



**African Hydrogen Partnership
Trade Association
(AHP)**

**Internal Rules
Privacy Policy - Data Protection
(Privacy Policy)**

Authors: The African Hydrogen Partnership (AHP)

Date: **1st January 2021**

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1. Definitions and Interpretations

“Personal Information”	means any information we hold about an individual that identifies himself/herself.
“you” and “your”	means anyone whose data will be collected under this Privacy Policy including users of this website, those who register for updates with the AHP, the employees of our members, customers and suppliers who are our contacts at those organisations, employees of organisations who are our members partners, customers, suppliers or potential members, partners, customers and suppliers.
“we”, “us”	means the AHP.
“AHP”	means the African Hydrogen Partnership incorporated in Mauritius (Company No. 176378)

2. Preliminary

This is the privacy policy of the African Hydrogen Partnership Trade Association (AHP) incorporated as a non-profit Private Company Limited by Guarantee in the Republic of Mauritius (Company No. 176378) with its registered office at

The African Hydrogen Partnership (AHP)
c/o Accuvise Administrators Limited
7A Mayer Street
Port Louis
Mauritius

The AHP has been authorized by the Financial Services Commission (FSA) of the Republic of Mauritius as an Authorized Company (AC; Authorisation No. AU20032398; Code FS-4.3) under the following conditions:

1. The AHP shall conduct such business as is permissible under the laws of Mauritius and under the laws of those jurisdictions where the business or activity is being effectively carried out.
2. The AHP shall not carry on any banking or activities referred to in Rule 3 of the Financial Services (Authorised Company) Rules 2018 or otherwise prohibited by law.
3. The AHP shall not carry on the business of company formation, administration and management or provide professional nominee services or trusteeship services.
4. The AHP shall not
 - offer or provide or purport to offer or provide professional financial services; or
 - offer professional services as fiduciary or act as a functionary in any investment fund or collective investment scheme by whatever name called.
5. Save and except with the express approval of the Financial Services Commission, the Company shall not change its legal regime.

This privacy policy explains the African Hydrogen Partnership (AHP) association's approach to personal information that the AHP collects from you or from a third party. The privacy policy is intended to provide you with important information about the use we make of your personal information. This includes personal information we collect

- when you visit our Website or register for updates and/or
- when you engage with AHP about its membership and services.
- indirectly through third parties, such as your employer, your organization, subcontractors, its partners or its contracting parties.

It also sets out the rights that you have in relation to the personal Information that we hold.

This privacy policy should be read together with any other privacy notice we may provide to you on occasions when we collect Personal Information about you.

The AHP collects and processes all personal data in line with the Data Protection Act 2017 of Mauritius and the General Data Protection Regulation (EU) 2016/679 (GDPR), an European Union (EU) regulation on data protection and privacy in the EU and the European Economic Area (EEA) which also addresses the transfer of personal data outside the EU and EEA areas.

The AHP is committed to ensuring protection of all personal information that we hold, and to provide and to protect all such data. We recognise our obligations in updating and expanding this program to meet the requirements of GDPR.

The AHP is dedicated to safeguarding the personal information under our control and in maintaining a system that meets our obligations under prevailing laws and regulations.

All of this information provided will be kept securely by the AHP.

As a result of becoming a member of AHP your personal data will be processed in Mauritius. As an entity which offers goods and services into the EU, where we process personal data of data subjects resident in the Union the GDPR applies to us. Should you require further information please contact the data protection officer (email: secretary.general@ afr-h2-p.com).

You are entitled to ask for details of any personal information that we hold. This will be provided as quickly as possible, but in any event, no later than 30 days after receipt of the request. We will not charge for accessing and providing you with the information. At the same time we will remind you of your rights which are to:

- Have your data provided in a commonly used electronic format (data portability); Have inaccuracies corrected;
- Have information erased where we have no overriding reason to retain the data; Prevent direct marketing;

Prevent automated decision-making and profiling.

We are committed to developing appropriate safeguards to make sure that your personal data is kept secure and confidential, and is protected against reasonably anticipated threats to its security or integrity, and against unauthorised access or use that might result in substantial harm or inconvenience to data subjects. If you would like more information, please feel free to contact us.

