

PERSONAL DATA PROTECTION NOTICE

Last updated on 20 October 2022.

Preliminary section: Main amendments

As a trustworthy partner, the BNP Paribas Group¹ attaches great importance to the protection of your personal data. We have enhanced our Personal Data Protection Notice in order to ensure greater clarity of information on:

- personal data processing activities for commercial purposes;
- personal data processing activities in connection with anti-money laundering and terrorist financing and in connection with international sanctions (asset freezing).

Introduction

We take the protection of your personal data very seriously and therefore in our Personal Data Privacy Charter that is available at:

https://group.bnpparibas/uploads/file/bnpparibas_personal_data_privacy_charter.pdf, the BNP Paribas Group has adopted strict rules.

As the controller of personal data, **BNP Paribas Faktoring sp. z o.o. with its registered office in Warsaw**, address: ul. Kasprzaka 2, 01-211 Warsaw (“we”), is responsible for the collection and processing of your personal data in relation to our business.

Our business involves helping all our clients, i.e. individuals, entrepreneurs, small and medium-sized enterprises, large companies and institutional investors, to carry out their projects through factoring solutions offered by us.

We are a member of the banking and insurance Group, which brings together various entities providing the clients with a full range of banking, insurance, leasing and factoring products and services.

The purpose of this Data Protection Notice is to explain how we process your personal data and how you can manage and control them.

1. ARE YOU SUBJECT TO THIS NOTICE?

This Data Protection Notice applies to you (“**You**”) if you are:

- one of our clients or if you have a contractual relationship with us (e.g. as a guarantor);
- our client's legal representative or attorney;
- a partner, shareholder or a member of a governing authority of our client;
- a member of the family of our client. Our clients may, from time to time, provide us with information about their family when it is necessary to provide them with a product or service or to better know them; a successor or holder of the rights assigned as security, e.g. subject to pledge or mortgage;
- a beneficial owner;
- a beneficiary of payment transactions carried out through us;
- a beneficiary of insurance contracts (policies);

¹ <https://group.bnpparibas/en/group/bnp-paribas-worldwide>

- a debtor (e.g. in the event of bankruptcy) or creditor of our client;
- a business partner of our client (e.g. when, under a factoring agreement, we acquire receivables or assume the rights of a satisfied creditor);
- a person interested in our products or services and you provide us with your personal data (at a branch, on our websites and using our applications, as well as during telephone calls, events or sponsorship activities) so that we can contact you.

When you provide us with personal data pertaining to other persons, make sure that you inform them about the disclosure of their personal data and invite them to read this Personal 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 rights which allow you to exercise actual control over your personal data and how we process them.

If you would like to exercise the rights listed below, please submit a request by sending a letter to the following address: Data Protection Officer, BNP Paribas Faktoring Sp. z o.o., ul. Kasprzaka 2, 01-211 Warszawa or by e-mail to the following address: iodo.faktoring@bnpparibas.pl together with personal data enabling us to confirm your identity in accordance with the law and our procedures.

If you have any questions relating to our use of your personal data under this Personal Data Privacy Notice, please contact our Data Protection Officer at the following address: Data Protection Officer, BNP Paribas Faktoring Sp. z o.o., ul. Kasprzaka 2, 01-211 Warszawa, or by e-mail, to the following address: iodo.faktoring@bnpparibas.pl.

2.1. You can request access to your personal data

If you would like to obtain access to your personal data, we will provide you with a copy of the personal data you have requested and information about their processing.

Your right of access to personal data may be limited in instances foreseen for by legal regulations. This is the case with regulations on counteracting money laundering and terrorist financing, which prohibits us from giving you direct access to your personal data processed for this purpose. In this case, you should endeavor exercise your right of access to personal data via the General Inspector of Financial Information (Department of Financial Information, Ministry of Finance, ul. Świętokrzyska 12, 00-916 Warszawa), to whom we are obliged to provide such personal data.

2.2. You can request rectification of your personal data

If you believe that your personal information are inaccurate or incomplete, you can request that such personal data be rectified or supplemented accordingly. In some cases, supporting documentation may be required.

