

## Personal Information Protection Policy of The Energy Foundation

As The Energy Foundation (hereinafter referred to as “Energy Foundation,” “we” or “us”) fully understands the importance of personal information protection to our partners, grantees, and service providers as well as experts, consultants, and other individuals (hereinafter referred to as “you”) participating in our projects and activities, we hereby formulate the Personal Information Protection Policy of The Energy Foundation (hereinafter referred to as “the Policy”) to explain our practices in the collection, use, and protection of personal information, your rights and interests concerning personal information and privacy, as well as the rules to be observed and the obligations to be fulfilled to protect personal information when you provide us with personal information as an organization.

When processing your personal information, we will follow the principles of legitimacy, justice, necessity, and integrity, and respect and protect your privacy as well as other legitimate rights and interests concerning personal information in accordance with applicable laws and regulations of the People’s Republic of China.

The personal information is provided on a voluntary basis. And you confirm that we have explicitly informed you and expressed through appropriate means that we will process the personal information provided by you in accordance with the Policy and that you have agreed to abide by the Policy.

### 1. Definitions

**1.1 Personal Information** refers to all types of identified or identifiable information of a natural person recorded electronically or by other means, excluding anonymized information.

**1.2 Processing** refers to the collection, storage, use, processing, transmission, provision, and disclosure of personal information.

**1.3 Personal Information Protection Rules** refer to any and all laws, regulations, standards, policies, or any administrative approval, license, order, requirement, restriction, or any decision in similar form concerning personal information protection released by the legislative, law enforcement and judicial organs of the People’s Republic of China from time to time and revised or updated version thereof, including but not limited to the Personal Information Protection Law, the Cybersecurity Law, the Civil Code, and the Personal Information Security Specification.

### 2. Requirements for the Processing of Personal Information

#### 2.1 Collection of Personal Information

2.1.1 We may collect and use personal information (1) provided by individuals on a voluntary basis to participate in our projects or activities in their own names; (2) provided by an organization, on its personnel (including but not limited to board members, employees and consultants), when the organization collaborates with us for projects, events or activities.

2.1.2 If you participate in our projects or activities in your own name, we may collect personal information such as your identity, contact information, title, etc. We will collect, use, store, provide and protect such information in accordance with the Policy. You are advised to read the Policy thoroughly to understand how to exercise your rights as the personal information subject.

2.1.3 If you are an organization that conducts projects, cooperation or activities with us, you shall ensure that before providing us with the personal information from relevant individuals (such as staff or consultants), you have obtained their consent and authorization to allow us to collect, share, provide and store such personal information in accordance with the Policy. You are advised to present the Policy to the relevant individuals, remind them of reading and understanding the Policy, and shall inform us of any change to the consent of the relevant individuals without delay for our timely adjustment.

#### 2.2 Use of Personal Information

Based on the needs of our projects, cooperation, or activities you participate in, we may use personal information for due diligence, background check, implementation and management of projects and activities to achieve the intended purpose of cooperation and fulfill our legal obligations.

#### 2.3 Sharing, Transfer and Disclosure of Personal Information

2.3.1 In general, we will not share with any third party, transfer, or publicly disclose your personal information.

2.3.2 We may share, transfer, or disclose your personal information under the following special circumstances: (1) To serve the purpose of the Policy only, we may share and transfer your personal information within our organization or with our service providers (such as auditors, law firms, consultants or any other entities or individuals who we reasonably believe necessary to share in order to serve the purpose of our use of your personal information); (2) Upon obtaining separate consent or authorization from or signing a separate agreement with the individual, we may share, transfer, or disclose the personal information to relevant parties; (3) We may disclose the personal information as required

by applicable laws and regulations, legal proceedings, resolution of litigations or disputes, or administrative and judicial organs; (4) When it's necessary to share the personal information to protect both our and your interest, property, or safety and those of our partners and public interest from being undermined, to the extent permitted by the laws and regulations of China. For instance, we may provide the personal information to third-party anti-laundering or anti-sanction service providers to assist with the background check.