3. General

1. The AHP acts as the controller of your personal data, which it can obtain
 - directly from you, or
 - indirectly through third parties, such as your employer, your organization, subcontractors, its partners or its contracting parties.
2. The main objective of the AHP is to promote, support and accelerate the deployment of green hydrogen and fuel cells technology as well as to improve access to (clean) energy and mobility in Africa by aligning the industry, renewable industry and financial industry community and herewith increasing the effectiveness of the representation of this community. The Association will enable member companies to exchange views and ideas on economic, technical and other relevant social topics, including the treatment of political, general legal and tax issues on a pan-African basis. It will enable them to communicate with the public, governments and administrative bodies with one voice. Within this context, the AHP is to position itself as the main association in Africa and at the African Union level, directly representing key industry leaders, SMEs, national and regional associations in the field of hydrogen and fuel cells technology and providing them with an expert platform. The AHP's objectives further include development and strengthening of advocacy and visibility by disseminating information and educating policy-makers, thereby generating their support and positioning itself (the AHP) as the key catalyst and coordinator for achieving synergies with other policies, schemes and activities in or for Africa.
3. The AHP can at any moment modify this privacy policy. Consult it therefore regularly.

4. Legal Framework

This privacy policy is subject to privacy legislation, i.e.:

1. The Mauritius Data Protection Act, 2017 (DPA) governing the privacy rights of individuals in relation to requirements of collection, processing, storage, transfer and handling of personal information/sensitive personal information and/or
2. 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 on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ("GDPR"); and/or
3. All other applicable legislation regarding the protection of privacy and the processing of personal data;

5. Purpose

The AHP can process personal data in accordance with the Privacy Legislation and this privacy policy, in order to:

1. achieve the purpose and exercise its activities, as described in Article “General”; and/or
2. provide direct marketing regarding its activities such as updates, newsletters, direct marketing info brochures, emails, marketing materials, invitations to events such as conferences, exhibitions, launches, seminars and workshops and other information that may be useful to you; and/or
3. execute the contract(s) that have been concluded with you or your employer or organization you are a member of; and/or
4. prospect new partners (e.g. members, subcontractors, or contracting parties); and/or
5. better understand your needs and preferences in order to adjust its services hereto; and/or
6. acquire statistical data; and/or
7. inform third parties (e.g. subcontractors, partners or contracting parties); and/or
8. comply with applicable legislation.

6. Legal Basis and Applicability

1. The AHP has the following legal grounds for the processing of personal data:
 - a. your free, specific, informed and unambiguous consent to the AHP, its partners (e.g. subcontractors, partners or contracting parties) to process your personal data. You can give your consent by any means, such as, but not limited to mail, email, an online or offline consent form, a membership form; and/or
 - b. the contract or membership agreement you have entered into with the AHP regarding one of its activities set out in Article “General”; and/or
 - c. a legal obligation; and/or
 - d. a legitimate interest of the AHP.
2. Providing your personal data to the AHP and/or entering into a contract/membership agreement with the AHP, implies that you:
 - a. declare that you are fully informed about this privacy policy and that you fully accept this privacy policy without any reservation; and
 - b. give your free, specific, informed and unambiguous consent to the AHP to process or have processed your personal data in accordance with this privacy policy and the Privacy Legislation.
3. As a consequence, you expressly grant the AHP permission to use your personal data to accomplish the Purpose set out under Article “Purpose”.
4. This privacy policy is not necessarily applicable to services, activities or products of third parties to which can be referred and on which a different privacy policy might apply.

7. Personal Data

1. The personal data the AHP can process are, i.e.:
 - a. **If you visit the AHP's website, the AHP may collect**
 - Technical Data includes browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform.
 - Usage Data includes information about how you use our Website, products and services.
 - b. **If you register on the AHP's website for mailing updates or you ask us to keep in touch with you, the AHP may collect**
 - Contact Data: full name and job title, the organisation you work for, email address, telephone number, postal address if provided to us.
 - Marketing and Communications Data: including your preferences in receiving marketing from us.
 - c. **You are an employee of an organisation the AHP works with or the AHP may work with in the future (e.g. as a customer, a supplier, a partner or a contractor) including when you contact the AHP about possible services or projects, the AHP may collect**
 - Contact Data: full name and job title, the organisation you work for, email address, telephone number, and postal address if provided to us and details of our contact with you.
 - Marketing and Communications Data: including preferences in receiving marketing from us.
 - d. **If you are an (associated) Member of the AHP, the AHP may collect**
 - Contact Data: full name, address, email address, phone number, birth date, birth place, profession, and function within your organization (in each case if provided to us and details of our contact with you).
 - Marketing and Communications Data: including your preferences in receiving marketing from us.
 - e. **If you contact the AHP about a potential career with the AHP, the AHP may collect**
 - Contact Data: name, email address, telephone number, postal address (in each case if provided to us and details of our contact with you).
 - CV including age, gender, education and employment history and similar information you provide to us.
 - Other information we collect during any recruitment process.
2. With agreeing to this privacy policy, you guarantee that the personal data you have provided, are complete and correct.
3. With agreeing to this privacy policy, partners that provide personal data of third parties (e.g. their employees, members, board members, staff, subcontractors, and contracting parties) to the AHP guarantee that
 - a. these personal data are lawfully obtained and
 - b. that the partner is authorized to transfer these personal data to the AHP. These partners will comply with the Privacy Legislation. These partners will indemnify the AHP against, hold the AHP harmless against and shall compensate the AHP for all

