

# Privacy policy for EloRa Manager

Last updated: 16.03.2023

## 1. General

Elotec AS ("**Elotec**", "**we**" or "**us**") acts as the data controller for personal data processed in connection with the EloRa Manager platform ("**EloRa Manager**"). "*Personal data*" means any information relating to an identified or identifiable natural person, such as name, location data, phone number, IP-address or a combination of these that make it possible to identify the person to whom the data belongs, ref. Article 4(1) of the EU General Data Protection Regulation (the "**GDPR**"). "*Data controller*" refers to the person, company, or other body that determines the purpose and means of personal data processing, ref. Article 4(7) of the GDPR. This further means that Elotec is responsible and must comply with the duties set forth in the prevailing data protection legislation, including the Norwegian Personal Data Act and the GDPR.

This privacy policy (the "**Privacy Policy**") describes how and why we process your personal data as data controller when you access and use EloRa Manager, the legal bases for the processing, your rights as a data subject, whether we transfer your personal data to third parties, and how we protect your personal data.

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## 2. Personal data collected in EloRa

### Overview

When you access and use EloRa Manager, either as a representative for your company or because you personally subscribe to EloRa Manager (collectively referred to as the "**End User**"), or as an installer with access to EloRa Manager, Elotec may process your personal data. This may include your name, e-mail, phone number, password, the company you represent, and any technical or service requests you submit. In general, we collect and process your personal data to be able to provide you with relevant information related to EloRa Manager or to fulfil our contract with you or the company you represent, including as required by legal obligations.

Elotec collects and processes this personal data to be able to fulfil contractual obligations with you (ref. Article 6(1) letter b of the GDPR), on the basis of your explicit consent (ref. Article 6(1) letter a of the GDPR), to uphold our legitimate interest in fulfilling our contractual obligations with the company you act on behalf of, to uphold our legitimate interest in providing you with the best experience possible in relation to your use of EloRa Manager, and to uphold our legitimate interest in processing any legal claims (ref. Article 6(1) letter f of the GDPR), as well as for compliance with our legal obligations (ref. Article 6(1) letter c of the GDPR).

We do in general not process any special categories of personal data about you pursuant to Article 9 of the GDPR, such as sexual orientation or health data. Further, we only process your personal data to the extent that it is necessary for the performance of our services in EloRa Manager or any other contractual obligations, including as required by legal obligations, for pursuing our legitimate interests, or to the extent you have consented to any processing.

We do not use cookies in EloRa Manager.

Below we have listed all the specific ways to collect personal data from you and what categories of personal data we typically process, as well as the legal bases for such processing.

#### Use of EloRa Manager

We may process personal data about End Users and installers that are using EloRa Manager. This includes collecting and processing your name, e-mail, password and information regarding what company you represent in order to successfully register you as a user and give you access to EloRa Manager. We may also collect your phone number if you opt in for SMS-notifications.

*The legal bases* for our processing of personal data for these purposes are Article 6(1) letter a of the GDPR (your explicit consent) Article 6(1) letter b (necessary for the performance of our contract with you), as well as Article 6(1) letter f (our legitimate interest in fulfilling a contract with the company you represent or our legitimate interest in administering users of EloRa Manager).

If you require product or service support, we process personal data to be able to assist you in connection with your request. This may include your name, e-mail, log-in information, and any other personal data you choose to share with us. *The legal bases* for this processing are Article 6(1) letter b or f of the GDPR (necessary to fulfil a contract with you or the business you represent), or Article 6(1) letter f (our legitimate interest in providing customer support and a well-functioning system to the users of EloRa Manager).

If you personally subscribe to EloRa Manager, Elotec acts as the data controller for personal data processed through the Elotec sensors to the extent that personal data can be derived from the sensors. This may include personal data such as location data, behaviour and behavioural patterns, use of building, systems and machines, and any other things monitored and analysed by the sensors. We process this personal data so you can view the data that the sensors gather. *The legal basis* for this processing is Article 6(1) letter b of the GDPR (necessary to fulfil a contract with you).