## **2.4 Storage Duration of Personal Information**

In principle, we store the personal information only for the minimum period required for the achievement of intended purposes. Nevertheless, please note that we may extend the period as required by applicable laws and regulations. The storage duration of personal information is subject to the following periods, whichever is the longest:

- 2.4.1 the storage duration required by applicable laws and regulations;
- 2.4.2 the storage duration required to achieve the intended purpose of the cooperation between both parties or the purpose of the service authorized by you;
- 2.4.3 the longer storage period agreed by you;
- 2.4.4 and other special agreements on the storage duration.

## **2.5 Individual Rights During the Personal Information Processing**

2.5.1 Individuals have the right to access, copy, or amend personal information, and may exercise the above rights by contacting us via the contact information given in Section 4.

2.5.2 Individuals may withdraw the consent by contacting us via the contact information given in Section 4, which will not affect the effectiveness of personal information processing activities based on the consent of individuals prior to the withdrawal.

2.5.3 In any of the following cases, individuals may contact us via the contact information given in Section 4 to delete the personal information: (1) The intended purpose does not exist, or has been achieved, or is unable to be achieved, or such personal information is no longer necessary for achieving the purpose of the processing; (2) The storage duration has expired; (3) Individuals have withdrawn the consent; (4) We have processed the personal information in violation of applicable laws, administrative regulations or agreements; (5) Other situations as stipulated by applicable laws or administrative regulations. Individuals understand and are informed that when the storage duration required by applicable laws or administrative regulations has not expired, or when it is technically difficult to delete the personal information, we will suspend all processing other than storing the

personal information and taking necessary security protection measures.

2.5.4 Individuals have the right to make a request to us for an explanation of the personal information processing rules.

2.5.5 Individuals may request us to transfer their personal information to other organizations or individuals by contacting us via the contact information given in Section 4. We will respond to the above requests if they are technically feasible in accordance with the requirements provided by regulatory authorities.

2.5.6 We will respond to the above requests of individuals within 15 working days. Individuals may seek legal remedy through other means in accordance with applicable laws and regulations if you are not satisfied with our handling results.

## **2.6 Cross-border Transfer of Personal Information**

2.6.1 As an overseas non-governmental organization, Energy Foundation needs to transfer your information within the organization for program management and organization operation. As a result, we may transfer to and store the personal information provided by you outside the People's Republic of China.

2.6.2 If you provide your personal information to us as an individual, you acknowledge and agree that we may transfer to and store your personal information outside the People's Republic of China; if you provide the personal information of your personnel to us as an organization, you shall comply with the requirements of cross-border personal information transfer as stipulated in the Personal Information Protection Rules, inform relevant individuals of the cross-border transfer of their personal information, obtain separate consents from these individuals, and evaluate the security impact of personal information or pass the security impact evaluation organized by the regulatory authority. We will offer you due assistance upon your request.

2.6.3 We will take necessary measures to ensure the security of personal information in accordance with personal information protection standards, and guarantee that the personal information outside the People's Republic of China will be also subject to the level of protection equivalent to that under the standards of Personal Information Protection Rules.

## **2.7 Exceptions Regarding the Processing of Personal Information and the Response to the Requests**

Please know and understand that in accordance with applicable laws and regulations, we may process personal information without obtaining the consent of individuals under any of the following circumstances:

**2.7.1 When the processing is necessary for the conclusion or performance of a contract to which the individual acts as a**

party, or human resources management in accordance with applicable labor rules and regulations or as agreed by collective contracts signed according to law;

2.7.2 When the processing is necessary for the fulfillment of statutory responsibilities or obligations;

2.7.3 When the processing is necessary for our response to public health emergencies, or the protection of life, health, or property safety of natural persons in emergent situations;

2.7.4 When we process personal information to a reasonable extent for the purpose of news coverage or supervision of public opinion in the interest of the general public;

2.7.5 When we process personal information voluntarily disclosed by individuals or other personal information disclosed legally to the public to a reasonable extent in accordance with the Personal Information Protection Rules; or

2.7.6 Other circumstances stipulated by applicable laws and administrative rules.

### 3. Revisions to the Policy

3.1 We may revise the Policy based on the changes of the Personal Information Protection Rules and the needs of our business operation. We will not restrict your rights under the Policy without your explicit consent.

3.2 If you do not agree with the effective changes, you shall immediately contact us to discuss.

3.3 For major changes of matters concerning personal information protection under the Policy, you may check the latest updates here <https://www.efchina.org/Download/Personal-Information-Protection-Policy-of-The-Energy-Foundation.pdf>.

