

UPSTREAM BY ELIA GROUP PRIVACY POLICY

Elia Transmission Belgium (hereafter: "**we**", "**our**", "**us**" or "**Elia**") is committed to respecting and protecting your privacy.

This privacy policy (hereafter "the (Privacy) Policy") aims to clarify how we process the personal data ("data"; "personal data") of our employees and supplier personnel ("**data subject**", "**you**", "**your**", "**users**") that we collect from you or that you provide to us.

At Elia , we are convinced that, to build a trusted relationship with our users and to provide reliable Services, it is essential for us to protect your Personal Data and to be open about the way we handle your personal data.

The Upstream by Elia Group Privacy Policy ("**Privacy Policy**") applies to your access to and use of the Upstream by Elia Group Platform, including all content and Services available at or through the Upstream by Elia Group Platform.

This Privacy Policy is part of the Upstream by Elia Group Terms and Conditions (being either those set out (here) or as otherwise agreed between you and us), and sets out the basis on which any Personal Data we collect from you, or that you provide to us, will be processed by us.

If you elect to not provide the Personal Data we require, we may not be able to provide all our Services to you. If you do not agree to the terms of this Privacy Policy, please do not use our Services.

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1. Who is responsible for the collection and use of your Personal Data?

The following entity is responsible for the collection and use of your Personal Data: Elia Transmission Belgium ('ELIA') SA/NV, a public limited company organized under the laws of Belgium with registered office Boulevard de l'Empereur 20, 1000 Brussels and registered with the Register of Legal Entities of Brussels under company number BE 0731.852.231. We operate the website www.elia.be.

Questions, comments, and requests regarding this Privacy Policy should be addressed at: privacy@elia.be.

2. Compliance

We use our best efforts to ensure our data processing activities are compliant with applicable data protection legislation, including Regulation (EU) 2016/679 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ("**GDPR**") and the Belgian Data Protection Act of 30 July 2018, each as applicable, and as amended or replaced from time to time (the "**Applicable Data Protection Laws**").

3. Why do we collect and use your Personal Data?

Personal Data may only be collected and processed for specified and lawful purposes and may not be processed in a manner incompatible with those purposes. We use the Personal Data we hold about you in the following ways:

In general

- To set up and provide you with the Upstream by Elia Group Platform services;
- To provide you with the Services;
- To handle your queries;
- To secure, maintain and support our networks, systems and applications;
- To offer you a customer support for the Upstream by Elia Group Platform;
- To log transactional data on the Platform
- To ensure that the content from our Upstream by Elia Group Platform is presented in the most effective manner for you and for your computer/device;
- To notify you about changes to Upstream by Elia Group Platform;
- To carry out our obligations arising from any contracts entered into between you and us and to provide you with the information and Services that you request from us;
- To administer our Upstream by Elia Group Platform and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
- To allow you to participate in interactive features of our Service, when you choose to do so;
- As part of our efforts to keep our Upstream by Elia Group Platform safe and secure;
- To manage our Upstream by Elia Group Terms and Conditions with you and resolve any disputes relating to our Upstream by Elia Group Terms and Conditions;
- To comply with applicable laws if applicable;
- If reasonably necessary in connection with a dispute in which we are or may become involved either directly with you or with a third-party;

To protect ELIA

- When we may be required by law enforcement authorities or courts to disclose your Personal Data;
- For the exercise or defense of legal claims, and to exercise and protect the rights of ELIA, including determining our liability;
- To enforce our Terms and Conditions, and keep records of such enforcement, including using your data to analyze whether you have breached the Terms and Conditions (such as by misusing the Upstream by Elia Group Platform or acting fraudulently), which may result in us disabling or terminating your Services if we have the right to do so.

We may also process your personal data:

- To carry out corporate restructuring operations;
- For internal and external audits;
- For the management of disputes with data subjects.

4. Whose Personal Data will be processed?

ELIA will process the Personal Data from you as defined in the introduction of this Privacy Policy to provide you with the Services in accordance with our Terms and Conditions.

5. Which Personal Data will be collected?

We will collect and use the following Personal Data:

- Identity information (e.g. first and last name);
- Contact information (e.g. professional phone number and email address);
- Platform related information (e.g. electronic identification, communication language preference, etc.);
- Information you give us;

ELIA does not seek to collect personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, or 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.

The above types of information may not always contain Personal Data (i.e. data which identifies a person). Some of this information may instead contain non-personal data (i.e. data that does not identify you).

6. What are the legal bases for our use of your Personal Data?

A. Necessary for the performance of our contract with you

We generally process your Personal Data as this is necessary for us to perform the services of the platform; such obligations may flow from contracts with suppliers of Elia.

B. Our legitimate interests

Where applicable, we process your Personal Data if this is necessary to pursue our legitimate interests in relation to the provision of the Services, provided that our interests are not outbalanced by your interests or rights and freedoms (e.g. your privacy rights).

C. Our legal obligations

We process your Personal Data if this is necessary for us to comply with our legal obligations (e.g. EU Corporate Sustainability Reporting Directive), including to comply with decisions rendered by courts or public authorities.

