

# WEBSITE PRIVACY AND COOKIE POLICY

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## 1 INTRODUCTION

- 1.1 At Hero Future Energies, we are committed to respecting your privacy. This Privacy Policy explains how we collect, use and disclose personal information that we receive when you visit this website, use our services, or communicate with us, both on this website and offline as a client or prospective client, business partner or general contact (together the “Corporate Contacts”).
- 1.2 It is important that you read this Privacy Policy so that you are fully aware of how and why we are using your data.
- 1.3 This Privacy Policy does not apply to our employee personal data or candidate recruiting practices. Please refer to other privacy policies pertaining to those activities.

## 2 ABOUT US

- 2.1 This Privacy Policy is issued on behalf of Hero Future Energies Global Limited and its subsidiaries (“HFE”, “we”, “us” or “our”). HFE is a leading independent global power producer and is made up of different legal entities (each of which we refer to as an “Affiliate”).
- 2.2 When HFE processes your personal information, it is responsible as ‘controller’ of that personal information for the purposes of data protection laws including, where applicable, the EU General Data Protection Regulation (“GDPR”).

## 3 CONTACTING US

If you have any questions about our Privacy Policy or your information, or to exercise any of your rights as described in this Privacy Policy or under data protection laws, you can contact our Risk Officer as follows:

By post:

**Risk Officer**

96 Kensington High Street  
London  
W8 4SG

By telephone: 0207 221 2000

Or by email: [riskofficer@herofutureenergies.com](mailto:riskofficer@herofutureenergies.com)



## 4 DATA PROTECTION PRINCIPLES

4.1 HFE adheres to the following principles when processing your personal information as data controller:

- 4.1.1 **Lawfulness, fairness and transparency:** data must be processed lawfully, fairly and in a transparent manner.
- 4.1.2 **Purpose limitation:** data must be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- 4.1.3 **Data minimisation:** data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- 4.1.4 **Accuracy:** data must be accurate and, where necessary, kept up to date.
- 4.1.5 **Storage limitation:** data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal information are processed.
- 4.1.6 **Integrity and confidentiality:** data must be processed in a manner that ensures appropriate security of the personal information, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage by using appropriate technical or organisational measures.

## 5 PERSONAL INFORMATION WE COLLECT

5.1 Information you give us

- 5.1.1 You may provide us with information through the website or via social media, by post, by email, over the phone or otherwise communicate or be in contact with us in your capacity as a Corporate Contact, when you:
  - request additional information about our business or ask us to contact you; and
  - do business with us, for example, in respect of any projects we are working on with you and your business.
- 5.1.2 The categories of personal information you provide may include:
  - first and last name;
  - job title and company name;
  - address;
  - phone number;
  - email address;
  - financial information and history; and
  - any other identifier that permits HFE to make contact with you.



5.1.3 We do not generally seek to collect sensitive personal information through our website or as part of our business transactions. Sensitive personal information is information relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership; health or sex life, sexual orientation; genetic or biometric information. If we do collect sensitive personal information, we will ask for your explicit consent to our proposed use of that information at the time of collection.

## 5.2 Information we collect from you

5.2.1 HFE collects, stores and uses information about your visits to the website and about your computer, tablet, mobile or other device through which you access the website. This includes the following information:

- technical information, including the Internet protocol (IP) address, browser type, internet service provider, device identifier, your login information, time zone setting, browser plug-in types and versions, operating system and platform, and geographical location;
- information about your visits and use of the website, including the full Uniform Resource Locators (URL), clickstream to, through and from our website, pages you viewed and searched for, page response times, length of visits to certain pages, referral source/exit pages, page interaction information (such as scrolling, clicks and mouse-overs), and website navigation and search terms used.

## 5.3 Aggregated Data

5.3.1 We may also collect, use and share “Aggregated Data” such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Privacy Policy.

## 5.4 Children

5.4.1 This website is not intended for or directed at children under the age of 16 years and we do not knowingly collect information relating to children under this age.



6 WHAT WE DO WITH YOUR PERSONAL DATA

6.1 As a data controller, HFE will only use your personal information if we have a legal basis for doing so. The purpose for which we use and process your information and the legal basis on which we carry out each type of processing is explained in the table below.

