



BNP PARIBAS
FAKTORING

Dear Customers,

On 25 May 2018 the Regulation of the European Parliament and of the Council (EU) 2016/679 dated 27 April 2016 shall become effective. The Regulation is on the protection of natural persons in connection with their personal data processing, the free flow of such data, and on the abrogation of directive 95/46/WE (defined as RODO, GDPR or the General Data Protection Regulation). The Purpose of GDPR is to unify personal data processing principles in the whole European Union and to standardise the information distributed to customers about their rights.

Therefore, you will find, in the attachments hereto, the information concerning your personal data processing by BNP Paribas Faktoring sp. z o.o. and the principles on which this will happen after 25 May 2018. This information does not require you to take any extra actions.

As we are part of the international financial group BNP Paribas, we are also providing you, in the documents attached separately, with additional information on the principles of personal data processing, applicable at the BNP Paribas Faktoring sp. z o.o. as a member of BNP Paribas Group.

BNP Paribas Faktoring sp. z o.o.



Data protection notice of BNP Paribas Faktoring sp. z o. o.

Pursuant to Regulation of the European Parliament and the Council (EU) No 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data („GDPR”) and repealing Directive 95/46/EC, BNP Paribas Faktoring sp. z o.o. („the Factor”) with its seat in Warsaw (02-676) at ul. Suwak 3 is the controller of your personal data. The Factor processes your personal data for the following purposes:

- undertaking measures aimed to conclude an agreement with the Factor under the angle of examining credit ability and risk analysis (art. 6 para. 1 letter b of the GDPR),
- execution of agreement concluded with the Factor (art. 6 para. 1 letter B of the GDPR),
- performance of legal obligations imposed on the Factor under specific provisions regulating the Factor's activity, in connection with counteracting money laundering and compliance with the provisions on sanctions and embargoes (art. 6 para. 1 letter c of the GDPR),
- seeking and defence against possible claims associated with the concluded agreement or failure to conclude it (art. 6 para. 1 letter F GDPR),
- personalized marketing and promotion of products and services offered by the Factor, in the course of execution of the agreement after its expiry, or if it has not been concluded (art. 6 para. 1 letter f of the GDPR),
- profiling for marketing purposes and promotion of products and services offered by the Factor (art. 6 para. 1 letter f of the GDPR),
- marketing and promotion of products of the companies from the BNP Paribas Group specified on the website: <https://www.bnpparibas.pl/korporacje/oferta-grupy-bnp/podmioty-bnp-paribas-w-polsce> (art. 6 para. 1 letter a of the GDPR),
- the Factor's internal administration, including maintenance of telecommunications infrastructure, factoring portfolio analysis, statistics and internal reporting (art. 6 para. 1 letter f of the GDPR)

You have the right to object to data processing under art. 6 para. 1 letter f of the GDPR.

With respect to voluntary consents given, arising under specific acts (for instance, the Telecommunications Law), marketing messages may be sent to you via, among others, e-mail or text messages.

In connection with data processing for the purposes indicated above, your data may be provided to: Biuro Informacji Kredytowej S.A. (the information clause is available at <https://faktoring.bnpparibas.pl/pl>), Centrum Prawa Bankowego i Informacji sp. z o.o., entities in the BNP Paribas capital Group indicated at the website <https://www.bnpparibas.pl/korporacje/oferta-grupy-bnp/podmioty-bnp-paribas-w-polsce>, other entities entitled to collect your data under relevant legal provisions, entities performing intermediation services on behalf and in favour of the Factor with regard to factoring transactions or factual acts related to factoring transactions or other entities providing services on behalf of or in favour of the Factor.

In the cases when data is processed under consent (art. 6 para. 1 letter a of the GDPR) you have the right to revoke your consent at any time. Revoking your consent does not affect legality of data processing performed before the consent was revoked.

Your personal data will be stored for the period of performance of the agreement concluded with the Factor, and once the agreement has been terminated, for the period necessary to secure pursuing potential claims and performing the necessary obligations arising under legal provisions, and in the case of revoking consent for personal data processing or filing an objection – until revoking the consent or filing an objection, respectively. In a situation when personal data is processed under the legal provisions, data will be stored for the period of time arising from specific provisions.

