

## Data Protection Information for Business Partners

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 about the protection of your personal data by JCB Finance S.A.S., Branch Office Germany ("we").

As the responsible party, we are responsible for the collection and processing of your personal data in connection with your business activities. With this data protection information we inform you about the personal data we collect about you, why we use and pass on such data, how long we keep it, what rights you have and how you can exercise them.

### 1. What personal data do we use?

We collect and use your personal data, i.e. all information that identifies you or enables you to be identified, to the extent necessary in the course of our business activities to provide you with a high-quality, individual range of products and services as part of your involvement in our sales financing.

The different types of personal data that may be collected include

- **identity information** (e.g. full name, identity card 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** (e.g. tax identification number, tax status)
- **Information on education and occupation** (e.g. educational level, occupation, name of employer, earnings, etc.)
- **Banking, financial and transaction data, creditworthiness data** (e.g. bank details, credit card number, money transfers, assets, notified investor profile, credit history, debt and expenditure, rating)
- **Data about your habits and preferences:**
  - Data on the use of our products and services in relation to banking, financial and transaction data
  - Data relating to interaction with us and our affiliated offices (contact reports), websites, use of our apps and social media sites, connection and tracking data such as cookies, connection to online service personal meetings, telephone calls, chat contact, e-mail, surveys, telephone conversations
- **Video and photo surveillance data and geolocation data** of financed objects
- **Information about your digital terminal** (IP address, technical data and uniquely identifying data)
- Login information used to connect to the website and to our applications.

The following sensitive data may only be obtained with your express prior consent:

- **Biometric data**, e.g. fingerprints, voice or face patterns, which can be used for identification and security purposes
- Personal data relating to racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, as well as genetic data and data concerning sexual life or sexual orientation are not processed as a matter of principle, unless there is a legal obligation to do so or if this is necessary in the context of the products and services we offer.

### 2. Who is affected by this data protection information and from whom do we collect personal data?

The data we use may either be provided directly by you or may be taken from the following sources to check or enrich our databases

- Publications/databases made available by public authorities
- Corporate customers, service providers or business partners
- third parties, such as credit bureaus and pools for fraud prevention or data brokers, which are used in accordance with data protection regulations
- Websites/social media pages with information you publish (e.g. your own website or social media page) and
- information and databases made publicly available by third parties.

### 3. Specific cases of the collection of personal data including an indirect data collection

In certain cases, we may collect personal information from individuals with whom we have, may have or have had a direct relationship and use that information as appropriate. This includes, for example

#### • Potential customers

We may have obtained information about you although you do not have a direct relationship with us.

This may be the case, for example, if we have received your contact data from one of our customers or business partners or if you belong to one of the following groups of people:

- **Family members**
- **Co-applicant, guarantor**
- **Legal representatives** (authorized representatives)
- **Beneficiaries of payment transactions of our business partners**
- **Beneficiaries of insurance contracts and trusts**
- **Landlord**
- **Beneficial owner**
- **Debtors of customers** (for example in the event of insolvency)

<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>

- **Shareholders**
- **representatives of legal entities** (e.g. customers or service providers)
- **Employees of service providers or business partners.**

#### 4. Why and on what basis do we use your personal data?

##### a. To meet our legal and regulatory obligations

We use your personal information to comply with various legal and regulatory obligations, including

- Banking and financial regulations, on the basis of which we:
  - take security measures to prevent abuse and fraud
  - Detect transactions that deviate from common patterns
  - Determine your credit risk and your ability to repay
  - monitor and report risks (financial, credit, legal, compliance or reputational risks, default risks, etc.) to which we may be exposed
  - Recording, if necessary, of telephone conversations, chats, e-mails etc.
- Responding to an official request from a competent governmental or judicial authority
- Prevention of money laundering and terrorist financing and compliance with sanctions and embargo provisions
- Combating tax evasion and meeting tax control and notification obligations

##### b. To conclude or fulfil a contract with you

We use your personal data to conclude and fulfil our contracts.

This includes, among other things, that we

- provide you with information about our products and services
- help you and answer your questions
- check whether and under what conditions we can offer you a product or service and
- Offer products and services.

##### c. To safeguard their legitimate interests

We use your personal data to market and develop our products and services, to optimise our risk management and to protect legal rights. This includes the following activities:

- Creation of transaction proofs
- 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 summary statistics, tests and models for research and development to optimise the risk management of our group of companies or to improve existing products and services or to create new products and services

- personalization of our own offer and the offer of our associated business units:
  - a qualitative improvement in the financial and insurance products and services we broker;
  - the promotion of products that fit your situation and profile.

This can be achieved by:

- the segmentation of existing and potential business partners
- the analysis of your habits and preferences on the various channels (visiting the offices, e-mails or news, visiting the website, etc.)
- the transfer of your data to business units associated with us, especially if you are a customer of this business unit or if you wish to become one
- compare the products or services you have already purchased or are using with other information we have about you
- the monitoring of all transactions in order to detect transactions that deviate from the usual routine.

