



Data Protection Notice

Last Update: 04.08.2023

As a trusted companion, the protection of your personal data is important to the BNP Paribas Group.

Introduction

We take the protection of your personal data very seriously; accordingly, the BNP Paribas Group has adopted strong principles for the protection of personal data.

BNP Paribas Factor GmbH in Düsseldorf ("We"), as a controller are responsible for collecting and processing your personal data in relation to our activities.

Our business is to support all our customers - individuals, entrepreneurs, small and medium-sized enterprises, large corporations, and institutional investors. As a member of an integrated banking and insurance group, we offer our customers, in cooperation with the various companies of the group, a complete range of factoring products and services.

The purpose of this Data Protection Notice is to let you know how we process your personal data and how you can exercise your related rights.

1. ARE YOU SUBJECT TO THIS NOTICE?

This Data Protection Notice applies to you if you ("You") are:

- in a customer relationship or any other contractual relationship with us (e.g. as a guarantor);
- a member of our customer family, for example because our customers occasionally provide us with information about their family when this is necessary to offer them a product or service;
- interested in our products or services and provide us with your personal data yourself (e.g. on our websites and digital applications, at events or sponsorship activities, or through an agency).

When you provide us with personal data related to other people, please make sure that you inform them about the disclosure of their personal data and invite them to read this Data Protection Notice. We will ensure that we will do the same whenever possible (e.g., when we have the person's contact details).

2. HOW CAN YOU CONTROL THE PROCESSING ACTIVITIES WE DO ON YOUR PERSONAL DATA?

You have the following rights which allow you to exercise real control over your personal data and how we process them.

If you wish to exercise any of the rights listed below, please submit a request by mailing a letter to the following address:

BNP Paribas Factor GmbH
Hansaallee 299
40549 Düsseldorf

If necessary, we may ask you for suitable identity documentation.



If you have any questions relating to our use of your personal data under this Data Protection Notice, please contact our Data Protection Officer at the following address: datenschutzbeauftragter.factor.de@bnpparibas.com

2.1 You can request access to your personal data

If you wish to have access to your personal data, we will provide you with a copy of the personal data you requested as well as information relating to their processing.

Your right of access may be limited in the cases foreseen by laws and regulations. For example, this is the case with the regulation relating to anti-money laundering and countering the financing of terrorism, which prohibits us from giving you direct access to your personal data processed for this purpose.

2.2 You can request the correction of your personal data

Where you consider that your personal data are inaccurate or incomplete, you can request that such personal data be modified or completed accordingly. In some cases, supporting documentation may be required.

2.3 You can request the deletion of your personal data

If you wish, you may request the deletion of your personal data, to the extent permitted by law.

2.4 You can object to the processing of your personal data based on legitimate interests

If you do not agree with a processing activity based on a legitimate interest, you can object to it, on grounds relating to your particular situation, by informing us precisely of the processing activity involved and the reasons for the objection. We will cease processing your personal data unless there are compelling legitimate grounds for doing so or it is necessary for the establishment, exercise or defence of legal claims.

2.5 You can object to the processing of your personal data for commercial prospecting purposes

You have the right to object at any time to the processing of your personal data for commercial prospecting purposes, including profiling, insofar as it is linked to such prospecting.

2.6 You can request the restriction of the processing of your personal data

If you question the accuracy of the personal data we use or object to the processing of your personal data, we will verify or review your request. You may request that we suspend the use of your personal data while we review your request.

2.7. You have rights against an automated decision

As a matter of principle, you have the right not to be subject to a decision based solely on automated processing based on profiling or otherwise that has a legal effect or significantly affects you. However, we may automate such a decision if it is necessary for the entering into or performance of a contract with us, authorised by regulation or if you have given your consent.

In any event, you have the right to challenge the decision, express your views and request the intervention of a competent person to review the decision.

2.8. You can withdraw your consent

If you have given your consent to the processing of your personal data, you can withdraw this consent at any time.

2.9. You can request the portability of part of your personal data

You may request a copy of the personal data that you have provided to us in a structured, commonly used and machine-readable format. Where technically feasible, you may request that we transmit this copy to a third party.



2.10. How to file a complaint with a competent data protection authority

In addition to the rights mentioned above, you may lodge a complaint with a competent supervisory authority. The address of the supervisory authority responsible for us is as follows: Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen, Kavalleriestraße 2-4, 40213 Düsseldorf

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

3.1 Your personal data is processed in order to comply with our numerous regulatory obligations

Your personal data is processed when it is necessary for us to comply with the regulations that apply to us, including banking and financial regulations.

