the damages claimed by the Data Subject, where the Data Subject is an EU citizen.

Rule 18 - Cooperation with the Data Protection Authorities

The Flex Wind Group wishes to have an open and flexible cooperation with the Data Protection Authorities in the countries where the Flex Wind Group Processes Personal Data and will make itself and the relevant personnel available for dialogue with the Data Protection Authorities about the Binding Corporate Rules and other data privacy issues.

The local privacy agents shall as a main rule be responsible for the cooperation and communications with the local Data Protection Authorities, unless this task has been specifically delegated to another team within each Flex Wind entity or to the Data Protection Officer.

The Flex Wind Group will always provide information to the Data Protection Authorities in accordance with applicable laws and the Binding Corporate Rules.

The Flex Wind Group will comply with decisions of a competent Data Protection Authority relating to the interpretation and application of the Binding Corporate Rules, subject to any right to appeal in accordance with applicable laws. The Flex Wind Group will also keep itself aware of any guidance from the European Data Protection Board regarding Binding Corporate Rules.

The competent Data Protection Authority may in accordance with applicable laws carry out its own audit of the compliance with the Binding Corporate Rules and with applicable laws in its jurisdiction. If the audit concerns a Flex Wind entity outside Europe, the audit will be carried out in accordance with the applicable laws of the country from which the Personal Data is exported by a Flex Wind entity.

Rule 19 - Accountability

The Flex Wind entities must be able to demonstrate compliance with the Binding Corporate Rules, including by maintaining a record of Processing activities. The record will be kept in electronic form and made available to the Data Protection Authorities on request.

In order to enhance compliance, and when required, data protection impact assessments are carried out for Processing that are likely to result in a high risk to the rights and freedoms of Data Subjects. The competent Data Protection Authority will be consulted in case of such high risk.

The Flex Wind Group will ensure Personal Data protection by design and by default with continuous activities.

Rule 20 - Updates of the Binding Corporate Rules

Since the Flex Wind Group as a group is constantly changing, together with changes in the Processing of Personal Data, regular updates of the Binding Corporate Rules may be required.

The Flex Wind Group will take the necessary steps to update the Binding Corporate Rules where this is required: due to internal changes within the Flex Wind Group; due to a decision from a Data Protection Authority; due to changes in the opinions or working documents of the European Data Protection Board or to adapt the Binding Corporate Rules for compliance with legal changes in data protection rules.

Changes will be communicated internally in the Flex Wind Group to the relevant stakeholders and a new version of the Binding Corporate Rules will be made available. Changes will only result in recommitment by the Group entities if the changes regard significant changes in liability or significant extra costs for the Group entities. The changes may, if necessary, be subject to special training activities towards relevant Flex Wind Group employees.

The changes and the updated Binding Corporate Rules will also be made available to the Data Subjects via www.Flex-wind.com, and in special cases where this is required under applicable laws or deemed necessary by the Flex Wind Group, the Flex Wind Group will communicate the changes directly to the relevant Data Subjects.

The Flex Wind Group will inform the Danish Data Protection Agency, once a year about any changes to the Binding Corporate Rules or to the list of Flex Wind entities with a brief explanation of the reasons justifying the update. Where a modification would possibly affect the level of the protection offered by the Binding Corporate Rules or significantly affect the Binding Corporate Rules (i.e. changes to the binding character), it will be promptly communicated to the relevant Data Protection Authorities.

The Data Protection Officer shall keep a log of the updates of the Binding Corporate Rules. The Data Protection Officer will also maintain and make an updated list of the entities covered by the Binding Corporate Rules available for the Data Protection Authorities on request.

No transfer of Personal Data will be made to a new entity of the Flex Wind Group until the new entity is effectively bound by the Binding Corporate Rules and delivers compliance with the Binding Corporate Rules.

Rule 21 - Final provisions

This Binding Corporate Rules Policy shall become effective on April 1. 2022.



