

Customer Privacy Notice

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1. Introduction

- 1.1 This Privacy Notice applies to the processing of personal data of the users of the Registry Platform of **BioCarbon Cert** (hereafter as "**BioCarbon**", "**We**", "**Us**" or "**Our**"), and its beneficial owners, legal representatives and other relevant stakeholders such as project participants, where applicable.
- 1.2 The Platform is the registration system for projects and initiatives registered with the **BioCarbon** Programs. Through the registration system, users shall complete the procedures for opening an account, registering projects and initiatives, issuing Verified Carbon Credits (VCCs), Biodiversity Credits (BCs), and Verified Water Credits (VWCs) and managing transactions related to VCCs, BCs and VWCs. The system is the central repository for information and documentation related to carbon projects, biodiversity and water initiatives, and units.
- 1.3 This notice applies where we are acting as a data controller with respect to the personal data of the users of the Registry Platform and its beneficial owners, legal representatives and other stakeholders, where applicable. As data controller, we determine the purposes and means of the processing of that personal data.
- 1.4 We are committed to safeguarding the privacy of the users of **BioCarbon's** Registry Platform and its beneficial owners, legal representatives and other relevant stakeholders. As a result, we would like to inform you regarding the way we would use your personal data, as is required by the Colombian Data Protection Law 1581 of 2012 (hereafter referred to as the "**Data Protection Law 1581**"), the Decree 1377 de 2013, and the European Union General Data Protection Regulation (hereafter the "**GDPR**"). We encourage you to review this Privacy Notice so that you understand our approach towards the use of your personal data.
- 1.5 Our Privacy Notice establishes the types of personal data we collect, how we collect and process that data, who we may share this information with and the rights you have in this respect.
- 1.6 By entering into a contractual relationship with **BioCarbon**, you acknowledge that you have read and understood the terms of this Privacy Notice.

2. Who we are

- 2.1 **BioCarbon** is dedicated to the certification and registration of Greenhouse Gas Emissions (GHG) Projects, Water projects and biodiversity conservation initiatives.
- 2.2 We are registered in Colombia under registration number 03171265 and tax identification number (NIT) 901325248-3.
- 2.3 Our principal place of business is at AK 7 67-02, of. 303 Bogota, Colombia.

2.4 For more information, please refer to our website at: <https://biocarbonstandard.com/en/>.

3. Personal data we may collect about you

3.1 Personal data encompasses any information that can be used to identify you, either directly or indirectly.

3.2 The type of data we collect will depend on the purpose for which it is collected and used. We will only collect data that we need for that purpose.

3.3 We may collect your personal data in the following ways:

- (a) When you give it to us **directly** for e.g. by filling in our KYC form; and
- (b) When we obtain it **indirectly** for e.g., through our screening software.

3.4 The types of personal data that are collected and processed may include:

Categories of Personal Data	Details
Contact details	First name, surnames, residence address, email address, office phone number, cell phone number
Individual details	Gender (male/female/nonbinary), nationality, language, date and place of birth, photographs
Professional background	Detailed CV and qualifications
Employment details	Occupation and profession, job title, company, salary, name of the company where you work, area, position
National identification details	Passport number, identity card number, Tax Identification number (TIN)
IT information	Information required to open an account and register projects and initiatives, such as login information (username, user ID and password)
AML/CFT/CPF details	Information which we need to collect to assess the risk in providing services to you. This may include data relating to criminal convictions, proof of address documentation, source of fund/ wealth information and information received from our screening software on User Name and Beneficial Owners and legal representatives, where applicable, or other special categories of personal data.
Other	Information about requests, queries and complaints

4. Cookies

We use cookies on our website. Insofar as those cookies are not strictly necessary for the provision of our website and services, we will ask you to consent to our use of cookies when you first visit our website.

5. How we use your personal data

- 5.1 **BioCarbon** will only use your personal data for the purposes for which it was collected or agreed with you. We will not use your personal data for any automated individual decision making which will have a significant impact on you.
- 5.2 We have set out below the legal basis of processing for each purpose. Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your personal data.