In connection with your personal data processing by the Factor, you have the right to access your data (art. 15 of the GDPR), rectify them (art. 16 of the GDPR), erase them (art. 17 of the

GDPR), restrict their processing (art. 18 of the GDPR), transmit the data (art. 20 of the GDPR) and object to data processing (art. 21 of the GDPR).

Providing your personal data is voluntary, but it is a condition for concluding the agreement and meeting the requirements arising under the legal provisions. Failure to provide these data will result in lack of possibility to conclude an agreement and perform the obligations imposed on the Factor. Data for marketing purposes are provided on a voluntary basis.

You have the right to lodge a complaint about unauthorized data processing to the supervisory authority competent for personal data protection matters.

The Factor has designated a Data Protection Officer who may be contacted by sending a message to the e-mail address: iodo.faktoring@bnpparibas.pl.

Data protection notice of BNP Paribas Group

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 Policy available at www.bnpparibas.pl/RODO.

This Data Protection Notice provides you with detailed information relating to the protection of your personal data by BNP Paribas Faktoring sp. z o.o.

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.

Further information may be provided where necessary when you apply for a specific product or service.

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 and to achieve a high standard of personalised 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);
- tax status (e.g. tax ID, tax status);
- banking, financial and transactional data (e.g. bank account details, assets, credit history, debts and expenses).

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 corporate clients or service providers;
- third parties such as credit reference agencies and fraud prevention agencies or data brokers in conformity with the data protection legislation;
- websites containing information made public by you (e.g. your own website);
- databases made publicly available by third parties.

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



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In certain circumstances, we may collect and use personal data of individuals with whom we have, could have, or used to have a direct relationship such as:

- Prospects

For some reasons, we may also 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 client if you are for example :

- Family members,
- guarantors,
- Legal representatives (power of attorney),
- Ultimate beneficial owners,
- Clients' debtors,
- Company shareholders;
- Representatives of a legal entity (which may be a client or a vendor),
- Staff 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:

- 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,
 - define your credit risk score and your reimbursement capacity,
 - monitor and report risks that institution could incur,
 - record, when necessary, phone calls, email, etc.
- reply to an official request from a duly authorised public or judicial authority,
- 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.

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,
- evaluate if we can offer you a product or service and under which conditions,
- provide products or services to our corporate clients of whom 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 (eg: shared platforms) & business continuity and IT security,
- establishing individual statistical models, based on the analysis of transactions, for instance in order to help define your credit risk score,
- establishing aggregated statistics, tests and models, for research and development, in order to improve the risk management of our group of companies or in order to improve existing products and services or create new ones,
- personalising our offering to you and that of other BNP Paribas entities through:

- improving the quality of our products or services,
- advertising products or services that match with your situation and profile which we achieve. This can be achieved by:
 - segmenting our prospects and clients,
 - sharing your data with another BNP Paribas entity, notably if you are – or are to become – a client of that other entity,
 - matching the products or services that you already hold.

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:

- 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.

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 recognised 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 recognised by the European Commission, we will either rely on a derogation applicable to the specific situation or implement the following safeguards to ensure the protection of your personal data:

- Standard contractual clauses approved by the European Commission.

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. 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 factoring agreement 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 after the end of the contractual relationship, for the period necessary to protect against enforcing any claims and to meet the obligations imposed by law. For prospects, information is kept for the period necessary to achieve the objective for which they have been collected.



7. 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. You have the absolute right to object to the processing of your personal data for direct marketing purposes.
- 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.

If you wish to exercise the rights listed above, please submit an application form to the nearest BNP Paribas Bank Polska S.A.

Bank branch. The list of branches is available at the website: https://www.bnpparibas.pl/kontakt/oddzialy-z-obsluga-detaliczna-i-biznesowa?type=department_retail_business. In accordance with applicable regulation, in addition to your rights above, you are also entitled to lodge a complaint with the competent supervisory authority.

8. 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.

9. 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 at iodo.faktoring@bnpparibas.pl, who will investigate your query.

If you wish to learn more about cookies and Security, please read our client security policy at the Factors's website: <https://faktoring.bnpparibas.pl/pl/footer-pages/polityka-prywatnosci>.