claims that would result from non-compliance with the abovementioned guarantees and Privacy Legislation.

8. Transfer of Personal Data to Third Parties

1. The AHP guarantees it does not transfer your personal data to third parties, unless:
 - a. There is a legal obligation to transfer the personal data;
 - b. To its partners (e.g. subcontractors, partners or contracting parties) for the achievement of the Purpose;
 - c. the AHP has a legitimate interest to do so.

2. Third parties to whom the AHP may, or is obliged to, transfer personal data on the basis of the above categories, can be located within or outside the European Union. The personal data may thus be transferred to companies or authorities of non-EU countries. The AHP cannot be held responsible regarding the transfer of personal data and cannot be liable for the further processing of the personal data by third parties.

The AHP requires all third parties to respect the security of your personal data and to treat it in accordance with the law.

9. Storage Period

The AHP only keeps your personal data for as long as the AHP needs to for the relevant purpose the personal data is processed for. This includes the period the AHP may need to keep it for necessary to fulfil the purposes the AHP processes the personal data for, including for the purposes of satisfying any legal, accounting, contractual or reporting requirements.

In identifying how long to retain personal data, the AHP considers the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which the AHP processes your personal data and whether the AHP can achieve those purposes through other means, and the applicable legal requirements.

10. AHP Website and Cookie Policy

10.1. The AHP Website

10.1.1. Copyright and Ownership

Copyright © AHP. All rights reserved. You are permitted to browse the AHP Website and to download, print and/or distribute extracts of the Website for non-commercial personal use only. Any other use is strictly prohibited. No reproduction, copy or extract of this Website may be incorporated in any other document, publication, web Website or other form of media, or be used in any way for commercial gain.

The content of this Website is owned by AHP.

10.1.2. Linking

You may not link to pages in this Website, other than the home page, without our express permission.

This Website may contain links to the sites of other companies or organisations. These links do not in any way represent any association or recommendation of these third parties. Neither the AHP, nor its officers or employees shall have any liability whatsoever for the information contained within such sites.

Legal jurisdiction: These terms are governed by the laws of the Republic of Mauritius and any dispute in connection with these terms shall be subject to the exclusive jurisdiction of the Mauritian Courts.

10.1.3. Use of Content by You

The AHP Website and its contents are provided without any representations or warranties of any kind, either express or implied. The AHP disclaims all representations and warranties, including by way of example but not limitation, as to fitness for a particular purpose, to the fullest extent permitted by applicable laws. In addition, the AHP does not represent or warrant that the information and/or facilities accessible via this Website are accurate, complete or current, or that this Website will be free of defects, including, but not limited to, viruses or other harmful elements. The user of this Website assumes all costs arising as a result of the use of this Website.

10.1.4. Information Only

The information provided should not be relied upon in connection with any investment decision and is not intended to provide investment or any other advice to you.

10.2. Cookie Policy

10.2.1. About cookies

Cookies are small data files sent by a website's server to a web browser, processor memory or hard drive and stored there. They can be used for a range of different purposes, such as customising a website for a particular user, helping a user navigate a website, improving that user's website experience, and storing that user's preferences and login information.

1. Essential and non-essential cookies

Cookies can be classified as either 'essential' or 'non-essential'.

- Essential cookies:

These are cookies that are either:

- i. used solely to carry out or facilitate the transmission of communications over a network; or

- ii. strictly necessary to provide an online service (e.g. our website or a service on our website) which you have requested.
- o Non-essential cookies:
These are any cookies that do not fall within the definition of essential cookies, such as cookies used to analyse your behaviour on a website ('analytical' cookies) or cookies used to display advertisements to you ('advertising' cookies).

2. Session and persistent cookies

Cookies can be classified as either 'session' or 'persistent', depending on how long they last after they are placed on your browser.

