



ALPHA WIRELESS LIMITED BINDING CORPORATE RULES FOR DATA PRIVACY AND PROTECTION

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ALPHA WIRELESS'S BINDING CORPORATE RULES FOR DATA PRIVACY AND PROTECTION

INTRODUCTION

ALPHA WIRELESS has staff operating in 5 branches worldwide. These include: IRELAND, United States of America, Australia, Canada and UK. Page | 3

ALPHA WIRELESS upholds Privacy Principles and are committed to privacy and data protection compliance in accordance with Regulation (EU) 2016/679 (General Data Protection Regulation) and EU Directive 2002/58/EC Directive on privacy and electronic communications. The Regulation and Directive, together with our internal policies, now constitute our Binding Corporate Rules for Data Privacy and Protection ("BCRs").

The Rules apply to all personal information of employees, customers, suppliers and other individuals, collected and used by ALPHA WIRELESS. Our objective is to provide adequate protection for the transfer and processing of personal data by the group of companies.



THE SCOPE OF THE BCRs

The BCRs apply to all Personal Data used and collected by ALPHA WIRELESS entities wherever they are located. They are binding on all ALPHA WIRELESS entities that are signatories of these rules. They apply to intra-group transfers and processing.

These rules apply to all data processed in the EU and transferred outside of the EU.

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The BCRs apply to any data processing of personal data by or on behalf of Alpha Wireless.

In ALPHA WIRELESS, data is processed between EU based ALPHA WIRELESS entities and ALPHA WIRELESS entities located throughout the world, as well as with clients who may be located anywhere in the world.

Definitions

General Data Protection Regulation (GDPR): the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) is a regulation by which the European Parliament, the Council of the European Union and the European Commission intend to strengthen and unify data protection for all individuals within the European Union (EU). It also addresses the export of personal data outside the EU.

'Binding corporate rules' means personal data protection policies which are adhered to by a controller or processor established on the territory of a Member State for transfers or a set of transfers of personal data to a controller or processor in one or more third countries within a group of undertakings, or group of enterprises engaged in a joint economic activity;

Cross-border processing means either:

1. processing of personal data which takes place in the context of the activities of establishments in more than one Member State of a controller or processor in the Union where the controller or processor is established in more than one Member State; or
2. processing of personal data which takes place in the context of the activities of a single establishment of a controller or processor in the Union but which substantially affects or is likely to substantially affect data subjects in more than one Member State.

Data Controller: the entity that determines the purposes, conditions and means of the processing of personal data.

Data Processor: the entity that processes data on behalf of the Data Controller.

Data Protection Authority: national authorities tasked with the protection of data and privacy as well as monitoring and enforcement of the data protection regulations within the Union.



Data Protection Officer (DPO): an expert on data privacy who works independently to ensure that an entity is adhering to the policies and procedures set forth in the GDPR.

Data subject: a natural person whose personal data is processed by a controller or processor.

Personal data: any information related to a natural person or 'data subject', that can be used to directly or indirectly identify the person.

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Data Privacy Impact Assessment: a tool used to identify and reduce the privacy risks of entities by analysing the personal data that are processed and the policies in place to protect the data.

Processing: any operation performed on personal data, whether or not by automated means, including collection, use, recording, etc.

Profiling: any automated processing of personal data intended to evaluate, analyse, or predict data subject behaviour.

Regulation: a binding legislative act that must be applied in its entirety across the Union.

Sensitive Personal Data in relation to the BCRs means any Personal Data about a Data Subject's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, data about health or sex life, criminal record data, social security numbers and other national identifier numbers.

Subject Access Right: also known as the Right to Access, it entitles the data subject to have access to and information about the personal data that a controller has concerning them.

All definitions utilised by ALPHA WIRELESS and for the avoidance of any doubt, where there is any ambiguity as to definition or understanding, all of the terms of the BCRs will be interpreted in accordance with GDPR and the EU Directive.

