

## Data protection information for customers

The protection of your personal data is an important concern of the JCB Finance S.A.S., Branch Office Germany and its affiliated companies<sup>1</sup>, which is why strong data protection principles have been defined for the entire Group.

This data protection information contains detailed explanations on the protection of your personal data by JCB Finance S.A.S., Branch Office Germany ("**Bank**").

As data controller, the Bank is responsible for the collection and processing of your personal data in connection with its business activities. With this data protection information, the Bank informs you about which personal data it collects about you, why it uses and passes on such data, how long it stores them, what rights you have and how you can exercise them.

If you are interested in a specific product or service, you may receive additional information.

### 1. WHAT PERSONAL DATA DOES THE BANK USE?

The Bank collects personal data and uses it to the extent necessary in the course of its business activities in order to provide you with a high-quality, individual range of products and services.

The different types of personal data that may be collected include, but are not limited to

- **Identity information** (e.g. name, ID or passport number, nationality, place and date of birth, gender, photograph, IP address)
- **Contact information** (e.g. address, e-mail address, telephone number)
- **Information on the family situation** (e.g. marital status, number of children)
- **Tax information** (for example, tax identification number, tax status)
- **Information on education and occupation** (e.g. educational background, occupation, employer's name, earnings, etc.)
- **Bank, financial and transaction data, creditworthiness data** (e.g. bank details, credit card number, money transfers, assets, investor profile, credit history, debt and expenditure, rating)
- Data on your habits and preferences:
  - data on the use of the Bank's products and services in relation to banking, financial and transaction data
  - Data on interaction with the Bank: its branches (contact reports), its websites, use of its apps, its social media pages, personal meetings, telephone calls, chat contact, e-mail, surveys, telephone calls)
- **Video and photo surveillance data** and geolocation data of financing objects.

The following sensitive data may only be collected if you have expressly agreed to this beforehand:

- **Biometric data**, e.g. fingerprints, voice or facial patterns, which can be used for identification and security purposes
- **Health data**, e.g. for the conclusion of certain insurance contracts; these data are processed only by those persons who need to know about them.

Personal data relating to racial or ethnic origin, political beliefs, religious or philosophical views or membership of a trade union as well as genetic data and information on sexual life or sexual orientation are not processed by the Bank unless required to do so by law or within the framework of the products and services it offers.

The data used by the Bank can either be provided directly by you or come from the following sources in order to check or enrich the Bank databases:

- Publications and databases made available by authorities (e.g. the Federal Gazette)
- Corporate customers, service providers or business partners of the Bank
- Third parties, such as credit bureaus and anti-fraud pools or data brokers used in accordance with data protection regulations
- Websites/social media pages with information published by you (e.g. your own website or social media page) and
- Databases made publicly accessible by third parties.

### 2. SPECIAL CASES OF THE COLLECTION OF PERSONAL DATA INCLUDING AN INDIRECT DATA COLLECTION

In certain cases, the Bank collects personal data from persons with whom it has, may have had or may have had a direct relationship and may use such data. This includes, for example

- Potential customers

The Bank may have collected information about you although you have no direct relationship with it.

This may be the case, for example, if your employer has provided the Bank with information about you or if the Bank has received your contact details from one of its customers and you are one of the following persons:

- Family members
- Co-applicant, guarantor, guarantor
- Legal representatives (authorized representatives)
- Beneficiaries of payment transactions of our customers
- Beneficiaries of insurance contracts and trust companies

<sup>1</sup> The members of the affiliated companies of BNP Paribas Group can be seen on the following website:  
<https://invest.bnpparibas.com/en/consolidated-financial-statements>

- Landlord
- Beneficial owners
- Debtors of customers (for example in the event of insolvency)
- Shareholders
- Representatives of legal entities (e.g. customers or service providers)
- Employees of service providers or business partners.

### 3. WHY AND ON WHAT BASIS DOES THE BANK USE YOUR PERSONAL DATA?

#### a. In order to fulfil its legal and supervisory obligations

The Bank uses your personal data to comply with various legal and regulatory obligations, including:

- Banking and financial provisions on the basis of which the Bank:
  - takes security measures to prevent abuse and fraud
  - reveals transactions that deviate from usual patterns
  - your credit risk and your repayment ability are determined
  - monitors and reports any risks to which it may be exposed
  - recording, if necessary, of telephone calls, chats, e-mails, etc.
- Reply to an official request from a competent state body or judicial authority
- Prevention of money laundering and terrorist financing
- Compliance with sanctions and embargo provisions
- Combating tax evasion and fulfilling tax control and notification obligations.