3.1.1 We use your personal data to:

- monitor your transactions to prevent, detect, and process cases of fraud.
- manage and report risks (financial, credit, legal, compliance, or reputational risks, etc.) to which the BNP Paribas Group may be exposed in the course of its activities;
- combat tax fraud and fulfill tax control and reporting obligations;
- record transactions for accounting purposes;
- prevent, detect, and report risks related to Corporate Social Responsibility and sustainable development;
- detect and prevent corruption;
- comply with the provisions applicable to trust service providers issuing electronic signature certificates;
- exchange and report different operations, transactions or orders or reply to an official request from a duly authorized local or foreign financial, tax, administrative, criminal or judicial authorities, arbitrators or mediators, law enforcement, state agencies or public bodies.

3.1.2 We process your personal data for anti-money laundering and countering financing of terrorism purposes

As part of a banking group, we must have a robust system in place to combat money laundering and terrorist financing, as well as a system to apply local, European, and international sanctions.

In this context, we are jointly responsible for data processing with BNP Paribas SA, the parent company of the BNP Paribas Group.

The processing activities carried out to fulfill these legal obligations are listed in Annex 1.

3.2 Your personal data is processed in order to fulfill contracts to which you are a party, or to carry out pre-contractual measures at your request

Your personal data is processed when it is necessary for the conclusion or performance of a contract, in order to:

- define your credit risk rating and your reimbursement capacity;
- evaluate (e.g. based on your credit risk rating) whether we can offer you a product or service and under what conditions (e.g. price);
- provide you with the products and services acquired or ordered under the respective contract;
- manage existing debts (identification of customers with arrears);



- respond to your requests and assist you.

3.3 Your personal data is processed to fulfil our legitimate interest or that of a third party

When we base a processing activity on a legitimate interest, we weigh this interest against your interests or fundamental rights and freedoms to ensure a fair balance between them. If you wish to receive more information about the legitimate interest underlying a processing activity, please contact us at the address mentioned above.

3.3.1 As part of our business activities as a factoring company, we use your personal data to:

- manage the risks to which we are exposed:
 - we keep records of transactions or operations, also in electronic form;
 - we carry out the collection of debts;
 - we process legal claims and defend ourselves in the event of litigation.
- enhance cyber security, manage our platforms and websites, and ensure business continuity.
- enhance the automation and efficiency of our operational processes and customer services (e.g. electronic claims reporting or providing a complaint form on our websites, creating an FAQ chatbot or tracking your requests to improve your satisfaction based on personal data collected during our interactions with you, such as conversation notes, emails or chats).
- carry out financial operations such as debt portfolio sales, securitizations, financing or refinancing of the BNP Paribas Group.
- conduct statistical studies and develop predictive and descriptive models for:
 - commercial purposes: to identify products and services that best meet your needs, to create new offers or to identify new trends among our customers, to develop our business policy taking into account the preferences of our customers;
 - security purposes: to prevent potential incidents and improve security management;
 - compliance purposes (e.g. anti-money laundering and countering the financing of terrorism) and risk management;
 - anti-fraud purposes.
- organize competitions, lotteries, advertising campaigns, and conduct opinion and customer satisfaction surveys.

3.3.2 We use your personal data to send you offers by electronic mail as well as by post

As part of the BNP Paribas Group, we want to offer you access to a wide range of products and services that best meet your needs.

If you are a customer and unless you object, we may send you these offers for our products and services by electronic mail (e.g. email, SMS) if they are similar to those you have already purchased or ordered.

We ensure that these offers relate to products or services that are relevant to your needs and that complement the products and services you have already purchased or ordered.

We can also send you offers for our products and services, as well as those of the Group and our trusted partners, by post. You can object to the processing of data for the purpose of customer information by electronic mail, for the Bank's own similar products and services, as well as the sending of postal offers, at any time, with effect for the future.



3.3.3 We analyze your personal data to perform standard profiling to personalize our products and offers

To enhance your experience and satisfaction, we need to determine to which customer group you belong. For this purpose, we build a standard profile from relevant data that we select from the following information:

- what you have directly communicated to us;
- resulting from your use of our products or services such as those related to your accounts including the balance of the accounts, regular or atypical movements, the use of your card abroad as well as the automatic categorization of your transaction data (e.g., the distribution of your expenses and your receipts by category as is visible in your customer area);
- from your use of our various communication channels: websites and applications (e.g. whether you are digitally savvy or whether you prefer to manage a product or service independently ("self-service")).

Unless you object to the processing, we will perform personalization based on this standard profile. We may go further to better meet your needs, if you consent, by performing a tailor-made customization as described below.

3.4 Your personal data are processed if you have given your consent

For some processing of personal data, we will give you specific information and ask for your consent. Of course, you can revoke your consent at any time.