Purposes for which we will process the information	Legal Basis for the processing
To do business with you, for example, in respect of a project. Examples including processing your information in respect of a bidding process, land acquisition, design and engineering, project execution, operation and maintenance, corporate finance, investments and project finance.	Such processing is necessary for our legitimate interests in running our business, particularly in relation to managing projects.
To carry out our obligations arising from any contracts entered into with you.	It is necessary for us to process your personal information in this way in order to enter into a contract with you and to fulfil our contractual obligations to you.
To provide you with information and materials that you request from us.	It is in our legitimate interests to respond to your queries and provide any information and materials requested in order to generate and develop business. To ensure we offer an efficient service, we consider this use to be proportionate and will not be prejudicial or detrimental to you.
To enforce any contracts entered into with you.	It is in our legitimate interests to enforce any contracts against you. We consider this use to be necessary for our legitimate interests and proportionate.



<p>To update you on services and anything else that we believe may be of interest to our Corporate Contacts.</p>	<p>It is in our legitimate interests to market to our Corporate Contacts. We consider this use to be proportionate and will not be prejudicial or detrimental to you.</p> <p>If you would prefer not to receive any direct marketing communications from us, you can opt-out at any time by contacting us as provided in “Contacting Us” above.</p> <p>For direct marketing sent by email to new contacts (i.e. individuals who we have not previously engaged with), we need your consent to send you unsolicited direct marketing.</p>
<p>To send you information regarding changes to our policies, other terms and other administrative information.</p>	<p>It is in our legitimate interests to ensure that any changes to our policies and other terms are communicated to you. We consider this use to be necessary for our legitimate interests and will not be prejudicial or detrimental to you.</p>
<p>To:</p> <ul style="list-style-type: none"><li>• administer our website including troubleshooting, data analysis, testing, research, statistical and survey purposes;</li><li>• improve our website to ensure that content is presented in the most effective manner for you and your computer, mobile device or other item of hardware through which you access the website; and;</li><li>• keep our website safe and secure.</li></ul>	<p>For all these categories, it is in our legitimate interests to continually monitor and improve our services and your experience of the website and to ensure network security. We consider this use to be necessary for our legitimate interests and will not be prejudicial or detrimental to you.</p>



6.2 Generally, we do not rely on consent as a legal basis for processing your personal data although we may need your consent before sending direct marketing communications to you via email or text message. Where you provide consent, you can withdraw your consent at any time and free of charge, but without affecting the lawfulness of processing based on consent before its withdrawal. You can update your details or change your privacy preferences by contacting us as provided in Contacting us above.

6.3 HFE will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you in a timely manner and we will explain the legal basis which allows us to do so.

## 7 DISCLOSURE OF YOUR PERSONAL DATA TO THIRD PARTIES

7.1 HFE will not sell, rent, lease or otherwise share your personal information other than as outlined in this Privacy Policy or without obtaining your consent beforehand.

7.2 We will share your personal information with our Affiliates and advisers as necessary to carry out the purposes for which the information was supplied or collected (i.e. to manage projects).

7.3 Personal information will also be shared with our third party service providers and business partners who assist with the running of the website and the operation of our business including hosting providers. Our third party service providers and business partners are subject to security and confidentiality obligations and are only permitted to process your personal information for specified purposes and in accordance with our instructions.

7.4 In addition, HFE may disclose information about you:

7.4.1 to our professional advisors including lawyers, auditors and insurers;

7.4.2 in the event that we sell or buy any business or assets, in which case we may disclose your personal information to the prospective seller or buyer of such business or assets;

7.4.3 if all or substantially all of HFE's (or one of its Affiliate's) assets are acquired by a third party, in which case personal information held by it about its Corporate Contacts will be one of the transferred assets;

7.4.4 if we are under a duty to disclose or share your personal information in order to comply with any legal or regulatory obligation;



7.4.5 if necessary to protect the vital interests of a person; and

7.4.6 to enforce or apply our contracts or to establish, exercise or defend the rights of HFE, its staff or other related persons.