#### b. To enter into or perform a contract with you

The Bank uses your personal data to conclude and fulfil its contracts.

This includes, among other things, that the Bank

- provides you with information about its products and services
- is helpful and answers your questions
- checks whether and under what conditions it can offer you a product or service and
- offers products and services.

#### c. In order to pursue its legitimate interests

The Bank uses your personal data to market and develop its products and services while optimizing its risk management and safeguarding its legal rights. This includes the following activities:

- Request information from credit agencies regarding your creditworthiness and credit default risk, as well as transmitting data to credit agencies about your contractual obligations and the repayment status in the event of a credit default.
- Preparation of transaction statements
- Fraud prevention

- IT management including infrastructure management (e.g. common platforms) and measures to ensure operational continuity and IT security
- Creation of individual statistical models based on the analysis of transactions, for example to better determine your credit risk
- Development of aggregated statistics, tests and models for research and development in order to optimize the risk management of its group of companies or to improve existing products and services or to create new products and services
- Personalization of its own offer and that of business units affiliated with the Bank:
  - improving the quality of its banking, financial and insurance products and services;
  - the application of products matching your situation and profile.

This can be achieved by:

- The segmentation of its existing and potential customers
- The analysis of your habits and preferences on the various channels (visits to Bank branches, e-mails or news, visits to the Bank website, etc.)
- The transfer of your data to business units affiliated with the Bank, especially if you are a customer of this business unit or if you would like to become one
- The comparison of the products or services you have already purchased or used with other data about you held by the Bank
- Monitoring all transactions to detect transactions that deviate from the usual routine.

Your information may be aggregated into anonymous statistics that may be offered to professional business partners to help them develop their business. In this case your personal data will never be passed on to third parties and the recipients of these anonymous statistics will not be able to assign your identity.

#### d. To respect your decision, if the Bank has asked you for your consent to a specific data processing measure

In some cases, the Bank may require your consent and/or an exemption from banking secrecy in order to process your data, e.g.:

- for training Bank staff by recording incoming calls in our call centers
- if the Bank has to take further data processing measures for purposes other than those mentioned above, it will inform you accordingly and, if necessary, ask for your consent.

### 4. TO WHOM DOES THE BANK PASS ON YOUR PERSONAL DATA?

For the aforementioned purposes, your personal data will only be passed on to the following parties:

- Business units affiliated with the Bank (so that you can use the Bank's entire range of products and services, for example)

- Service providers acting on behalf of the Bank
- Independent agents, intermediaries or brokers, bank and business partners with whom the Bank has regular business relationships
- Refinance partners, credit insurers
- Financial or judicial authorities, state agencies or public institutions (upon request and to the extent permitted by law)
- Members of certain regulated professions such as lawyers, notaries or auditors
- Credit agencies
- Guarantors.

## 5. DATA TRANSMISSION TO SCHUFA

The Bank transmits to SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden, Germany the personal data collected within the scope of this contractual relationship about the application, the execution and termination of this business relationship as well as data about non-contractual or fraudulent behavior. The legal bases for these transfers are Art. 6 (1) b) and Art. 6 (1) f) GDPR. Transmissions on the basis of Art. 6 (1) f) GDPR may only take place if this is necessary to safeguard the legitimate interests of the Bank or the legitimate interests of third parties and does not outweigh your interests or fundamental rights and freedoms which require the protection of personal data. The data exchange with the SCHUFA also serves the fulfilment of legal obligations to carry out creditworthiness checks of Bank customers (§ 505a of the German Civil Code (BGB), § 18a of the German Banking Act (KWG)).

SCHUFA processes the data received and also uses them for the purpose of profiling (scoring) in order to provide its contractual partners in the European Economic Area and in Switzerland and, where applicable, other third countries (if an adequacy decision of the European Commission exists for these) with information, inter alia, for assessing the creditworthiness of natural persons. Further information on the activities of SCHUFA can be viewed online at [www.schufa.de/datenschutz](http://www.schufa.de/datenschutz).

## 6. TRANSFER OF PERSONAL DATA TO COUNTRIES OUTSIDE THE EEA

If international data transfers are made to countries outside the European Economic Area (EEA) and the European Commission considers that a non-EEA country guarantees an adequate level of data protection, your personal data will be transferred on this basis.