Purpose of processing	Legal basis
<p>For the purposes of entering into an agreement with you regarding provision of services and to administer and manage our relationship with you. Process your personal information for ordinary business purposes, namely:</p> <ul style="list-style-type: none"> - to open and maintain your account on the Registry Platform; - to publish project information on our website; - to conduct transactions related to VCCs, BCs, and VWCs; - to administer claims where applicable; and - to manage our risks 	<p>Performance of any contractual obligations towards you.</p> <p>Legitimate interests, namely the proper administration of our business and services.</p>
For the purposes of performing customer due diligence	For compliance with our legal obligations and internal policies and procedures to which we are subject to, under for instance the relevant AML/CFT/CPF regulations, guidelines and international standards.
For the purposes of record keeping, traceability and transparency	For compliance with a legal obligation to which we are subject to, such as internal/external audit, proper maintenance of records relating to your transactions, as per AML/CFT/CPF regulations, guidelines and international standards for example.

For the purposes of analysing the effectiveness of our services using your feedback	Legitimate interests, namely of improving our services
For the purpose of monitoring compliance with our policies and standards	Legitimate interests, namely of monitoring and improving our business and services
For the purposes of ensuring the security of our information systems and maintaining back-ups of our databases	Legitimate interests, namely the proper administration of our business
For the purposes of managing our relationships with customers, communicating with customers and keeping records of those communications	Performance of any contractual obligations towards you. Legitimate interests, namely for the proper management of our customer relationships.
For the purposes of confirming and verifying your identity when you request to access, rectify, restrict or delete the information we hold on you	For compliance with a legal obligation to which we are subject to, that is, to verify the identity of a data subject who makes a subject rights request
For the purposes of replying to any requests, complaints, comment or enquiries you submit to us regarding our services and notifying you about changes to our service	Performance of any contractual obligations towards you. Legitimate interests namely for proper administration of our business and communication with users.
For the purposes of conducting market or customer satisfaction research, for statistical analysis, or for analysing the effectiveness of our advertisements	Legitimate interests, namely the proper administration of our business
For the purposes of marketing services which may be of interest to you	Consent
For the purposes of subscribing to our email notifications, newsletters or webinars	Consent

- 5.3 In addition to the above-mentioned specific purposes for which we may process your personal data, we may also process any of your personal data where such processing is allowed by law, or when it is in connection with legal proceedings.

6. Disclosure of personal data

- 6.1 We may need to share your personal data with third parties which assist us in fulfilling our responsibilities regarding our business relationship with you and for the purposes listed above. **BioCarbon** may disclose your personal data to the following third parties:
- a) We may make certain personal data available to third party service providers and agents who provide services to us. When we share with these third parties, we do so on a need-to-know basis and under clear contractual terms and instructions for the processing of your personal data.
 - b) We may also make certain personal data available to third party companies that provide us software and tools relevant for our business operations (such as for example, Global Carbon Trace, the administrator of **Biocarbon's** Registry). When we share with these third parties, we do so on a need-to-know basis and under clear contractual terms and instructions for the processing of your personal data.
 - c) We may also be required to disclose your personal data to other third parties such as lawyers, consultants, insurers, auditors as well as public and government authorities for purposes mentioned in Section 5 or where:
 - We have a duty or a right to disclose in terms of law or for national security and/or law enforcement purposes;
 - We believe it is necessary to protect our rights;
 - We need to protect the rights, property or personal safety of any member of the public or a customer of our company or the interests of our company; or
 - You have given your consent.

- 6.2 We require our service providers and other third parties to keep your personal data confidential and that they only use the personal data in furtherance of the specific purpose for which it was disclosed. We have written agreements in place with our processors to ensure that they comply with these privacy terms.

7. Personal data security

- 7.1 We are legally obliged to provide adequate protection for the personal data we hold. We have put in place appropriate security measures to prevent your personal data from being subject to any accidental or unlawful destruction, loss, alteration, and any unauthorised disclosure or access.
- 7.2 We have also put in place procedures to deal with any suspected data security breach.
- 7.3 We will, on an on-going basis, continue to review our security controls and related processes to ensure that your personal data is secure.
- 7.4 Global CarbonTrace, the administrator of **Biocarbon**'s Registry, has developed the Platform for the registration of projects and initiatives with the **BioCarbon** Programs taking into consideration the below security policies and procedures¹:
- BlockChain Technology
 - SSL Certificate
 - Google ReCAPTCHA
 - Identity validation
 - Login verification code (PIN)
 - Secure password
 - Control of login attempts
 - Record of last login
 - Automatic Back Up
 - Software development
 - Cyber threat control

¹ For more information about the above security measures please consult the **Handbook and Good Practices Registry Platform** of Global CarbonTrace.

- 7.5 When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal data that we remain responsible for is kept secure.
- 7.6 We will ensure that anyone to whom we pass your personal data agrees to treat your data with the same level of protection as we are obliged to.

