

DATA PROTECTION NOTICE

For clients and other persons concerned*

The protection of your personal data is important to the BNP Paribas Group, which has adopted strong principles in that respect for the entire Group in its Group Privacy Guidance available at our website

This Data Protection Notice provides you with detailed information relating to the protection of your personal data by
BNP Factor GmbH
Hansaallee 299,
40549 Düsseldorf (“we”).

We are responsible, as a controller, for collecting and processing your personal data in relation to our activities. The purpose of this Data Protection Notice is to let you know which personal data we collect about you, the reasons why we use and share such data, how long we keep it, what your rights are and how you can exercise them.

*i.e. shareholder, representatives, guarantors

1. WHICH PERSONAL DATA DO WE USE ABOUT YOU?

We collect and use your personal data to the extent necessary in the framework of our activities to deliver high quality products and services.

We may collect various types of personal data about you, including:

- identification information (e.g. name, ID card and passport numbers, nationality, place and date of birth, gender, photograph, IP address);
- contact information (e.g. postal address and e-mail address, phone number);
- family situation (e.g. marital status, number of children);
- education and employment information (e.g. level of education, employment, employer’s name);
- data relating to your habits and preferences :
 - data from your interactions with us: our offices (contact reports), our internet websites, our apps, our social media pages, meeting, call, chat, email, interview, phone conversation;
- video surveillance (including CCTV) for security reasons.
- Data necessary to avoid over-indebtedness

We may collect the following sensitive data only upon obtaining your explicit prior consent:

- biometric data: e.g. fingerprint, voice pattern or face pattern which can be used for identification and security purposes.

We never ask for personal data related to your racial or ethnic origins, political opinions, religious or philosophical beliefs, trade union membership, genetic data or data concerning your sex orientation, unless it is required through a legal obligation.

The data we use about you may either be directly provided by you or be obtained from the following sources in order to verify or enrich our databases:

- publications/databases made available by official authorities (e.g. the official journal);
- our clients, prospects or service providers;
- third parties such as credit reference agencies ;
- websites/social media pages containing information made public by you (e.g. your own website or social media); and

- databases made publicly available by third parties.

2. SPECIFIC CASES OF PERSONAL DATA COLLECTION, INCLUDING INDIRECT COLLECTION

In special cases we collect data of person to which we have may have or had a direct relation and use these data. Example:

- Prospects

For some reasons, we may collect information about you whereas you have not direct relationship with us. This may happen for instance when your employer provide us with information about you or your contact details are provided by one of our clients/prospects/service providers/ commercial partners if you are for example :

- Family members;
- Co-borrowers / guarantors;
- Legal representatives (power of attorney);
- Beneficiaries of insurance policies;
- Ultimate beneficial owners;
- Clients' debtors;
- Company shareholders;
- Representatives of a legal entity (which may be a client or a vendor);
- Staff Member of service provider and commercial partners.

3. WHY AND ON WHICH BASIS DO WE USE YOUR PERSONAL DATA?

- a. To comply with our legal and regulatory obligations

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

- prevention of money-laundering and financing of terrorism;
- compliance with legislation relating to sanctions and embargoes;
- fight against tax fraud and fulfilment of tax control and notification obligations.
- financial regulations in compliance with which we:
 - set up security measures in order to prevent abuse and fraud;
 - detect transactions which deviate from the normal patterns;
 - monitor and report risks that institution could incur; and
 - record, when necessary, phone calls, chats, email, etc.
- reply to an official request from a duly authorised public or judicial authority;

- b. To perform a contract with you or to take steps at your request before entering into a contract

We use your personal data to enter into and perform our contracts, including to:

- provide you with information regarding our products and services;
- assist you and answer your requests;
- provide products or services to our clients/ prospects of which you are an employee or a client.

- c. To fulfil our legitimate interest

We use your personal data in order to deploy and develop our products or services, to improve our risk management and to defend our legal rights, including:

- proof of transactions;
- fraud prevention;
- IT management, including infrastructure management (e.g.: shared platforms) & business continuity and IT security;
- training of our personnel by recording phone calls to our offices.

d. To respect your choice if we requested your consent for a specific processing

In some cases, we must require your consent to process your data, for example:

- where the above purposes lead to automated decision-making, which produces legal effects or which significantly affects you. At that point, we will inform you separately about the logic involved, as well as the significance and the envisaged consequences of such processing;
- if we need to carry out further processing for purposes other than those above in section 3, we will inform you and, where necessary, obtain your consent.