Purpose Limitation

The categories of Data Subjects processed by ALPHA WIRELESS will be:

Our clients and their customers in connection with the provision of services ("**Customer Information**");

Employees, former employees, dependants and beneficiaries of employees, former employees, and prospective employees in connection with their working relationship or application for employment ("**Employment Data**");

Other persons as appropriate to conduct its business such as suppliers, partners, contractors and contingent workers and prospective clients



Data may be transferred within ALPHA WIRELESS for processing and ALPHA WIRELESS confirms that:

- Personal data will be transferred and processed for specific and legitimate purposes
- Personal data will not be further processed in a way incompatible with those purposes.
- Sensitive Data will be provided with additional safeguards such as provided by the GDPR.

Data Quality and Proportionality

In the processing of all data ALPHA WIRELESS are fully committed that:

Personal data must be accurate and where necessary, kept up-to-date. In order to ensure this ALPHA WIRELESS will delete data in line with GDPR retention law.

Personal data should be adequate, relevant and not excessive in relation to the purposes for which they are transferred and further processed. In order to ensure this ALPHA WIRELESS will delete data in line with GDPR retention law.

Personal data should not be processed for longer than necessary for the purposes for which they are obtained and further processed. In order to ensure this ALPHA WIRELESS will delete data in line with GDPR retention law.

Legal basis for processing personal data

ALPHA WIRELESS will only process personal data on the following grounds:

The data subject has unambiguously given his consent; or

The processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract; or

The processing is necessary for compliance with a legal obligation to which the controller is subject; or

The processing is necessary for the purposes of the legitimate interests pursued by the controller or by the third party or parties to whom the data are disclosed, except where such interests are overridden by the interests for fundamental rights and freedoms of the data subject.

ALPHA WIRELESS will not process sensitive data except where it becomes an obligation by law.

Transparency and Right to Information

ALPHA WIRELESS will make the BCRs available to all data subjects by publishing them on their website.

Prior to the processing of any data, ALPHA WIRELESS is committed that data subjects will be given the following information:

- The identity of the controller(s) and of his representative, if any;
- The purposes of the processing for which the data are intended;
- Any further information such as:
 - i. the recipients or categories of recipients of the data,

- ii. the existence of the right of access to and the right to rectify the data concerning him in so far as such further information is necessary, having regard to the specific circumstances in which the data are collected, to guarantee fair processing in respect of the data subject.

Right of access, rectification, erasure and blocking of data:

ALPHA WIRELESS are committed to ensure that:

- Every data subject has the right to obtain without constraint at reasonable intervals and without excessive delay or expense a copy of all data relating to them that are processed.
- Every data subject has the right to obtain the rectification, erasure or blocking of data in particular because the data are incomplete or inaccurate.
- Every data subject has the right to object, at any time on compelling legitimate grounds relating to their particular situation, to the processing of their personal data, unless that processing is required by law. Where the objection is justified, the processing must cease.
- Every data subject has the right to object, on request and free of charge, to the processing of personal data relating to him for the purposes of direct marketing.

ALPHA WIRELESS will ensure that data subjects are able to exercise these rights by having the information on how to invoke these rights published on their website, within their privacy notice.

Security and Confidentiality

ALPHA WIRELESS are committed to ensure that the appropriate technical and organisational measures to protect personal data have been implemented against accidental or unlawful destruction or accidental loss, alteration, unauthorized disclosure or access, in particular where the Processing involves the transmission of data over a network, and against all other unlawful forms of processing.

Having regard to the state of the art and the cost of their implementation, such measures shall ensure a level of security appropriate to the risks represented by the processing and the nature of the data to be protected.

In this regard, sensitive data should be processed with enhanced security measures.

Relationships with processors that are members of the group

ALPHA WIRELESS will ensure that where processing is being carried out by a data processor providing a service to ALPHA WIRELESS, a data processing agreement will be in place. In particular ALPHA WIRELESS will ensure that the data processing agreement will include a requirement that:

The processor must provide sufficient guarantees in respect of the technical security measures and organisational measures governing the processing to be carried out, and must ensure compliance with those measures.