- o Session cookies: session cookies last for as long as you keep your browser open. They expire when you close your browser.
- o Persistent cookies: persistent cookies expire at a fixed point in time or if you manually delete them from your browser, whichever occurs first.

3. First and third party cookies

Cookies can be classified as 'first party' or 'third party'.

- o First party cookies: these are cookies placed on your device by our website domain.
- o Third party cookies: these are cookies placed on your device by third party website domains.

If you require further information about cookies in general, please visit www.allaboutcookies.org.

10.2.2. Essential cookies

10.2.2.1. List of Essential Cookies

These are cookies which are strictly necessary for the AHP's website to be able to operate or to provide you with a service on the AHP's website which you have requested. The AHP uses the following essential first party cookies, implemented by Wix.com, on the AHP's website:

Cookie Name	Purpose	Duration	Cookie Type
XSRF-TOKEN	Used for security reasons	Session	Essential
hs	Used for security reasons	Session	Essential
svSession	Used in connection with user login	2 years	Essential
SSR-caching	Used to indicate the system from which the site was rendered	1 minute	Essential
consent-policy	Used for cookie banner parameters	12 months	Essential
bSession	Used for system effectiveness measurement	30 minutes	Essential

You can find out how Wix.com uses your information and how they use cookies by accessing their privacy policy at <https://www.wix.com/about/privacy> and their cookies policy at <https://support.wix.com/en/article/cookies-and-your-wix-site>.

10.2.2.2. Essential Cookies - Legal Basis and Legitimate Interest

Legal basis for processing:

The AHP processes information about you contained in or obtained from essential cookies in our legitimate interests (Article 6(1)(f) of the General Data Protection Regulation).

Legitimate interests:

Ensuring the AHP site functions properly and providing you with online services you have requested.

10.2.2.3. How to opt out of Essential Cookies

Most browsers allow you to block all cookies, including essential cookies. Please note, however, that if you block all cookies, parts of our website and its functionality may not work or display properly.

You can delete existing cookies from your browser by clearing your browsing data and ensuring that the option to delete cookies is selected.

For more detailed information on how to accept and reject cookies, including guidance for specific browsers, please see the section below entitled “How to accept or reject cookies.”

10.2.3. Non-Essential Cookies

Categories of non-essential cookies:

- Functional cookies
- Targeting (or advertising) cookies
- Third Party cookies
- Analytical (or performance) cookies

The AHP does not currently use functional, targeting or third party cookies on the AHP's website. However, the AHP uses the following non-essential first party analytical cookies, implemented by Google Analytics (Google), on its website:

Cookie Name	Purpose	Duration	Cookie Type
_ga	Short randomly generated ID. Used to distinguish users.	2 years	Non-Essential
_gid	Short randomly generated ID. Used to distinguish users.	1 day	Non-Essential
_gat	Number. Used to throttle request rate.	1 minute	Non-Essential

10.2.4. How to Accept or Reject Cookies

10.2.4.1. Accepting, Rejecting, Blocking and Clearing of Cookies

There are a number of different ways in which you can accept or reject some or all cookies. Some of the main methods of doing so are described below:

You are welcome to block the use of some or all of the cookies we use on our website. However, please be aware that doing so may impair our website and its functionality or may even render some or all of it unusable.

You should also be aware that clearing all cookies from your browser will also delete any cookies that are storing your preferences, for example, whether you have accepted cookies on a website or any cookies that are blocking other cookies.

You can find more detailed information about cookies and adjusting your browser settings by visiting www.allaboutcookies.org

10.2.4.2. Accepting or Rejecting Cookies

Browser settings

You can accept or reject some or all cookies (for example, blocking all third party cookies) by adjusting your browser settings. If you do not know how to do this, the links below set out information about how to change your browser settings for some of the most commonly used web browsers:

- Google Chrome:
 - <https://support.google.com/chrome/answer/95647?hl=en-GB>
- Mozilla Firefox:
 - <https://support.mozilla.org/en-US/kb/delete-browsing-search-download-history-firefox?redirectlocale=en-US&redirectslug=Clear+Recent+History>
- Microsoft Internet Explorer:
 - <https://support.microsoft.com/en-us/help/278835/how-to-delete-cookie-files-in-internet-explorer>
- Apple Safari:
 - https://support.apple.com/kb/PH5042?locale=en_US

Some browsers, such as Chrome and Firefox, allow you to change your settings to browse in 'incognito' mode, limiting the amount of data placed on your machine and automatically deleting any persistent cookies placed on your device when you finish your browsing session. There are also many third party applications which you can add to your browser to block or manage cookies.