4. WHO DO WE SHARE YOUR PERSONAL DATA WITH?

In order to fulfill the aforementioned purposes, we only disclose your personal data to:

- BNP Paribas Group entities (e.g. you can benefit from our full range of group products and services);
- Service providers which perform services on our behalf;
- Independent agents, intermediaries or brokers, banking and commercial partners, with which we have regular relationship;
- Financial or judicial authorities, state agencies or public bodies, upon request and to the extent permitted by law;
- Certain regulated professionals such as lawyers, notaries or auditors.
- Information agencies

5. TRANSFERS OF PERSONAL DATA OUTSIDE THE EEA

In case of international transfers originating from the European Economic Area (EEA), where the European Commission has recognized a non-EEA country as providing an adequate level of data protection, your personal data may be transferred on this basis.

For transfers to non-EEA countries whose level of protection has not been recognized by the European Commission, we will either rely on a derogation applicable to the specific situation (e.g. if the transfer is necessary to perform our contract with you such as when making an international payment) or implement one of the following safeguards to ensure the protection of your personal data:

- Standard contractual clauses approved by the European Commission;
- Binding corporate rules.

To obtain a copy of these safeguards or details on where they are available, you can send a written request as set out in Section 9.

6. DO WE PROFILING

We use data to some extent to analyze personal aspects (Profiling) i.e. in following cases:

- By regulatory and legal reason we are obliged to take measures against money-laundering and financing of terrorism and other criminal acts. Hereby we are checking data (i.e. payment information) which also protect your interest.
- To evaluate creditworthiness we are using scoring. Hereby the probability of default will be calculated that a debtor is not able to pay on due date. To calculate some information as income, liabilities, profession, employer, experiences and information of information agencies will be considered. The scoring use approved mathematical-statistical methods and supports us to take decisions and the risk-management.

7. HOW LONG DO WE KEEP YOUR PERSONAL DATA FOR?

We will retain your personal data for the longer of the period required in order to comply with applicable laws and regulations or another period with regard to our operational requirements, such as proper account maintenance, facilitating client relationship management, and responding to legal claims or regulatory requests. For instance, most of client's information is kept for the duration of the contractual relationship and twelve years after the end of the contractual relationship. For prospects, information is kept 24 months

8. WHAT ARE YOUR RIGHTS AND HOW CAN YOU EXERCISE THEM?

In accordance with applicable regulations, you have the following rights:

- To access: you can obtain information relating to the processing of your personal data, and a copy of such personal data.
- To rectify: where you consider that your personal data are inaccurate or incomplete, you can require that such personal data be modified accordingly.
- To erase: you can require the deletion of your personal data, to the extent permitted by law.
- To restrict: you can request the restriction of the processing of your personal data.
- To object: you can object to the processing of your personal data, on grounds relating to your particular situation..
- To withdraw your consent: where you have given your consent for the processing of your personal data, you have the right to withdraw your consent at any time.
- To data portability: where legally applicable, you have the right to have the personal data you have provided to us be returned to you or, where technically feasible, transferred to a third party.
- To automated decision: If a decision which lead to a contractual relationship was done by fully automated process and the decision has given substantial disadvantage for you , you are entitled to request to check the decision manually after you have explained your view. In such case we will explain you separately the consequences of such a 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, which also applies to a profiling based on this. In this case, we will only continue to process your data if there is proof of overriding interests which deserve stringent protection.

In addition, you have the unrestricted right to prohibit the processing of your personal data for direct marketing purposes and also to reject associated profiling.

If you wish to exercise the rights listed above, please send a letter to
 BNP Paribas Factor GmbH
 Kundenbetreuung
 Hansaallee 299
 40549 Düsseldorf

or per e-mail to : kontakt.factor.de@bnpparibas.com

Please include a scan/copy of your identity card for identification purpose.

In accordance with applicable regulation, in addition to your rights above, you are also entitled to lodge a complaint with the competent supervisory authority.

9. HOW CAN YOU KEEP UP WITH CHANGES TO THIS DATA PROTECTION NOTICE?

In a world of constant technological changes, we may need to regularly update this Data Protection Notice. We invite you to review the latest version of this notice online and we will inform you of any material changes through our website or through our other usual communication channels.

10. HOW TO CONTACT US?

If you have any questions relating to our use of your personal data under this Data Protection Notice, please contact our data protection officer

Datenschutzbeauftragter
BNP Paribas Factor GmbH
Hansaallee 299
40549 Düsseldorf
oder
E-Mail: Datenschutzbeauftragter.factor.de@bnpparibas.com

If you wish to learn more about cookies and security, please read our cookies policy and our client security policy.