2.3. You can request the erasure of your personal data

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

2.4. You can object to the processing of your personal data based on a legitimate interest

If you do not agree to the processing of personal data based on a legitimate interest, you can object, on grounds relating to your particular situation, to processing, while notifying us in detail of the processing activities to which the objection relates and the reasons for the objection. We will then stop processing your personal data, unless there are compelling legitimate grounds for the processing or for the establishment, exercise or defense of legal claims.

2.5. You can object to the processing of your personal data for direct marketing purposes

You have the right to object to the processing of your personal data for direct marketing purposes, including profiling related to such direct marketing, at any time.

2.6. You can suspend the use 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 can request that we suspend the use of your personal data until your request is examined.

2.7. You have rights in relation to automated decision-making

As a general rule, you have the right not to be subject to a decision based solely on automated processing, including profiling or other automated processing, if it produces legal effects concerning you or similarly significantly affects you. However, we may take such decisions if it is necessary for entering into, or performance of, a contract between the you and us, it is authorized by the law or you granted your consent.

In any event, you have the right to contest the decision, express your point of view and request the intervention of a competent person to verify the decision.

2.8. You can withdraw your consent

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

2.9. You can request transmitting your personal data

You can request a copy of personal data that you have provided to us in a structured, commonly used and machine-readable format. If technically possible, you can request that we transmitting this copy to a third party.

2.10. How can you lodge a complaint with the President of the Personal Data Protection Office?

In addition to the aforementioned rights, you can also lodge a complaint with the competent supervisory authority, which in principle will be the authority competent for your place of residence. In the case of Poland, it will be the President of the Personal Data Protection Office, ul. Stawki 2, 00-193 Warszawa.

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

In this section, we explain why we process your personal data and on what legal basis.

3.1. To comply with our different legal obligations

We process your personal data when it is necessary to comply with the regulations applicable to us, in particular civil and financial legal regulations.

3.1.1. We use your personal data to:

- monitor operations and transactions in order to identify such operations and transactions that deviate from standard practices/schemes;
- monitor your transactions to manage, prevent and detect fraud;
- manage and report risks (financial, credit, legal, compliance or reputational risks, etc.) that we and the BNP Paribas Group could incur in the context of their activities;

- support the fight against tax fraud and fulfil tax audit and information obligations;
- record transactions for accounting purposes;
- prevent, detect and report risks related to Corporate Social responsibility and sustainable development;
- detect and prevent corruption;
- ensure compliance with regulations applicable to trust service providers issuing qualified electronic signature certificates;
- exchange and report various operations, transactions or orders or respond to official requests from duly authorized local or foreign financial, tax, administrative, criminal or judicial authorities, arbitrators or mediators, law enforcement agencies, state agencies or public bodies.

3.1.2. We also process your personal data to counteract money laundering and terrorist financing

As part of the banking Group, we must have an effective system for counteracting money laundering and terrorist financing (AML/TF) in each of our entities managed centrally, as well as a system for applying local, European and international sanctions.

In this regard, we are joint controllers with BNP Paribas SA, the parent company of the BNP Paribas Group (the term “We” in this section also includes BNP Paribas SA).

The processing activities performed to comply with these legal obligations are detailed in Appendix 1.

3.2. We process your personal data in order to perform a contract concluded with you or in order to take steps at your request prior to entering into a contract

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

- determining the result of the credit risk analysis, credit risk score and your creditworthiness;
- estimate (e.g. based on credit risk score) whether we can offer you a product or service and under what conditions (e.g. price);
- provide you with products or services in accordance with the concluded contract;
- manage overdue debt (identify clients with overdue debts);
- respond to your requests and support you.

3.3. We process your personal data for the purposes of the legitimate interests pursued by us or by a third parties

Where the processing of personal data is based on the legitimate interest, we shall verify whether, in accordance with the balancing test, there is a fair balance between that interest and your interests or your fundamental rights and freedoms. For more information on the legitimate interest in data processing, please contact us using the contact details provided in section 2 above: “HOW CAN YOU CONTROL THE PROCESSING ACTIVITIES WE DO ON YOUR PERSONAL DATA?”