## 8 INTERNATIONAL TRANSFERS

8.1 Where we collect personal data from you and we are in the European Economic Area (“EEA”), it may be necessary for us to transfer your personal information outside of the EEA to our Affiliates and our service providers and business partners located outside the EEA. Also, we exchange personal information between our offices in other countries (including our offices in India) which may not offer equivalent data protection or privacy laws to those in the UK or the EU.

8.2 We take steps to provide appropriate safeguards to protect your personal information, including entering into standard contractual clauses approved by the European Commission, obliging recipients to protect your personal information.

8.3 If you want further information on the specific mechanism used by us when transferring your personal information out of the EEA, please contact us using the details set out above.

## 9 SECURITY OF YOUR PERSONAL DATA

9.1 We use appropriate technical and organisational security measures to protect personal information both online and offline from unauthorised use, loss, alteration or destruction. We use physical and procedural security measures to protect information from the point of collection to the point of destruction.

9.2 Where data processing is carried out on our behalf by a third party, we take steps to ensure that appropriate security measures are in place to prevent unauthorised disclosure of personal information.

9.3 Despite these precautions, however, HFE cannot guarantee the security of information transmitted over the Internet or that unauthorised persons will not obtain access to personal information. In the event of a data breach, HFE have put in place procedures to deal with any suspected breach and will notify you and any applicable regulator of a breach where required to do so.

9.4 If you have any questions about security on our website or within our business operations, you can contact us as provided in Contacting us above



## 10 HOW LONG WE KEEP YOUR PERSONAL DATA

- 10.1 We will only retain your personal data for as long as necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting or reporting requirements.
- 10.2 To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means and the applicable legal requirements.

## 11 YOUR RIGHTS

- 11.1 Access to and updating your personal data
- 11.1.1 You have the right to access information which we hold about you (“data subject access request”).
- 11.1.2 You may also have the right to receive personal information which you have provided to us in a structured and commonly used format so that it can be transferred to another data controller (“data portability”). The right to data portability only applies where your personal data is processed by us with your consent or for the performance of a contract and when processing is carried out by automated means.
- 11.1.3 We want to make sure that your personal information is accurate and up to date. You may ask us to correct or remove information you think is inaccurate. Please keep us informed if your personal information changes during your relationship with us.

## 12 RIGHT TO OBJECT

- 12.1 Direct marketing
- 12.1.1 You have the right to object at any time to our processing of your personal information for direct marketing purposes.
- 12.2 Where we process your information based on our legitimate interests
- 12.2.1 You also have the right to object, on grounds relating to your particular situation, at any time to processing of your personal information which is based on our legitimate interests. Where you object on this ground, we shall no longer process your personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.



## 13 YOUR OTHER RIGHTS

- 13.1 You also have the following rights under data protection laws to request that we rectify your personal information which is inaccurate or incomplete.
- 13.2 In certain circumstances, you have the right to:
- 13.2.1 request the erasure of your personal information: this enables you to ask us to delete or remove personal data where there is no good reason for us to continuing to process it (“right to be forgotten”);
  - 13.2.2 restrict the processing of your personal information.
- 13.3 Please note that the above rights are not absolute and we may be entitled to refuse requests, wholly or partly, where exceptions under the applicable law apply.
- 13.4 For example, we may refuse a request for erasure of personal information where the processing is necessary to comply with a legal obligation or necessary for the establishment, exercise or defence of legal claims. We may refuse to comply with a request for restriction if the request is manifestly unfounded or excessive.

## 14 EXERCISING YOUR RIGHTS

- 14.1 You can exercise any of your rights as described in this Privacy Policy and under data protection laws by contacting us as provided in “Contacting us” above.
- 14.2 Save as described in this Privacy Policy or provided under data protection laws, there is no charge for the exercise of your legal rights. However, if your requests are manifestly unfounded or excessive, in particular because of their repetitive character, we may either: (a) charge a reasonable fee taking into account the administrative costs of providing the information or taking the action requested; or (b) refuse to act on the request.
- 14.3 Where we have reasonable doubts concerning the identity of the person making the request, we may request additional information necessary to confirm your identity.