PART III APPENDICES

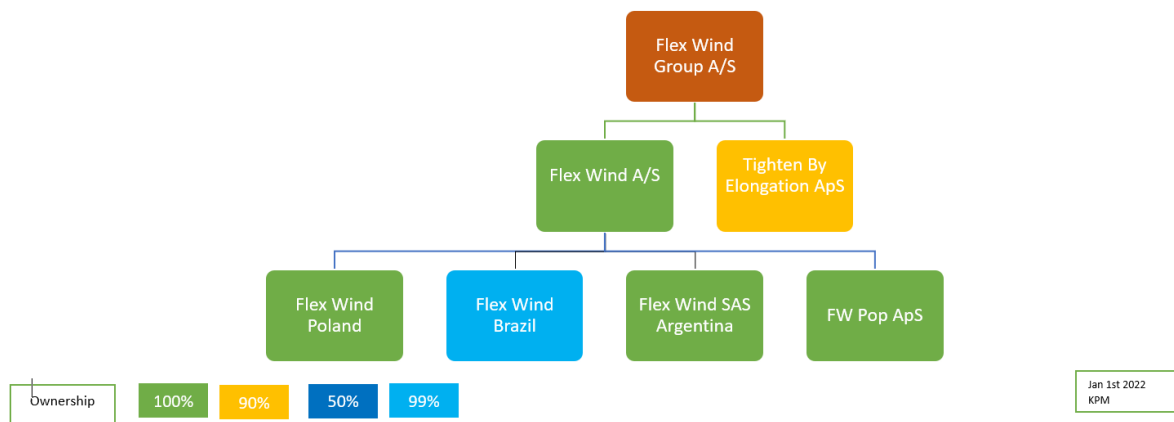
APPENDIX 1 - Description of Processing and Data Flows

Structure

The Flex Wind Group A/S is a privately held company based in Give, Denmark with an organisation structured across different Flex Wind entities, i.e. business units will comprise of employees being employed in one Flex Wind entity but having reporting managers in other Flex Wind entities. The structure of the Flex Wind Group and the Flex Wind Group entities bound by the Binding Corporate Rules are listed below:



Corporate structure for Flex Wind Group



Flex Wind Group A/S

Hjortsvangen 26,

7323 Give

Denmark

CVR:

Flex Wind A/S

Hjortsvangen 26,

7323 Give

Denmark

CVR: 39191903

Tighten By Elongation ApS

Hjortsvangen 26

7323 Give

Denmark

CVR: 41487917

FLEX WIND POLAND SP. Z O.O.

Ul. Pomorska 144

Szczecin; Zachodniopomorskie;70-812

Poland

KRS 0000759671

FLEX WIND – INSTALAÇÃO E MANUTENÇÃO DE SISTEMAS DE ENERGIA EÓLICA LTDA.

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Categories of Personal Data

The Flex Wind Group Processes the following categories of Personal Data:

- Ordinary categories of Personal Data processed in accordance with GDPR art. 6 and LGPD art. 7.
- Special categories of Personal Data processed in accordance with GDPR art. 6 and art. 9 and the LGPD art. 7 and art. 11.
- Criminal offenses and convictions processed in accordance with GDPR art. 10.
- National identification numbers processed in accordance with GDPR art. 87.

Categories of Data Subjects

The Flex Wind Group Processes Personal Data on the following Data Subjects:

- Employees.
- Customers.
- Partners/vendors.
- Other third parties.

Purposes

All purposes for which Personal Data Processed are covered by the Binding Corporate Rules Policy, i.e. HR administration, customer relations, management and business purposes, including delivering services to the Flex Wind Group's users and Flex Wind Group entities, to handle purchases of the Flex Wind Group's customers, and to manage and Process Personal Data of the Flex Wind Group's customers, partners and employees.

Transfers and third countries

The Flex Wind Group entities Process Personal Data primarily in Denmark, Poland, Brazil and Argentina.

APPENDIX 2 - AUDIT PROTOCOL

The Flex Wind Group will conduct regular audits using internal and external resources where relevant.

The main purpose of the audit protocol is to coordinate the monitoring of compliance with Binding Corporate Rules across the Flex Wind Group and third parties.

The audits will cover all aspects of the Binding Corporate Rules including methods of ensuring that corrective and preventive actions will take place.

The audit protocol is binding upon all entities within the Flex Wind Group, wherever they are located, and upon all Flex Wind employees.

The Flex Wind Group entities are responsible for implementing changes based on recommendations of the audit, especially if non-compliance with the Binding Corporate Rules is found during the audits.

1 Personnel

The audits will be carried out by or under the supervision and responsibility of the Data Protection Officer together with the local internal privacy agents.

The Flex Wind Group may obtain assistance from and work with internal and external accredited auditors, including internal specialist audit teams.