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

- management of risks to which we are exposed:
 - o we keep evidence of operations or transactions, including electronic evidence;

- o we monitor your transactions to manage, prevent and detect fraud;
- o we carry out debt-collection activities;
- o we handle legal claims and defense of legal claims in the event of litigation;
- o we develop individual statistical models to determine your creditworthiness;
- improve cybersecurity, manage our platforms and websites, and ensure business continuity;
- use video surveillance to prevent personal injury and damage to persons or property;
- improve the automation and effectiveness of our operational processes and client service (e.g. automated complaint filling, tracking of your requests and improvement of your satisfaction based on personal data collected during our interactions with you, such as telephone, email or chat recordings);
- carry out statistical surveys and develop forecasting and descriptive models for:
 - o commercial purposes: to identify products and services that best meet your needs, create new offers or identify new trends among our clients, develop our commercial policy taking into account the preferences of our clients;
 - o safety-related purposes: to prevent potential incidents and improve safety management;
 - o the purposes of compliance with legal regulations (e.g. regulations on counteracting money laundering and terrorist financing) and risk management;
 - o the purposes of fraud prevention;
 - organize competitions, lotteries, promotional campaigns, clients' opinions and satisfaction surveys.

3.3.2. We process your personal data for the purpose of submitting commercial offers to you by electronic means, by post and by telephone

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

Upon becoming a client, unless you object to data processing, we may submit to you offers for products and services or for products and services similar to those you already use, by electronic means or by telephone. Notwithstanding the above, we will submit the aforementioned offers to you electronically or by telephone if you give us the additional consent, required by legal regulations, to submit offers to you by electronic means or by telephone.

In order to ensure a balance between our and your interests, we will ensure that commercial offers submitted to you pertain to products or services that are relevant to your needs and complement those products and services that you already use.

Unless you object, we may also provide you with offers concerning our products and services by traditional mail.

In addition to the foregoing, we would like to inform you that sending marketing communication to you may be subject to obtaining additional consents required by law.

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

To enhance your satisfaction, we need to determine to which client group you belong to. To this end, we are building a standard profile based on relevant data selected from the following:

- information you have provided to us during our interaction with us or in connection with ordering a given product or service;
- information resulting from your use of our products or services, e.g. related to regular or unusual activities, as well as information resulting from automatic categorization of transaction data;
- information resulting from your use of various channels: websites and mobile apps (e.g. information on whether you are familiar with digital technology or whether you prefer more autonomy in the process of purchasing products and services).

Unless you object, we will personalize our products and services for you based on standard profiling. If you grant your consent, we may extend our activities by tailoring the products and services to your individual needs as described above, which will enable us to better meet your needs.

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

In case of certain personal data processing activities, we will provide you with detailed information and ask for your consent. Of course you can withdraw your consent at any time.

In particular, we may ask for your consent for:

- tailoring our offers, products or services to your individual needs based on more advanced profiling to anticipate your needs and behaviors;
- receiving offers for products and services that are not similar to those you have subscribed to until now, products and services of the BNP Paribas Group or of our trusted partners;
- using of your navigation data (cookies) for commercial purposes or to enhance the knowledge of your profile.

If necessary, you may be asked to give further consent to the processing of your personal data or to marketing communications to you.

4. WHAT TYPES OF PERSONAL DATA DO WE COLLECT?

We collect and use your personal data, i.e. any information that identifies you or allows you to be identified.