Your data may be aggregated into anonymous statistics that may be offered to professional business partners to help us develop our business. In this case, your personal data will never be disclosed to third parties and the recipients of these anonymised statistics will not be able to identify you.

##### d. To respect your choice when we have asked you for your consent to a particular data processing operation

In some cases we need your consent to process your data, e.g:

- for the training of employees by recording incoming calls in our call centers
- if we need to take further data processing measures for purposes other than those mentioned above, we will inform you accordingly and, if necessary, ask for your consent

##### 5. To whom do we pass on your personal data?

We are part of the BNP Paribas Group, an integrated banking and insurance group, i.e. a group of companies that work closely together worldwide to develop and distribute various banking, financial, insurance and product services.

We share personal information about the BNP Paribas Group for economic and efficiency purposes, such as

- on the basis of legal and regulatory obligations
  - Transfer of data collected for AML/FT (*money laundering/financing of terrorism*), sanctions, embargoes and KYC;
  - Prevention, detection and combating of fraud
  - Risk management including credit and operational risks (risk rating/credit scoring/etc.);

- on the basis of legitimate interest:
  - R&D activities (*research and development*), in particular for compliance, risk, communication and marketing purposes;
  - global and consistent overview of our customers;
  - Offering the entire range of products and services of the group so that you can benefit from them;
  - Personalization of the content of products and services and prices for the customer.

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

- Business units affiliated with us (so that you can, for example, use our entire range of products and services)
- Service providers who act on our behalf of the
- Independent agents, intermediaries or brokers, bank and business partners
- Financer, credit insurer
- Financial or judicial authorities, governmental agencies or public bodies:
  - upon request and to the extent permitted by law;
  - members of certain regulated professions such as lawyers, notaries or auditors
- Credit agencies
- Guarantors, bailors.

## 6. Unoccupied

## 7. Transfer of personal data to countries outside the EEA

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

For transfers to non-EEA countries whose level of data protection has not been recognised by the European Commission, We may consider making an exception (for example, if the transfer is necessary to fulfil our contract with you and, for example, to make an international payment) or taking 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, internal company rules.

If you require a copy of these terms and conditions or information regarding their availability, you may contact us in writing (as described in section 12).

## 8. Is Profiling taking place?

We process some of your data automatically with the aim of evaluating certain personal aspects (profiling). We use profiling in the following cases, for example:

- Legal and regulatory requirements oblige us to combat money laundering, terrorist financing and asset-endangering crimes. In this context, we also carry out data evaluations (e.g. in payment transactions). These measures also serve to protect you.

- We use evaluation tools to provide you with targeted information and advice on products. These enable communication and advertising to be tailored to your needs, including market and opinion research.
- We use scoring to assess your creditworthiness. This involves calculating the probability with which a business partner will meet its payment obligations in accordance with the contract. The calculation may include, for example, income, expenses, existing liabilities, duration of the company's existence, experience from the previous business relationship, contractual repayment of previous loans and information from credit agencies. The scoring is based on a mathematically-statistically recognised and proven procedure. The calculated score values support us in the decision-making process in the context of product deals and are included in the ongoing risk management.

## 9. How long do we keep your personal data?

We store your personal data at least for the period of time required by applicable law. Longer retention periods are possible if required by operational needs such as proper account management, the management of partner relationships with us, the fulfillment of legal requirements or compliance with governmental orders. For example, most partner data is retained for the duration of the contractual relationship and for a period of ten years beginning with the end of the year in which the business relationship ends.

## 10. What are your rights and how can you exercise them?

According to the applicable legal provisions, 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 you believe that your personal information is incorrect or incomplete, you may request that it be corrected.
- **Deletion:** You may request that your personal data be deleted to the extent permitted by applicable law.
- **Restriction of data processing:** You can request a restriction of 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:** As far as legally possible, you can demand the return of the personal data provided to us or have it transferred to a third party, if this is technically feasible.

**You have the right to object to the processing of your personal data in the public interest or on the basis of a balancing of interests with reference to your particular situation, including profiling based on such data. Further processing by us will then only be carried out if we can prove that the interests to be protected are predominant and worthy of protection.**

**You also have the unrestricted right to prohibit the processing of your personal data for direct marketing purposes and also to refuse any related profiling.**

To assert these rights, please contact our data protection officer, who can be reached via the data protection inquiry at <https://jcbfinance.de/dataprotection>.

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

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

**11. How can you find out about changes to this data protection notice?**

Against the background of constant technical change, we update the data protection information at regular intervals. The current version is available online. We will inform you about fundamental changes on our website or via the other usual communication channels.

**12. How do they reach us?**

If you have any questions regarding the use of your personal data in accordance with this data protection information, please contact our data protection officer, available via the data protection request at <https://jcbfinance.de/dataprotection>.