7. Recipients of your Personal Data

We will share your Personal Data with others for the following purposes:

- We use external service providers in connection with the development, marketing and provision of the Services. These service providers may in certain circumstances obtain access to your Personal Data when providing services to us;
- Where we are required by public authorities (e.g. law enforcement or regulatory authorities) and courts to disclose your Personal Data to them;
- If reasonably necessary in connection with a dispute in which we are or may become involved, we may share your Personal Data with, for example, the other part(y)(ies) involved in the dispute or with a court of law;

We may also share your information with:

- our affiliated companies e.g. any company of the Elia group
- our professional advisers;
- our providers of analysis and search engines which help us improve and optimise our Upstream by Elia Group Platform;
- Fraud detection agencies and other third parties who operate and maintain fraud detection registers;
- Third party service providers related to the operation and maintenance of the information systems processing your Personal Data (these providers only have access to the personal data necessary to carry out their missions)

We will also disclose information to third parties under the following circumstances:

- In the event of the purchase or sale of a business or assets, we reserve the right to disclose your Personal Data to the vendor or purchaser of the business or assets. During such transactions, if ELIA or all of its assets were to be purchased by a third party, the information concerning its Customers/Users would be part of the assets transferred;
- Where we are required to disclose or share your information to comply with a legal obligation or to protect the rights, property, or security of ELIA, of our Customers or of others. This includes the sharing of information with public authorities in the event of, for example, a cyber incident.

9. How long will we keep your Personal Data?

We keep your Personal Data for no longer than is necessary for the purposes for which they are processed.

We use the following criteria to set the periods during which we will keep your other Personal Data:

- Duration of the provision of the Services;
- Our legal obligations to retain certain of your Personal Data;
- Periods during which a claim can be initiated by or against us;
- Necessity for us to conduct audits (e.g. security audits);
- Necessity to use your Personal Data in the framework of any current or potential disputes;
- Any guidelines issued by relevant data protection authorities.

10. Will your Personal Data be transferred to other countries?

We will not transfer your Personal Data to a destination outside the European Economic Area ("EEA").

11. Is your Personal Data secured?

ELIA will implement appropriate technical and organizational security measures to protect your Personal Data against accidental or unlawful destruction or accidental loss, alteration, unauthorized disclosure or access, and against all other unlawful forms of processing.

12. What are your rights in relation to your Personal Data?

Depending on and subject to Applicable Data Protection Law, you have certain rights regarding the Personal Data that we hold about you in the context of the Services. Please note that you may exercise the abovementioned rights only in relation to the Personal Data we hold about you in the context of the Services.

These rights include the following:

- The **right to be informed**: You have the right to be provided with clear, transparent and easily understandable information about how we use your Personal Data and your rights related thereto. This is in part why we are providing you with the information in this Privacy Policy;
- The **right of access**: You have the right to obtain access to your Personal Data. You may wish to access your Personal Data to confirm our use in accordance with Applicable Data Protection Law;
- The **right to rectification**: You are entitled to have your Personal Data rectified if they are inaccurate or incomplete;
- The **right to erasure**: This is also known as 'the right to be forgotten' and, in simple terms, enables you to request the deletion or removal of your Personal Data where there is no compelling reason for us to keep using it. Please note that this is not an absolute right and exceptions apply;
- The **right to restrict processing**: You have rights to block or prevent further use of your Personal Data. When processing is restricted, we can still store your Personal Data, but our use of your Personal Data will be restricted;
- The **right to data portability**: You have the right to obtain and reuse your Personal Data for your own purposes across different services. For example, if your relationship with us ends, this right enables you to move, copy or transfer your Personal Data easily between our IT systems and those of another service provider, without affecting its usability. Please note that this is not an absolute right and exceptions apply. Also, this right can be applied only in certain circumstances and provided it does not adversely affect others' rights (for example, it can be applied with regard to the Personal Data you provided to us, which we processed in order to fulfil our contract with you);
- The **right to object to processing**: Where the processing is based on our legitimate interest, you have the right to object to such processing unless we have a compelling and legitimate reason to continue processing your Personal Data;
- The **right to object** at any time to the processing of your Personal Data for direct marketing purposes by unsubscribing from our mailing list or by sending an email to our correspondent at privacy@elia.be;
- The **right to lodge a complaint**: You have the right to lodge a complaint about the way we handle or process your Personal Data with the Belgian data protection authority. The competent supervisory authority for Belgium can be contacted at: Data Protection Authority, 35 Rue de la Presse / Drukpersstraat, 1000 Brussels, Belgium, +32 (0)2 274 48 00, contact@apd-gba.be;
- The **right not to be subject to automated-decision making**: You have the right not to be subject to a decision that is based solely on automated processing (including profiling) and that produces legal effects for you or similarly significantly affects you.

13. How can you exercise your privacy rights and contact ELIA?

For more information about our use of your Personal Data and to exercise your privacy rights, please contact support.upstream@eliagroup.eu;

We will try to comply with your requests as soon as reasonably practicable and always in accordance with the legally prescribed timeframes. Please note that, if we have doubts about your identity, we may require you to provide us a proof of your identity to, for example, prevent unauthorized access to your Personal Data.

Please note that, if you have requested the erasure of your Personal Data, we may still have to retain certain Personal Data if so required or authorized by law.

14. Changes to this Privacy Policy

We may update this Privacy Policy from time to time, in particular to reflect any (potential) legislative or regulatory changes. All changes we make to our Privacy Policy will be posted on our webpage and, if applicable, we will notify you of any changes to the extent required by law.

This Privacy Policy was most recently updated on 24.07.2025.