Existing cookies

To clear cookies that have previously been placed on your browser, you should select the option to clear your browsing history and ensure that the option to delete or clear cookies is included when you do so.

Google Analytics Opt-out Browser Add-on

You can opt out of Google Analytics tracking by installing the browser add-on which is available here: <http://tools.google.com/dlpage/gaoptout>

11. Your Rights

1. The Privacy Legislation provides you with a number of rights in relation to your personal data. You have the right, free of charge:
 - a. to have access to and receive a copy of your personal data;
 - b. to have your personal data corrected in case errors would occur;
 - c. to have your personal data erased in case:
 - i. your personal data are no longer necessary to achieve the Purpose;
 - ii. you withdraw your consent and there is no other legal ground for the processing of the personal data;
 - iii. you object to the processing of the personal data and there is no other legal ground for the processing of the personal data;
 - iv. the personal data have been unlawfully processed;
 - v. there is a legal obligation to erase the personal data;
 - d. to have the processing of your personal data restricted;
 - e. to have your personal data transferred to a third party;
 - f. to object against the processing of your personal data, in particular the processing in light of direct marketing purposes;
 - g. to withdraw your consent pursuant to which the AHP is allowed to process your personal data;
 - h. to lodge a complaint with the Data Protection Commissioner of the Mauritius Data Protection Office (DPO) if you are of the opinion that the processing of your personal data breaches the Privacy Legislation.

Some of these rights may be limited if the AHP has an overriding interest or legal obligation to continue to process the personal data. The AHP will tell you this if this arises should you contact us to exercise any of your rights.

2. In case you want to exercise the above rights, and provided you prove your identity, you can send a written, dated and signed request by mail to
The African Hydrogen Partnership (AHP),
c/o Accuvise Administrators Limited,
7A Mayer Street, Port Louis,
Mauritius
or by email to
< secretary.general@ afr-h2-p.com >.
3. With agreeing to this privacy policy, partners that provide personal data of third parties (e.g. their employees, members, board members, staff, subcontractors, contracting parties) guarantee that they will inform the aforementioned data subjects regarding the above mentioned rights and how to exercise these rights.

12. Security

The AHP commits to take (or have) all reasonable measures (taken) to its best ability to safeguard the protection of the personal data through technical safety measures and an appropriate safety policy for its employees. You acknowledge and accept that the transfer and storage of personal data is never without risk and consequently, the damage that you may suffer from the unlawful use of your personal data by third parties can never be collected from the AHP.

13. Liability

The AHP can solely be held accountable for damages which directly result from the processing of your personal data due to a fault or negligence of the AHP. In any event, the AHP cannot be held liable:

1. in circumstances of force majeure and/or
2. for any indirect or consequential damage and/or
3. for damages that result from errors, faults or negligence by you or third parties. the AHP's liability cannot exceed 1,000 US\$ (one thousand US\$) for breaches regarding this privacy policy and/or Privacy Legislation.

14. Severability

1. If any provision in this privacy policy is deemed to be unlawful or unenforceable, that provision shall be amended by the AHP and yourself insofar as necessary in order to make it lawful or enforceable, while retaining the meaning of the AHP and yourself with respect to that provision as much as possible.
2. Whenever possible, the provisions of this privacy policy shall be interpreted in such a manner as to be valid and enforceable under the applicable law. However, if one or more provisions of this privacy policy are found to be invalid, illegal or unenforceable, in whole or in part, the remainder of that provision and of this privacy policy shall remain in full force and effect as if such invalid, illegal or unenforceable provision had never been contained herein.

15. Changes to this Privacy Policy

The AHP may make changes to this privacy policy from time to time. This is to ensure this accurately reflects how we hold and use your personal data and the systems the AHP uses. The AHP may email you to let you know about changes in this privacy policy. The AHP will contact you if we expect to carry out further processing or use your personal data for a different purpose.

We encourage you to check the AHP's privacy policy from time to time to ensure you remain informed and content with the way in which AHP processes your personal data.

This Privacy Policy is dated January 1st, 2021.

16. Applicable Law and Competent Court

1. You agree that all disputes between you and the AHP regarding personal data and privacy issues are exclusively subject to Mauritian law, excluding any conflict of law principles.
2. Every dispute regarding personal data and privacy issues belongs to the exclusive jurisdiction of the English speaking courts of Mauritius, excluding any other court.