2 Mandate when auditing

The mandate of the Data Protection Officer when doing audits includes to

- Provide a holistic overview of compliance with regulations, Flex Wind Group code of conduct, including the Binding Corporate Rules, and associated policies and procedures,
- Identify and take timely action on issues that are detected across the assurance areas in internal audits, authority inspections and third-party audits,
- Optimise the use of audit resource in the assurance functions while ensuring complete coverage of compliance with the Binding Corporate Rules,
- Optimise audit programmes for the functional areas and Flex Wind Group entities, and
- Exchange audit best practices across the assurance functions

3 Planning and scope

The Data Privacy Officer will draw up an overall plan and scope for auditing based on:

- A general risk-based assessment and materiality assessment,

- Previous incidents regarding the audited Flex Wind Group entity or Flex Wind Group activity, and
- Complaints and/or government decisions/activity towards the audited Flex Wind Group entity or Flex Wind Group activity.

The audits will mainly concentrate on the following areas:

- Transparency (duty to inform)
- Purpose limitation and proportionality
- Data quality and data retention
- Legal basis for processing of personal data
- The data subjects' rights
- Data security
- Data processors
- Data transfers
- Training
- Compliance and complaints handling

The scope of the audit can be one or multiple of the mentioned areas.

4 Cadence

The Data Protection Officer and the local internal privacy agents meet on a quarterly basis to discuss compliance with the Binding Corporate Rules Policy.

The meetings will have an agenda based on the following issues:

- Update from the Data Protection Officer including
 - Updates from Flex Wind Group entities on privacy compliance
 - Feedback from the Data Breach Team
 - Review of external trends/developments
 - Update on action list and deliverables from the previous quarter
- Review of a selected case or audit finding from a designated Flex Wind Group entity or Flex Wind Group activity,
- Sharing of audit tasks and focus areas
- Appraisal and discussion of the compliance risk picture (third quarter issue only)

- Coordination of audit plans across the Flex Wind Group to optimise coverage and resources (fourth quarter issue only)

The figure below provides an overview of the standard agenda wheel:

Q1	Q2	Q3	Q4
Planning of annual deliverables; Quarterly activities	Quarterly activities	Input to risk picture; Quarterly activities	Audit schedule; Quarterly activities

Ad-hoc items will also be added to the agenda for issues that require the requires attention, input or action, however audits will be carried out on specific request from the Data Protection Officer.

5 Reports

The audit reports regarding compliance with the Binding Corporate Rules will be submitted to the Data Protection Officer, the management of the audited Flex Wind entity and will also be submitted to the board of Flex Wind A/S.

If the audit has shown non-compliance with the Binding Corporate Rules or with applicable laws, The Flex Wind Group will take appropriate steps to rectify the non-compliance. The Data Protection Officer shall ensure proper follow-up of the audit.

The Data Protection authorities are in accordance with applicable laws entitled to receive a copy of the audit reports upon request. The Data Protection Authorities also have the power in accordance with applicable laws to carry out their own audits of the compliance with the Binding Corporate Rules and with applicable laws in its jurisdiction.



APPENDIX 3 – INFORMING THE DATA SUBJECTS

1 Information given to Flex Wind Group employees

The Flex Wind Group continuously informs all Flex Wind Group employees on the Processing of Personal Data within the Flex Wind Group and updates the documentation regularly.

Access to the Flex Wind employee privacy notice is given in connection with acceptance of employment by the Flex Wind Group.

2 Information given to Flex Wind Group data subjects

The Flex Wind Group privacy continuously informs of the Flex Wind Group processing notices through the Flex Wind Group privacy policy published on www.Flex-wind.com.



APPENDIX 4 - RETENTION GUIDELINES WITH INSTRUCTIONS

The Flex Wind Group has issued specific Retention Guidelines Employee Personal Data as laid out below.

All Personal Data stored in accordance to the Retention Guidelines which also includes backup systems and physical storage.

As an added compliance initiative all Flex Wind employees will have to follow the mandatory deletion procedure as described below which will be followed up with audits to ensure compliance with the Rules.

APPENDIX 5 - DATA SUBJECT RIGHTS AND PROCEDURE OF HANDLING REQUESTS

This Procedure describes the Data Subject rights, how a request can be made and how the Flex Wind Group will deal with the request.

1 Making the request

The individual Data Subject may contact any Flex Wind entity with the request.