In particular, we ask for your consent for:

- tailor-made customization of our offers and products or services based on more sophisticated profiling to anticipate your needs and behaviours;
- any electronic offer for products and services not similar to those you have purchased or ordered, or for products and services from other companies in the Group or our trusted partners;
- personalization of our offers, products and services based on your account data at other banks;
- use of your navigation data (e.g. through cookies) for commercial purposes or to enhance the knowledge of your profile.

4. WHAT TYPES OF PERSONAL DATA DO WE COLLECT?

We collect and use your personal data, meaning any information that identifies or allows to identify you.

Depending on, among other things, the type of product or service we offer you and the interactions we have with you, we collect various types of personal data about you, including:

- **Identification information:** e.g. full name, gender, place and date of birth, nationality, ID number, passport number, driver's license number, vehicle registration number, photo, signature;
- **Contact information (private or professional):** e.g. postal address, email address, phone/mobile number;
- **Economic, financial, and tax information:** e.g. tax identification number, tax status, country of residence, salary and other income, value of your assets;
- **Data from our interactions with you:** e.g. your comments, suggestions, needs, which we have collected during our exchange with you in person at our locations (contact reports) or during telephone communication (conversation notes or call recordings), email communication, chat, chatbot, exchange on our social media presence, or your potential complaints. Your connection and tracking data (e.g. collected via cookies for non-advertising or analytical purposes on our websites), online services, applications;
- **Data about your devices (mobile phone, computer, tablet, etc.):** IP address, technical specifications, and unique identification data;



- **Personalized login credentials or security features used to connect you to the BNP Paribas website and apps.**

We may collect sensitive data such as health data, biometric data, or data relating to criminal activities, subject to compliance with the strict conditions set out in data protection regulations.

5. WHO DO WE COLLECT PERSONAL DATA FROM?

We collect personal data directly from you; however, we may also collect personal data from other sources.

If necessary, we collect data from public sources:

- publications/databases made available by official authorities or third parties (e.g. the Federal Gazette, the Commercial Register, databases of financial sector supervisory authorities);
- websites/social media presence of legal entities or business customers that contain information that you have disclosed (e.g. your own website or your social media presence);
- public information, such as information from the press.

We also collect personal data from third parties:

- from other BNP Paribas Group entities;
- from our customers (companies or individuals);
- from our business partners;
- from service providers of payment initiation and account aggregators (service providers of account information);
- from third parties such as credit reference agencies (e.g. SCHUFA Holding AG) and fraud prevention agencies;
- from data brokers who are responsible for ensuring that they collect relevant information in a lawful manner.

6. WHO DO WE SHARE YOUR PERSONAL DATA WITH AND WHY?

a. With BNP Paribas Group's entities

- As a member of the BNP Paribas Group, we work closely with the Group's other entities worldwide. Your personal data may therefore be shared between BNP Paribas Group entities, where necessary, to:
 - comply with our various legal and regulatory obligations described above;
 - fulfil our legitimate interests which are:
 - prevention, detection, and management of fraud cases;
 - conduct statistical studies and develop predictive and descriptive models for business, security, compliance, risk management, and anti-fraud purposes;
 - enhance the reliability of certain data about you held by other Group entities;
 - to adjust the content and prices of products and services.

b. With recipients outside the BNP Paribas Group and processors

- In order to fulfil some of the purposes described in this Data Protection Notice, we may, where necessary, share your personal data with:



- processors which perform services on our behalf (e.g., IT services, logistics, printing services, telecommunication, debt collection, advisory and distribution and marketing).
- banking and commercial partners, refinanciers, credit insurers, independent agents, intermediaries or brokers, financial institutions, counterparties, trade repositories with which we have a relationship if such transmission is required to allow us to provide you with the services and products or execute our contractual obligations or transaction (e.g., banks, correspondent banks, depositaries, custodians, issuers of securities, paying agents, exchange platforms, insurance companies, payment system operators, issuers or payment card intermediaries, mutual guarantee companies or financial guarantee institutions);
- local or foreign financial, tax, administrative, criminal or judicial authorities, arbitrators or mediators, public authorities or institutions (e.g. the Federal Financial Supervisory Authority (BaFin), Banque de France) to which we, or any member of the BNP Paribas Group, are required to disclose pursuant to:
 - their request;
 - exercising and defending legal claims, e.g. in the context of a lawsuit or other judicial proceedings;
 - complying with a regulation or a recommendation issued from a competent authority applying to us or any member of the BNP Paribas Group;
- service providers of third-party payment (information on your bank accounts), for the purposes of providing a payment initiation or account information service if you have consented to the transfer of your personal data to that third party;
- certain regulated professions such as lawyers, notaries, rating agencies or auditors when needed under specific circumstances (litigation, audit, etc.) as well as to our insurers or to an actual or proposed purchaser of the companies or businesses of the BNP Paribas Group;

7. INTERNATIONAL TRANSFER OF PERSONAL DATA

In case of international data transfers from the European Economic Area (EEA) to a country outside the EEA, your personal data may be transferred. If the European Commission has recognized that a third country provides an adequate level of data protection, your personal data may be transferred on this basis.