## 15 COOKIES

- 15.1 In order to improve the website, we may use small files commonly known as “cookies”. A cookie is a small amount of data which often includes a unique identifier that is sent to your computer or mobile phone (your “device”) from the website and is stored on your device’s browser or hard drive.



- 15.2 By continuing to browse the website, you are agreeing to our use of cookies.
- 15.3 If you do not want us to use cookies when you use the website, you can set your internet browser not to accept cookies. However, if you block cookies some of the features on the website may not function as a result.
- 15.4 You can find more information about how to do manage cookies for all the commonly used internet browsers by visiting [www.allaboutcookies.org](http://www.allaboutcookies.org). This website will also explain how you can delete cookies which are already stored on your device.
- 15.5 We ask for your consent to place cookies on your device, except where these are essential for us to provide you with a service that you have requested.
- 15.6 We only use "Google Analytics" on the website. This cookie provides us with a visitor count and an understanding of how visitors move around and use the website. We can then use this information to improve navigability and the website generally. The cookies we use on the website will not collect personally identifiable information about you and, unless otherwise stated, we will not disclose information stored in cookies that we place on your device to third parties.
- 15.7 We are obliged by Google Analytics to state the following:
- 15.7.1 The website uses Google Analytics, a web analytics service provided by Google Inc. ("Google"). Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyse how users use the website. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google. You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of the website. By using the website, you consent to the processing of data about you by Google in the manner and for the purposes set out above.



## 16 LINKS

16.1 The website may, from time to time, contain links to and from the websites of our business partners, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and HFE does not accept any responsibility or liability for these policies. Please check these policies before you submit any personal information to these websites.

## 17 COMPLAINTS

17.1 If you have any questions or concerns regarding our Privacy Policy or practices, please contact us as provided in “Contacting Us” above.

17.2 If you are located in the EEA, you also have the right to complain to the relevant supervisory authority in the EEA. In the UK, this is the Information Commissioner’s Office (<https://ico.org.uk/>).

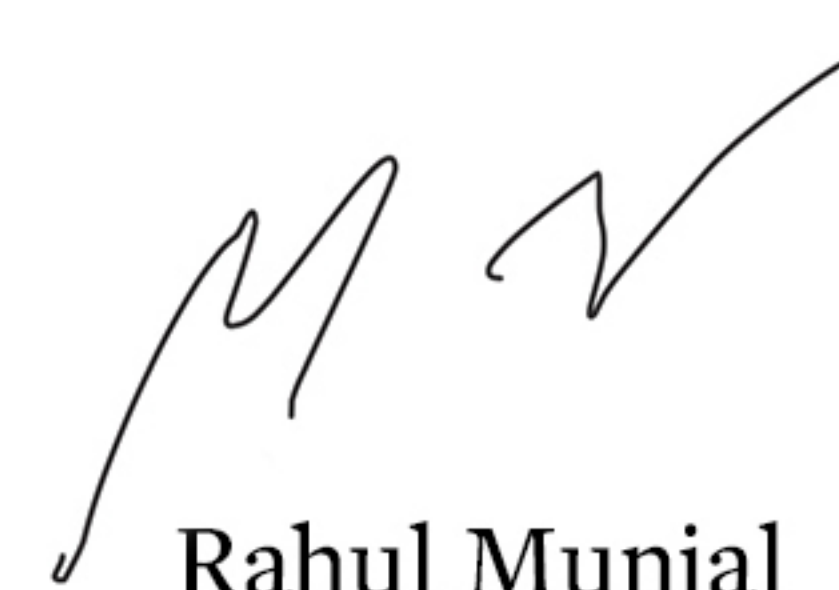
17.3 We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## 18 CHANGES TO OUR PRIVACY POLICY

18.1 HFE reserves the right to change this Privacy Policy from time to time. Any changes will be posted on this page with an updated revision date. If we make any material changes to this Privacy Policy, we will notify you by email or by means of a prominent notice on the website prior to the change becoming effective.



Sunil Jain  
Chief Executive Officer



Rahul Munjal  
Chairman and Managing Director

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