The request may be made in writing or orally, however it is recommended that the request is made in writing or by email by contacting the Flex Wind Group as described on [Www.Flex-wind.com](http://www.Flex-wind.com) or by contacting the Data Protection Officer as mentioned in the Flex Wind Group Binding Corporate Rules policy.

Flex Wind employees can find contact information on the Flex Wind intranet whereas others can find the contact information on www.Flex-wind.com.

2 Flex Wind's procedure for handling the request

The Flex Wind Group will respond to the request in writing and within 30 working days and the Flex Wind entity may ask for further information from the Data Subject in order to deal with the request, in particular information that serves to authenticate the identity of the Data Subject and to identify the Personal Data, if any, Processed about the Data Subject.

3 The rights of the Data Subject

3.1 Right of access

The Data Subject has the right to obtain from the Data Controller confirmation as to whether or not Personal Data concerning him or her are being Processed, and if so, access to the Personal Data and the following information (a) the categories of Personal Data Processed; (b) the purposes of the Processing; (c) the categories of recipients; (d) retention periods; (e) the rights set out in Rule 7; (f) the source of the Personal Data; (g) automated decision-making, including profiling (and meaningful information about the logic involved, the significance and the envisaged consequences the Data Subject), transfer to third countries and the safeguards.

The Data Subject has the right to receive a copy of the Personal Data, free of charge. For any further copies requested, a reasonable fee based on administrative costs may be charged.

The Flex Wind entity will restrict the right to receive a copy if it will adversely affect the rights and freedoms of others.

3.2 Rectification

The Data Subject has the right to the rectification of inaccurate Personal Data without undue delay and to have incomplete Personal Data completed.

3.3 Erasure

The Data Subject has the right to have Personal Data erased without undue delay if (a) the Personal Data are no longer necessary to Process; (b) the Consent is withdrawn and no other legal ground for the Processing exists; (c) the Data Subject makes a valid objection (d) the Personal Data is unlawfully Processed; (e) the Personal Data have to be erased according to state law; If the Flex Wind Group has made the Personal Data public, it will take reasonable steps to inform other relevant Data Controllers about the requested erasure. Certain exemptions to the erasure apply, including the right of freedom of expression and information; for compliance with a legal obligation or for the performance of a task carried out in the public interest; for the establishment, exercise or defence of legal claims.

3.4 Restriction on Processing

The Data Subject have the right to obtain from the Flex Wind Group restriction of Processing if (a) the accuracy of the Personal Data is contested; (b) the Processing is unlawful and the Data Subject opposes the erasure; (c) The Flex Wind Group no longer needs the Personal Data for the purposes of the Processing, but they are required by the Data Subject for the establishment, exercise or defence of legal claims; (d) the Data Subject has objected to the Processing and pending the verification whether the legitimate grounds of the Flex Wind Group override those of the Data Subject.

3.5 Objection

The Data Subject has the right to object to the Processing of its Personal Data, which is based on public interest or legitimate interest, including profiling. If the request is justified, the Flex Wind entity will take the appropriate steps, e.g. cease the Processing. Furthermore, the Data Subject may object to Processing for direct marketing purposes, see Rule 11, and automated individual decisions, see Rule 12.

3.6 Data portability

The Data Subject has the right to receive the Personal Data concerning him or her, which he or she has provided to the Flex Wind Group, in a structured, commonly used and machine-readable format (data portability), if (a) the Processing is based on Consent or on a contract; and (b) the Processing is carried out by automated means. The Data Subject has the right to have the Personal Data transmitted directly from one Data Controller to another where

technically feasible. The data portability cannot adversely affect the rights and freedoms of others.

4 Official complaints

The Data Subject will be informed about the right to launch a complaint in the written response to the request, including complaining to the Flex Wind Group.

Subject to applicable laws, the Data Subject may also complain to the Data Protection Authorities. The Flex Wind Group will inform the Data Subject of this right.

4.1 Processing of the complaint

The complaint in connection with written responses to the request will be Processed with all complaints being forwarded to the DPO.

The Data Subject will receive written confirmation of receipt of the complaint without undue delay and in any event within 5 working days from receipt of the complaint. The confirmation will contain information about the point of contact and about the expected timeframe for the Processing of the complaint. The Flex Wind Group will provide a substantial response without undue delay and in any event within one (1) month, depending on the complexity of the complaint and the number of requests, that period may be extended by two (2) further months. In that case the Flex Wind Group will inform the Data Subject of any such extension within one month of receipt of the complaint, together with the reasons for the delay.