For transfers to non-EEA countries where the level of protection has not been recognized as adequate 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 (SCCs) issued by the European Commission;
- Binding corporate rules (BCRs) for internal data protection.

To obtain a copy of these safeguards or details on where they are available, you can send a written request as set out in point 2.

8. HOW LONG DO WE KEEP YOUR PERSONAL DATA?

We will retain your personal data over the period required 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.



9. HOW TO FOLLOW THE EVOLUTION OF THIS DATA PROTECTION NOTICE?

In a world where technologies are constantly evolving, we regularly review this Data Protection Notice and update it as required.

We invite you to review the latest version of this document online, and we will inform you of any significant amendments through our website or through our standard communication channels.



Appendix 1

Processing of personal data to combat money laundering and the financing of terrorism

We are part of a banking Group that must adopt and maintain a robust anti-money laundering and countering the financing of terrorism (AML/CFT) programme for all its entities managed at central level, an anti-corruption program, as well as a mechanism to ensure compliance with international Sanctions (i.e., any economic or trade sanctions, including associated laws, regulations, restrictive measures, embargoes, and asset freezing measures that are enacted, administered, imposed, or enforced by the French Republic, the European Union, the U.S. Department of the Treasury's Office of Foreign Assets Control, and any competent authority in territories where BNP Paribas Group is established).

In this context, we act as joint controllers together with BNP Paribas S.A., the parent company of the BNP Paribas Group.

To comply with AML/CFT obligations and with international Sanctions, we carry out the processing operations listed hereinafter

to comply with our legal obligations:

- A "Know Your Customer" (KYC) program reasonably designed to identify, verify and update the identity of our customers, including where applicable, their respective beneficial owners and proxy holders;
- Enhanced due diligence for high-risk clients, Politically Exposed Persons or "PEPs" (PEPs are persons defined by the regulations who, due to their function or position (political, jurisdictional or administrative), are more exposed to these risks), and for situations of increased risk;
- Written policies, procedures and controls reasonably designed to ensure that we do not establish or maintain relationships with shell banks;
- A policy, based on the internal assessment of risks and of the economic situation, to generally not process or otherwise engage, regardless of the currency, in activity or business:
 - o for, on behalf of, or for the benefit of any individual, entity or organisation subject to Sanctions by the French Republic, the European Union, the United States, the United Nations, or, in certain cases, other local sanctions in territories where the Group operates;
 - o involving directly or indirectly sanctioned territories, including Crimea/Sevastopol, Cuba, Iran, North Korea, or Syria;
 - o involving financial institutions or territories which could be connected to or controlled by terrorist organisations, recognized as such by the relevant authorities in France, the European Union, the U.S. or the United Nations.
- Customer database screening and transaction filtering reasonably designed to ensure compliance with applicable laws;
- Systems and processes designed to detect and report suspicious activity to the relevant regulatory authorities;
- A compliance program reasonably designed to prevent and detect bribery, corruption and unlawful influence pursuant to the French "Sapin II" Law, the U.S FCPA, and the UK Bribery Act.

In this context, we make use of:

- o services provided by external providers that maintain updated lists of PEPs such as Dow Jones Factiva (provided by Dow Jones & Company, Inc.) and the World-Check service (provided by REFINITIV, REFINITIV US LLC and London Bank of Exchanges);
- o public information available in the press on facts related to money laundering, the financing of terrorism or corruption;
- o knowledge of a risky behaviour or situation (existence of a suspicious transaction report or equivalent) that can be identified at the Group level.



Due to the objective of combating money laundering and terrorist financing, it may be necessary for us to process special categories of personal data or data related to criminal convictions and offenses.

We carry out these checks when you enter into a relationship with us, but also throughout the relationship we have with you, both on yourself and on the transactions you carry out. At the end of the relationship and if you have been the subject of an alert, this information will be stored in order to identify you and to adapt our controls if you enter into a new relationship with a BNP Paribas Group entity, or in the context of a transaction to which you are a party.

In order to comply with our legal obligations, we exchange information collected for AML/CFT, anti-corruption or international Sanctions purposes between BNP Paribas Group entities. When your data are exchanged with countries outside the European Economic Area that do not provide an adequate level of protection, the transfers are governed by the European Commission's standard contractual clauses. When additional data are collected and exchanged in order to comply with the regulations of non-EU countries, this processing is necessary for our legitimate interest, which is to enable the BNP Paribas Group and its entities to comply with their legal obligations and to avoid local penalties.