An End User may wish to grant access to the sensor data to others. If you are granted access to another person or company's sensor data, Elotec may process your [NAME, PHONE NUMBER, E-MAIL] in order to give you such access. *The legal basis* for our processing of personal data is Article 6(1) letter f of the GDPR (our legitimate interest in providing this service to the End User).

#### Statistics and marketing

The data that is collected through EloRa Manager may be used by Elotec for marketing and statistical purposes. More specifically, personal data may be processed to improve our marketing activities and to create statistical overviews on the use of EloRa Manager. Personal data is anonymized before being used and processed for these purposes.

*The legal basis* for anonymizing personal data for these purposes is Article 6(1) letter f of the GDPR (our legitimate interest in improving our marketing activities and creating statistics on the use of EloRa Manager).

## 4. Third parties

### Do we share your personal data with third parties?

We will not share your personal data with others unless you either give us your consent to do so (ref. Article 6(1) letter a of the GDPR), or if we have a legal basis to share your data, e.g. if it is necessary to provide you with a contractual service (ref. Article 6(1) letter b of the GDPR), if we are required by law to disclose your personal data (ref. Article 6(1) letter c of the GDPR), or it can be justified on the basis of our legitimate interest in doing so (ref. Article 6(1) letter f of the GDPR).

When we use third party sub-contractors or service providers in order to provide our services in the Elotec EloRa system, we will take appropriate legal precautions and corresponding technical and organisational measures in order to ensure that your personal data is protected in accordance with applicable data protection law. Data related to you installed sensors and system may be shared with the same third party who sold you the Elotec EloRa hardware, who in turn may use the data to offer customer and technical support services. We use third party providers that supply the application and services surrounding EloRa Manager. Our service providers may be based in locations all over the world. This means that your personal data may be transferred outside of the EU/EEA. If that is the case, we will implement appropriate security measures in accordance with chapter five of the GDPR, in order to sufficiently protect your personal data, such as agreements including EU standard contractual clauses (SCC).5.

## How we protect your personal data

Both our data processors and we have implemented appropriate technical and organizational measures to ensure a sufficient level of security when processing your personal data and to prevent loss or unlawful processing (ref. GDPR art. 32). Such measures are, for example, internal routines, data processing agreements and IT-security procedures to verify access rights. We will also carry out data protection impact assessments when it is likely that processing your data may result in a high risk with respect to your rights and freedoms in relation to your personal data.

## 6. Your rights

You have several rights under the applicable data protection regulations. We have provided a list of the rights you can exercise in your relationship with us as a data controller below. If you wish to exercise your rights, please contact us and we will respond to your inquiry as soon as possible, but no later than a month after the receipt of your enquiry.

- **Access:** You have a general right of access to the personal data we have registered about you.
- **Rectification and erasure:** You have a general right to request that we should rectify any incorrect personal data about you and erase personal data about you. Please note that personal data that is essential to the customer relationship with us cannot be deleted, unless you also explicitly request termination of the customer relationship with us.
- **Restriction:** You have a general right to ask us to stop (“freeze”) the processing of your personal data, e.g. where you are of the opinion that we process personal data about you illegally and you do not wish us to erase these data pursuant to our routines for such erasure until the matter has been clarified.
- **Data portability:** You have a general right to request transfer of your personal data in a common, machine-readable format.

- **Objection:** You have a general right to object to our processing of personal data about you if this is justified by special circumstances on your part.
- **Right to appeal:** If you do not agree with the way in which we process your personal data, you may submit an appeal to the Norwegian Data Protection Authority (in Nw: *Datatilsynet*). We ask that you contact us beforehand, so that we may clarify any misunderstandings.
- **Withdraw your consent:** If our processing of personal data is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal.

## 7. How long do we store your personal data

Your personal data will not be stored for longer than needed for the purposes mentioned in this Privacy Policy. This means that when you no longer hold a user profile in EloRa Manager, we will erase your personal data as soon as our purpose with processing such data is no longer relevant, unless we are compelled by law or have other legal basis to store this data any longer.

## 8. Changes to this privacy policy

We may amend this Privacy Policy from time to time. You will be notified if we make any significant changes. The most up-to-date version of this privacy police is available on EloRa Manager.