Depending on, inter alia, the type of product or service we provide to you and the interaction we have with you, we collect various types of personal data, including:

- Identification details: e.g. full name, gender, place and date of birth, nationality, identity card number and series, passport number, driving license number, vehicle registration number, photograph, signature);
- Contact details: (private or professional) postal address, e-mail address, telephone number;
- Information pertaining to your financial and family situation: e.g. marital status, matrimonial regime, number of children

and their age, study or employment of children, household structure, property you own: apartment or house;

- "Milestones" in your life: e.g. information about a recent marriage, divorce or birth of a child;
- Lifestyle: hobbies and interests, travels, your way of living (nomadic, sedentary);
- Economic, financial and tax information: e.g. tax ID no, tax status, country of residence, salary and

other income, value of your assets;

- Education and employment information: e.g. level of education, employment, employer's name and remuneration;

- Banking and financial information related to the products and services you use: e.g. bank account details, products and services available and used (loans, insurance, savings and investments, leasing, home cover), money transfers, assets, declared investor profile, credit history, payment incidents;

- Transaction data: account movements and balances, transactions, including beneficiary data such as full names, addresses and contact details, as well as details of bank transactions, amount, date, time and type of transaction (credit card, transfer, check, direct debit);

Data relating to your habits and preferences in relation to the use of our products and services;

- Data collected from our interactions with you: e.g. your comments, suggestions, information about your needs collected during our direct interactions with you in our branches (reports) and online during phone communications (calls), information exchange by e-mail, chat, chatbot, opinions on our social media pages and your latest complaints; connection and tracking data such as cookies and tags for non-advertising or analytical purposes on our websites, online services, applications, social media pages;

- Data collected from the video surveillance system (including CCTV) and geolocation: e.g. showing locations of withdrawals or deposits for security reasons, or to identify the location of the nearest branch or service suppliers for you;

- Data about your devices (mobile telephone, computer, tablet, etc.): IP address, technical specifications and uniquely identifying data;

- Personalized login credentials or security features used to connect you to our website and applications.

We may collect sensitive data such as health data, biometric data or data relating to criminal offences, 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, but we may also collect them from other sources.

Sometimes, we collect personal data from public sources:

- publications/databases made available by public authorities or third parties (e.g. the Official Journal of the Republic of Poland, National Court Register, Central Registration and Information on Business, Official Journal of the French Republic, French Trade and Companies Register, databases managed by the supervisory authorities of the financial sector);

- websites/social media pages of legal entities or business clients containing information that you have disclosed (e.g. your own website or social media page);

- public information such as that published in the press.

We also collect personal data from third parties:

- from other entities of the BNP Paribas Group;

- from our clients (companies or individuals);

- from our business partners;

- from payment initiation service providers and account aggregators (providers of services related to account information);
- from third parties such as credit reference agencies and fraud prevention agencies;
- from data intermediaries/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 entities from the BNP Paribas Group

As a member of the BNP Paribas Group, we closely cooperate with other companies of the BNP Paribas Group worldwide. Therefore, your personal data may be shared between BNP Paribas Group entities, where necessary, to:

- comply with our various legal and regulatory obligations described above;
- pursue our legitimate interests, including:
 - o management, prevention, detection of fraud;
 - o carrying out statistical surveys and developing forecasting and descriptive models for business, security, compliance, risk management and anti-fraud purposes;
 - o enhancing the reliability of your certain personal data held by other entities of the BNP Paribas Group;
 - o offering you access to a full range of products and services of the BNP Paribas Group that best meet your needs and expectations;
 - o customizing 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 Personal Data Protection Notice, we may, where necessary, share your personal data with:

- processors performing services on our behalf (e.g. IT, logistics, printing, telecommunications, debt recovery, advisory and distribution and marketing services);
- banking and commercial partners, independent agents, intermediaries or brokers, financial institutions, counterparties, trade repositories with which we have a relationship if such transfer is required to enable us to provide you with the services and products, fulfil our contractual obligations or implement transaction (e.g. banks, correspondent banks, insurance firms, payment system operators, financial guarantee institutions);
- local or foreign financial, tax, administrative, criminal or judicial authorities, arbitrators or mediators, public authorities or institutions (e.g. the Polish Financial Supervision Authority), to which we or any member of the BNP Paribas Group, are required to disclose information:
 - o in response to their request;
 - o for the purposes of our defense, action or proceeding;
 - o to ensure compliance with regulations or recommendations issued by a competent authority applying to us or any member of the BNP Paribas Group;

- credit reference agencies, including Biuro Informacji Kredytowej S.A. (Credit Information Bureau);
- providers of payment services for third parties (information about your bank accounts), in order to provide a payment initiation service or account information, if you give your consent to the transfer of personal data to such a third party;
- certain representatives of regulated professions, such as lawyers, notaries or auditors, where necessary in certain circumstances (litigation, audit, etc.) as well as our insurers or the actual or potential acquirer of the BNP Paribas Group companies or businesses.