### 4. Contact Us

You may contact us in the following ways:

Tel.: +86-10-5821-7100

Email: china@efchina.org

# 能源基金会个人信息保护政策

(翻译件)

能源基金会(The Energy Foundation, 以下简称“我们”)充分理解个人信息保护对我们的合作伙伴、受资助单位、服务方以及参与我们项目及活动的专家、顾问及其他个人(以下简称“您”)的重要性。为了向您说明我们在有关个人信息收集、使用及隐私保护的做法,您享有的有关个人信息及隐私的权益,以及当您以机构名义向我们提供个人信息时,应当遵守的相关规定和应当履行的个人信息保护义务,我们特制定《能源基金会个人信息保护政策》(以下简称“本政策”)。

一旦涉及处理您的个人信息,我们将按国家法律法规要求,遵循合法、正当、必要和诚信原则,尊重您的隐私及个人信息等各项合法权益,保护您在个人信息保护方面的合法权益。

您确认我们已经通过适当的方式向您告知和明示我们将按照本政策的规定处理您向我们提供的个人信息,同意遵守本政策的各项规定,并在自愿的基础上向我们提供个人信息。

## 1. 定义

**1.1 个人信息**是指以电子或者其他方式记录的与已识别或者可识别的自然人有关的各种信息,不包括匿名化处理后的信息。

**1.2 处理**是指收集、存储、使用、加工、传输、提供、公开个人信息。

**1.3 个人信息保护规定**是指中华人民共和国立法、执法、司法机关不时发布的适用于个人信息保护的全部法律、法规、标准、政策或任何行政审批、许可、指令、要求、限制或任何类似形式的决定及其不断修订、更新的版本,包括但不限于《个人信息保护法》、《网络安全法》、《民法典》、《个人信息安全规范》。

## 2. 个人信息处理的要求

### 2.1 个人信息的收集

2.1.1 我们收集和使用的个人信息的情形可能包括:(1)以个人名义参与我们的项目或者活动,个人主动向我们提供的个人信息;(2)我们与机构开展项目、合作或活动时,机构向我们提供的其人员的个人信息(包括但不限于董事会/理事会成员,员工及顾问等)。

2.1.2 如果您以个人名义参与我们的项目或者活动,我们可能收集您的身份信息、联系方式、职位等信息。我们会根据本政策收集、使用、存储、提供、保护您的个人信息。建议您阅读本政策了解您如何行使个人信息主体权利。

2.1.3 如果您是与我们开展项目、合作或者活动的机构,您应当确保在向提供人员(例如:员工、顾问)的个人信息时已经获得了相关人员的授权同意,允许我们根据本政策收集、共享、提供、存储个人信息。我们建议您向所属人员提供本政策并提示其阅读、理解本政策中的内容。您应当及时向我们告

知相关人员授权同意的变更情况,以便我们及时进行调整。

### 2.2 个人信息的使用

我们会根据双方之间的项目,合作或者您参与我们的活动,将个人信息用于尽职调查、身份验证、项目活动及管理,以实现双方合作目的,履行我们的法定义务。

### 2.3 个人信息的分享、转移和公开披露

2.3.1 一般情况下,我们不会对外分享、转移和公开披露您的个人信息。

2.3.2 在部分特殊情形下,我们可能会对外分享、转移和公开披露您的个人信息:(1)仅为实现本政策的目的,我们可能会在我们的组织内部或向我们的服务提供方(例如审计机构、律师事务所、专业顾问以及任何我们合理地认为对实现使用目的有必要的机构或个人)分享、转移您的个人信息;(2)在获取个人单独同意或授权,或者与个人另行签署相关协议的情况下,我们会与相关方共享、转移或者公开披露个人信息;(3)我们可能会根据法律法规规定、法律程序的要求、诉讼争议解决需要,或按行政、司法机关依法提出的要求披露个人信息;

(4)在法律法规允许的范围内,为维护我们或合作伙伴、您或社会公众利益、财产或安全免遭损害而有必要共享个人信息。例如:我们会将个人信息提供给反洗钱、反制裁等第三方服务提供商以便其协助我们完成身份核验。