In the case of transfers to non-EEA countries whose level of data protection has not been recognised by the European Commission, the Bank may consider an appropriate exception (for example, if the transfer of data is necessary to fulfil our contract with you and make an international payment) or take one of the following measures to ensure the protection of your personal data:

- Use of standard contractual clauses approved by the European Commission
- Formulation of binding, company-internal rules.

If you need a printout of these provisions or information on their availability, you can contact the Bank in writing (as described in Section 11).

## 7. IS PROFILING TAKING PLACE?

The Bank processes some of your data automatically with the aim of evaluating certain personal aspects (profiling). For example, it uses profiling in the following cases:

- The Bank is required by law and regulation to combat money laundering, terrorist financing and asset-polluting crimes. Data is also evaluated (for example, in payment transactions). These measures also serve to protect you.
- In order to provide you with targeted information and advice on products, the Bank uses evaluation instruments. These enable demand-oriented communication and advertising, including market and opinion research.
- The Bank uses scoring to assess your creditworthiness. The probability with which a customer will meet his payment obligations in accordance with the contract is calculated. The calculation may include, for example, income, expenses, existing liabilities, occupation, employer, length of employment, experience gained in the previous business relationship, contractual repayment of previous loans and information from credit bureaus. Scoring is based on a mathematically and statistically recognized and proven procedure. The calculated score values support the Bank in decision-making within the framework of product transactions and are included in ongoing risk management.

## 8. HOW LONG DOES THE BANK KEEP YOUR PERSONAL DATA?

The Bank shall keep your personal data for at least the period prescribed by applicable law. Longer retention is possible if operational requirements such as proper account management, the management of customer relationships with the Bank, the fulfilment of legal claims or compliance with official orders require this. For example, most customer data is retained for the duration of the contractual relationship and for a period of ten years starting at the end of the year of contract termination. Applicants without a subsequent contract conclusion have a retention period of five years starting at the end of the year of application.

## 9. WHAT RIGHTS DO YOU HAVE AND HOW CAN YOU EXERCISE THEM?

According to the valid legal regulations you are entitled to the following rights:

- **Information:** You can request information on the processing of your personal data and a copy of this data.
- **Correction:** If in your opinion your personal data is incorrect or incomplete, you can request a corresponding change to this data.
- **Deletion:** You may request that your personal data be deleted to the extent permitted by applicable law.
- **Restriction on data processing:** You may request a restriction on the processing of your personal data.

- **Revocation of consent to data processing:** If you have consented to the processing of your personal data, you can revoke this consent at any time.
- **Data transferability:** If legally possible, you can reclaim the personal data provided to the Bank or have it transferred to a third party, if this is technically feasible.
- **Automated decisions:** If a decision to conclude or fulfill a contract has only been made in an automatic process and this decision has legal effect against you or significantly affects you in a similar manner, you can request a further manual review from the Bank after you have presented your position and requested the manual review. In the event of such a decision, it will also inform you separately about the reason, the scope and the intended effects of such data processing.

**You have the right to object to the processing of your personal data in the public interest or on the basis of a balance of interests with reference to your particular situation; this also applies to profiling based on this. Further processing by the Bank will then only take place if proof is provided of overriding interests that require mandatory protection.**

**In addition, you have the unlimited right to prohibit the processing of your personal data for direct marketing purposes and to refuse any associated profiling.**

To assert these rights, please contact the Bank's data protection officer via a data protection request under <https://jcbfinance.de/dataprotection/>.

In accordance with the applicable legal provisions, in addition to exercising the above rights, you may file a complaint with the competent supervisory authority at the following address:

**Landesbeauftragte(r) für Datenschutz und Informationsfreiheit NRW**  
**Postfach 20 04 44**  
**40102 Düsseldorf**

#### **10. HOW CAN YOU INFORM YOURSELF ABOUT CHANGES TO THIS PRIVACY NOTICE?**

In the light of constant technical change, the Bank may have to update its data protection information at regular intervals.

The current version is available online. The Bank will inform you of fundamental changes on its website or through other usual communication channels.

#### **11. HOW TO CONTACT THE BANK**

If you have any questions about the use of your personal data in accordance with this data protection information, please contact the Bank's data protection officer via a data protection request under <https://jcbfinance.de/dataprotection/>.