8. International transfers

- 8.1 We may transfer personal data outside Colombia as may be necessary for the purposes mentioned above. If we transfer your personal data to other countries, we will ensure that there are appropriate safeguards in place with regards to the protection of your personal data.
- 8.2 Those transfers would always be made in compliance with the **GDPR** and the **Data Protection Law 1581**. Data transfers do not change any of our commitments to safeguard your privacy and your personal data remains subject to existing confidentiality obligations.

9. Your data protection rights

Under the **GDPR** and the **Data Protection Law 1581**, you have rights we need to make you aware of. The rights available to you depend on our reason for processing your information.

9.1 Your right to erasure of your personal data

You have the right to ask us to delete your personal data in certain circumstances:

- When we no longer need your personal data;
- If you initially consented to the use of your personal data, but have now withdrawn your consent;
- If you have objected to us using your personal data, and your interests outweigh ours;
- If we have collected or used your personal data unlawfully; and
- If we have a legal obligation to erase your data.

Where we collect personal data for a specific purpose, we will not keep it for longer than is necessary to fulfil that purpose, unless we have to keep it for legitimate business or legal reasons.

9.2 Your right of access to your personal data

You have the right to request a copy of the personal data we hold about you. In order to do so, simply fill and sign the form available on our website (<https://biocarbonstandard.com/en/pcc/>) and send it to our Data Protection Officer (refer to Section 10. We will take all reasonable steps to confirm your identity before providing details of your personal data.

You will not have to pay a fee to access your personal data (or to exercise any of your other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

9.3 Your right to rectification of your personal data

You have the right to ask us to update or correct your personal data if you think it is inaccurate or incomplete. We will take all reasonable steps to confirm your identity before making changes to personal data we may hold about you. We would appreciate it if you would take the necessary steps to keep your personal data accurate and up-to-date by notifying us of any changes we need to be aware of.

9.4 Your right to restriction of processing

You have the right to ask us to limit how we use your data. If necessary, you may also stop us from deleting your data. To exercise your right to restriction, simply fill and sign the form available on our website (<https://biocarbonstandard.com/en/pcc/>) and send it to our Data Protection Officer (refer to Section 10), say what data you want restricted and state your reasons. You may request us to restrict processing of your personal data in the following circumstances:

- If you have contested the accuracy of your personal data, for a period to enable us to verify the accuracy of the data;
- If you have made an objection to the use of your personal data;
- If we have processed your personal data unlawfully but you do want it deleted;
- If we no longer need your personal data but you want us to keep it in order to create, exercise or defend legal claims.

9.5 Your right to object to processing

You also have the right to object to us processing your personal data where your data is being used:

- For a task carried out in the public interest;
- For our legitimate interests;
- For scientific or historical research, or statistical purposes; or
- For direct marketing.

We currently process personal data for direct marketing and for our legitimate interests only. You should fill and sign the form available on our website (<https://biocarbonstandard.com/en/pcc/>) and send it to our Data Protection Officer (refer to Section 10) to inform that you are objecting to any more processing of your personal data and state in your objection why you believe we should stop using your data in this way. Unless we believe we have strong legitimate reasons to continue using your data in spite of your objections, we will stop processing your data as per the objection raised.

9.6 Your right to data portability

The right to data portability allows you to ask for transfer of your personal data from one organisation to another, or to you. The right only applies if we are processing information based on your consent or performance of a contract with you, and the processing is automated. You can exercise this right with respect to information you have given us by contacting our Data Protection Officer (refer to Section 10). We will ensure that your data is provided in a way that is accessible and machine-readable.

9.7 Your right to withdraw consent

To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

If you wish to exercise any of the rights set out above, please fill and sign the form available on our website (<https://biocarbonstandard.com/en/pcc/>) and send it to our Data Protection Officer (refer to Section 10).

10. Changes to this privacy notice

We keep our privacy notice under regular review. We reserve the right to change our privacy notice at any time thus we encourage you to periodically review this notice to be informed of how we are using and protecting your personal data. We will notify you of significant changes by email.

11. Contact details

- 11.1 The primary point of contact for questions relating to this privacy notice, including any requests to exercise your legal rights, is our Data Protection Officer who can be contacted by email, at dp.officer@biocarbonstandard.com.
- 11.2 If you believe that we have not handled your request in an appropriate manner, then you have the right to lodge a complaint with the Superintendencia de Industria y Comercio on <https://sedeelectronica.sic.gov.co/atencion-y-servicios-a-la-ciudadania/servicios/quejas-datos-personales>.