4.2 Outcome of the complaint

If the assessment of the complaint shows that there has been a violation of the Binding Corporate Rules or of the Data Subject's rights, the Flex Wind Group will take the necessary steps to remedy the breach.

The Data Protection Officer shall receive a copy of the response to the Data Subject.

A complaint lodged as a third-party beneficiary will be subject to Rule 17.

APPENDIX 6 - Flex Wind IT security policies

1 Security of the processing

This Appendix describes the technical and organisational measures and procedures that the Flex Wind Group shall, as a minimum, maintain to protect the security of Personal Data created, collected, received, or otherwise obtained and ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services.

1.1 Physical access control

Unauthorized persons must be prevented from gaining access to data Processing systems with which Personal Data are processed or used.

All places where data of the Flex Wind Group are processed have to be protected by a suitable access control system. The authorized persons have to be defined and equipped with appropriate access means like keys and / or chip cards. Areas where the need of protection is higher, e.g. server rooms or network technology, have to be protected separately and given access only to a restricted number of persons. All rights of physical access have to be awarded restrictively, documented and protected against manipulation. This also includes a regular, at least annually, revision of the authorisations regarding actuality and need. Changes and deletions of access rights due to employee changes or employees leaving have to be implemented and documented instantly. Access by external persons has to be documented and is only allowed accompanied by a Flex Wind Group employee. Doors and windows have to be firmly locked also during hours of operation.

1.2 User access control

Data Processing systems must be prevented from being used without authorization.

In the context of order data Processing technical measures (password protection) and organizational measures (master record consisting of main key records of a Data Subject to identify him or her in unique way) have to be adopted regarding the user identification and authentication. Every user has to work with an account which is clearly assigned for her/him.

Passwords must be stored securely with access control in the system. Temporary passwords have to be handed over to the user in a secure way.

For each user a master record has to be set and maintained.

Password should not be displayed on screen in readable format (e.g. letters or numbers)

All password and biometric data should be saved in one-way encrypted method

When user forgets password, password change should be made with an appropriate user identification procedure

User account which is not used for 90 days, should be locked classified as a dormant account.

1.3 Right access control

Unauthorized activities in data Processing systems without permission have to be prevented.

The authorization concept and the access right as well as their monitoring and logging have to be adjusted demand-oriented. Different functions have to be represented with differentiated rights in the form of profiles, roles, transactions or objects. All access rights have to be awarded restrictively, documented and protected against manipulation. This also includes a regular, at least annually, revision of the authorisations regarding actuality and need. Changes and deletions of access rights due to employee changes or employees leaving have to be implemented and documented promptly.

For remote technicians a separate user identification has to be adjusted, which does not provide an insight into files with Personal Data unless regulated by a Data Processing agreement.

1.4 Input control

The traceability respectively the documentation of the Data Processing and administration has to be ensured.

Regarding Personal Data which are inserted, changed and deleted in the context of Processing, measures for the subsequent revision of the Processing have to be adopted. All changes in Personal Data stored in the Flex Wind Group system must be logged when possible and made traceable by an analysis.

The log should be stored securely and reviewed regularly to prevent unintended change.

1.5 Job control

The Data Processing has to take place strictly in accordance with the instructions of The Flex Wind Group Binding Corporate Rules

All relevant points for the Personal Data Processing are concretized in The Flex Wind Group Binding Corporate Rules and the Intra Group Agreement, respective IT service policy as well as in its annex and corresponding documentation, if applicable.

1.6 Availability control

The data have to be protected against incidental destruction and loss.

In the context of order Personal Data Processing physical and logical measures for Personal Data protection have to be adopted. All Personal Data which are necessary for the service provision have to be protected against loss and destruction by a suitable backup procedure.. All application data are backed up incremental daily. The data media have to be stored in an appropriate way.

All Flex Wind Group employees who deal with the order Personal Data Processing are bound to data protection and data backup.

All backups will be tested with respect to the recovery regularly, at least annually.

All systems which are relevant for the service provision are protected by up to date anti-virus software and firewalls.

1.7 Separation control

It shall be ensured that Personal Data collected for different purposes are Processed separately.

In the context of the order Data Processing measures for the separate Processing of data with different purposes have to be adopted. Data of the Flex Wind Group must be separated from data of other Data Processors or Joint Controllers physically as well as logically. This separation has to be realized by appropriate rights on the one hand and by physically separated storage media or file separation on the other hand.