7. INTERNATIONAL TRANSFERS OF PERSONAL DATA

Your personal data may be transferred as part of international transfers originating from the European Economic Area (EEA) to a non-EEA country. 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 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 approved by the European Commission;
- binding corporate rules.

To obtain a copy of these safeguards or details on where they are available, please send a written request to: Data Protection Officer, BNP Paribas Faktoring Sp. z o.o., ul. Kasprzaka 2, 01-211 Warszawa or by e-mail to the following address: iodo.faktoring@bnpparibas.pl.

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

We will retain your personal data over the period required to comply with applicable legal regulations, to secure claims or for any other period arising from our operational requirements, such as the proper performance of the factoring agreement, to facilitate client relationship management and to respond to legal claims or regulatory inquiries.

For example, most information pertaining to the client will be stored for the duration of the contractual relationship and for a period of 7 years from the end of the year in which the client relationship ended (from the end of the agreement), i.e. in the case of fully terminated relationships, repayment of liabilities, termination of the agreement, except for debt recovery or disputes where the documentation retention period extends until the end of the dispute/debt recovery.

In the case of potential clients, the information shall be stored for a period no longer than 4 years from the date of obtaining the prospect's data (if there is no decision), and if a negative decision is taken, the information shall be stored for a period no longer than 4 years from the date of a negative decision of the Factor.

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

In the face of constant technological changes, we may be required to update this Personal Data Protection Notice on a regular basis.

We encourage you to review the latest version of this Notice online, and we will notify you of any major amendments on our website or via our standard communication channels.

Appendix 1

Processing of personal data for the purposes of counteracting money laundering and terrorist financing

We are part of a banking Group that is obliged to adopt and maintain a robust program for counteracting money laundering and terrorist financing (AML/CFT) for all entities of the group, managed at a 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, Republic of Poland, European Union, U.S. Department of the Treasury's Office of Foreign Assets Control, and any competent authority in territories where the BNP Paribas Group is established).

In this regard, we are joint controllers with BNP Paribas SA, the parent company of the BNP Paribas Group (for this reason, the term "We" used in this appendix also includes BNP Paribas SA).

To comply with AML/CFT obligations and with international sanctions, we carry out the following processing operations to comply with our legal obligations:

- Know Your Customer (KYC) program designed to identify, verify and update the identity of our clients, including where applicable, their respective representatives, beneficial owners and proxy holders;
- enhanced financial security measures for high-risk clients, politically exposed persons (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;
- 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 organization subject to sanctions imposed by the French Republic, Republic of Poland, 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 organizations, recognized as such by the relevant authorities in France, Poland, European Union, the United States or the United Nations;
- client database screening and transaction filtering reasonably designed to ensure compliance with applicable laws;
- systems and processes designed to detect and report suspicious activity to competent regulatory authorities;
- compliance program reasonably designed to prevent and detect bribery, corruption and unlawful influence pursuant to the French "Sapin II" Law, the U.S. Foreign Corrupt Practices Act or UK Bribery Act, and Polish legal regulations.

In this context, we use:

- o services provided by external providers maintaining updated lists of PEPs, such as Dow Jones Factiva (service 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 terrorist financing or corruption;

o knowledge of a risky behavior or situation (existence of a suspicious transaction report or equivalent) that can be identified at the level of BNP Paribas Group.

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 entities of the BNP Paribas Group. When your data are exchanged with countries outside the European Economic Area that do not provide an adequate level of protection, the transfers of data take place based on the standard contractual clauses adopted by the European Commission. 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 in these countries.