ALPHA WIRELESS will instruct the processor by written contractual means in accordance with the applicable law and this contract will among others stipulate:

- i) That the processor shall act only on instructions from ALPHA WIRELESS as data controller
- ii) The rules relating to the security and confidentiality to be incumbent on the processor

Restrictions on transfers and onward transfers to external processors and controllers (not members of the group)

ALPHA WIRELESS will endeavour not to utilise processor outside of their own group control. In the eventuality that a processor is required, ALPHA WIRELESS will oblige the process to sign up to a data processing agreement which shall commit that:

Where the external processor is located outside the EU or in a country recognised by the EU Commission as ensuring an adequate level of protection, they shall be bound by a written agreement stipulating that the processor shall act only on instructions from the controller and shall be responsible for the implementation of the adequate security and confidentiality measures

All transfers of data to external controllers located outside of the EU will be obligated to respect the GDPR and EU e-Privacy Directive, as well as securing explicit consent in relation to such cross border transfers.

Training programme

ALPHA WIRELESS are committed to the provision of training on the BCRs to personnel who have permanent or regular access to personal data, are involved in the collection of personal data or in the development of tools used to process personal data.

Compliance and supervision of compliance

ALPHA WIRELESS are committed to ensure that data protection is championed across the organisation. This is demonstrated by the appointment of appropriate staff who are guaranteed top management support to oversee and ensure compliance with the rules.

Actions in case of national legislation preventing respect of BCRs

In the event that any entity within ALPHA WIRELESS A has reasons to believe that the legislation applicable to that entity may prevent the company from fulfilling its obligations under the BCRs and has substantial effect on the guarantees provided by the rules, the entity will promptly inform the Data Commission in Ireland, as the Lead Supervisory Authority to whom ALPHA WIRELESS is responsible.

In addition, in the event that a conflict between national law and GDPR and the EU Directive arises, ALPHA WIRELESS will consult with the Data Commission of Ireland on what action to take in case of doubt.

Internal Complaint Mechanisms

ALPHA WIRELESS will set out a complaint handling process to ensure that all complaints are handled in an appropriate and transparent way. It is anticipated that a complaint may arise that any member of the group is not complying with the BCRs.

In such an eventuality, ALPHA WIRELESS guarantee that the complaint will be dealt by Fiona Lindsey, who will deal with the complaint with total independence in the administration of his/her functions.

Third party beneficiary rights

Without prejudice to the entitlement of ALPHA WIRELESS to mount a defence to any proceedings taken against it, ALPHA WIRELESS recognises the jurisdiction of redress set out in GDPR.



Mutual assistance and cooperation with Data Protection Authorities

ALPHA WIRELESS are committed to ensure that:

Members of the group shall cooperate and assist each other to handle a request or complaint from an individual or an investigation or inquiry by a Supervisory Authority or Data Protection Authorities.

Entities will abide by the advice of the Data Protection Authorities on any issues regarding the interpretation of the BCRs.

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Updates of the rules

ALPHA WIRELESS are commitment to report any significant changes to the BCRs or to the list of members to all group members and to the Irish Data Commission to take into account modifications of the regulatory environment and the company structure and more precisely that:

ALPHA WIRELESS notes that some modifications might require a new authorisation from the Data Protection Authorities save where such updates to the BCRs or to the list of the Members of the group bound by the BCRs are possible without having to re-apply for an authorisation providing that:

- i. An identified person keeps a fully updated list of the members of the BCRs and keep track of and record any updates to the rules and provide the necessary information to the data subjects or Data Protection Authorities upon request.
- ii. No transfer is made to a new member until the new member is effectively bound by the BCRs and can deliver compliance.
- iii. Any changes to the BCRs or to the list of Members should be reported once a year to the Data Protection Authorities granting the authorizations with a brief explanation of the reasons justifying the update.

A commitment that substantial modifications to the rules will also be communicated to the data subjects.

Relationship between national laws and the BCRs

Where the local legislation, for instance EU legislation, requires a higher level of protection for personal data it will take precedence over the BCRs. In any event data shall be processed in accordance to the applicable law as provided by the GDPR and e-Privacy Directive and the relevant local legislation.

Fergal Lawlor, CEO

Date