1.8 Organizational control

It shall be ensured that accountability for security of Processing can be documented

Beyond the technical and organizational measures concerning Personal Data transfer, the in-house organization of the Flex Wind Group is arranged by the following measures in a way, that it fulfills the special requirements:

- Processing records exist, are complete and up to date
- Evidences of accomplished trainings of the employees do exist
- Evidences of the obligation of the data secrecy do exist



- A Binding Corporate Rules with different privacy policies do exist
- A security concept does exist
- The security concept is updated regularly
- Operating instructions / guidelines / leaflets in writing do exist
- Programs / procedures are documented accordingly
- Prior checking for processing with higher risks are accomplished and logged
- Function separation in the IT sector does exist

APPENDIX 7 – Data Breach process

The Flex Wind Group has developed a Data Breach process to ensure compliance with requirements set out by state law.

1 Initiating the Data Breach process

The Data Breach process is initiated through reporting to the DPO who will assemble a Flex Wind Data Breach team as laid out below, where the breach is either defined as:

- A data breach involving Personal Data that is deemed significant.
- A data breach involving Personal Data that is not deemed significant.
- A data breach not involving Personal Data.

2 Operationalisation of the Data Breach Team

The Data Breach Team operates according to a manual available to all of its members.



APPENDIX 8 – EXTERNAL GOVERNANCE

1 Processors and Joint Controllers

The Flex Wind Group will enter into written agreements with all Data Processors, including Joint Controllers as well as other Third Parties.

Before entering into agreements with the Flex Wind Group a process has been established to determine whether the agreement contains any Processing of Personal Data, how to determine if the contract part is a Data Processor or a joint controller.

2 Data Privacy template agreements used

The Flex Wind Group will use standard Flex Wind Group approved Processing agreements compliant with GDPR and LGPD as a global standard having incorporated the Binding Corporate Rules.

All Processing agreements will be sent along with a cover letter to explain the requirement for privacy compliance.

APPENDIX 9 – INTERNAL GOVERNANCE

1 Internal policies

The Binding Corporate Rules will serve as a code of conduct for all Flex Wind employees with the Binding Corporate Rules being implemented as a mandatory Flex Wind Group corporate policy.

All employees in the Flex Wind Group is obligated to follow the Flex Wind Group corporate policies as a compliance requirement with sanctions for non-compliance.

The Binding Corporate Rules Policy also applies to and are legally binding on all entities within the Flex Wind Group with management of each Flex Wind Group entity having signed the Binding Corporate Rules wherein they have accepted adherence with the Binding Corporate Rules, e.g. responsibility for auditing and enforcing compliance lies within Flex Wind Group corporate compliance functions organised across all entities.

2 Internal training

High-level training in privacy requirements and the Binding Corporate Rules has been and will continuously be given to senior leaders within the Flex Wind Group as a part of the Flex Wind Group compliance education.

APPENDIX 10 – Flex Wind PRIVACY OFFICE

1 The role of the DPO

The DPO:

- informs and advises the highest management,
- deals with Supervisory Authorities' investigations,
- ensures that controllers and Data Subjects are informed about their data protection rights, obligations and responsibilities and raise awareness about them,
- monitors and annually reports on compliance at a global level,
- oversees development of training and compliance tools,
- handles queries or complaints on request or on own initiative, and
- where local privacy agents can be in charge of handling local complaints from Data Subjects, reporting major privacy issues to the DPO.

The DPO will have an expert knowledge of data protection and a good understanding of the way the Flex Wind Group operates.

The DPO will be able to perform the duties independently and will have staff and resources to support the DPO to carry out the duties.

2 Internal network

The Flex Wind Group has appointed Flex Wind privacy agents in Flex Wind entities impacted areas and high-risk locations in regard to the Processing of Personal Data.

All Flex Wind privacy agents have received extensive training in the Binding Corporate Rules Policy and the implementation made by the Flex Wind Group.

The local privacy agents shall assist the Data Protection Officer on training, where the Data Protection Officer has the overall responsibility for the completion of training and ensuring that the Binding Corporate Rules are followed on a local basis. The local privacy agents must report major privacy issues to the Data Protection Officer.

The local privacy agents and the Data Protection Officer each report to the relevant management level in the relevant entities of the Flex Wind Group.

The Data Protection Officer are given sufficient independence in the roles.