### 2.4 个人信息的存储时限

原则上,我们仅会在实现使用目的的最短时限内存储个人信息。但请您注意,如果法律法规要求我们对个人信息存储更长的期限,我们则会根据法律法规的要求存储更长的期限。我们判断个人信息的存储期限主要参考以下标准并以其中较长者为准:

2.4.1 法律法规规定的留存期限;

2.4.2 实现双方达成的合作目的或者您授权使用的服务目的;

2.4.3 您同意的更长的留存期间;

2.4.4 有关留存期限的其他特别约定。

### 2.5 个人在个人信息处理活动中的权利

2.5.1 个人享有查阅、复制、更正个人信息的权利。个人可以通过第4部分的联系方式行使上述权利。

2.5.2 个人可以通过第4部分的联系方式撤回同意,但个人撤回同意不影响撤回前我们基于个人同意已进行的个人信息处理活动的效力。

2.5.3 有下列情形之一的,个人可以通过第4部分的联系方式要求我们删除个人信息:(1)使用目的不存在、已实现、无法实现,或不再为实现使用目的而必要;(2)保存期限已届满;

(3)个人撤回同意;(4)我们违反法律、行政法规或者违反约定处理个人信息;(5)法律、行政法规规定的其他情形。个人理解并知悉,根据法律、行政法规规定的保存期限未届满,

或者删除个人信息从技术上难以实现的，我们将停止除存储和采取必要的安全保护措施之外的处理。

2.5.4 个人有权要求我们对个人信息处理规则进行解释说明。

2.5.5 个人可以通过第 4 部分的联系方式联系我们将个人信息转移至其他组织或者个人。我们将根据监管机构规定的条件并在技术可行的范围内响应个人上述请求。

2.5.6 我们将在 15 个工作日内响应个人的上述请求。如果个人不满意我们的处理结果，个人还可以依据法律法规的规定通过其他方式实现权利救济。

## 2.6 个人信息的跨境传输

2.6.1 能源基金会作为一家境外非政府组织，为了项目管理和机构运营的需要，需要将您的信息在组织内部进行传输。因此，我们可能会将您提供的个人信息传输至并存储在中华人民共和国境外。

2.6.2 如果您以个人身份向我们提供您的个人信息，您知悉并同意我们将您的个人信息传输至境外并在境外存储；如果您以机构身份向我们提供您人员的个人信息，您应当遵守个人信息保护规定确定的个人信息跨境传输合规要求，告知个人信息跨境传输的情况并在个人信息保护规定要求的情况下获得个人单独同意、开展个人信息安全影响评估或者通过监管部门组织的安全评估。我们将根据您的要求给予您适当的协助。

2.6.3 我们将根据个人信息保护标准采取必要的措施保护个人信息的安全性，确保个人信息在境外依然能够达到个人信息保护规定确定的个人信息保护标准。

## 2.7 处理个人信息及响应权利请求的例外情形

请您知悉并理解，根据法律法规的规定，在以下情形中，我们处理个人信息无需征得个人的同意：

2.7.1 为订立、履行个人作为一方当事人的合同所必需，或者按照依法制定的劳动规章制度和依法签订的集体合同实施人力资源管理所必需。

2.7.2 为履行法定职责或者法定义务所必需。

2.7.3 为应对突发公共卫生事件，或者紧急情况下为保护自然人的生命健康和财产安全所必需。

2.7.4 为公共利益实施新闻报道、舆论监督等行为，在合理的范围内处理个人信息。

2.7.5 依照个人信息保护规定的规定在合理的范围内处理个人自行公开或者其他已经合法公开的个人信息。

2.7.6 法律、行政法规规定的其他情形。

## 3. 本政策的修订

3.1 我们会根据个人信息保护规定的变化以及我们业务运营的需要对本政策作出修订。未经您明确同意，我们不会限制您按照本政策所应享有的权利。

3.2 如果您不同意已生效的变更事项，您应当及时与我们联系并与我们进行友好协商。

3.3 对于本政策有关个人信息保护事项的重大变更，您可以随时

在 <https://www.efchina.org/Download/Personal-Information-Protection-Policy-of-The-Energy-Foundation.pdf> 查看最新的政策内容。

## 4. 联系我们

您可以通过以下方式与我们取得联系：

电话：+86-10-5821-7100

邮箱：china@efchina.org