

## **Data protection notice (Factor's Counterparty and persons acting on their behalf)**

### **Data Controller**

BNP Paribas Faktoring Sp. z o.o. with its registered office in Warsaw, ul. Kasprzaka 2, 01-211 Warsaw ("Factor"), is the controller of your personal data within the meaning of the GDPR.<sup>1</sup>

If you have any questions regarding the processing of personal data by the Factor, you can contact the Factor's Data Protection Officer at:

Data Protection Officer, BNP Paribas Faktoring Sp. z o.o. ul. Kasprzaka 2, 01-211 Warsaw

or by e-mail: [iodo.faktoring@bnpparibas.pl](mailto:iodo.faktoring@bnpparibas.pl).

### **Purposes and legal bases for the processing of personal data**

Your personal data may be processed, in particular, for the following purposes and in accordance with the indicated provisions of the GDPR:

- in connection with negotiations between the Factor and the entity you represent (the "Counterparty") for the purpose of entering into an agreement pursuant to which the Counterparty supplies the Factor with certain goods or services (the "cooperation agreement") – based on point (b) or point (f) of Article 6(1) of the GDPR, depending on whether the cooperation agreement is concluded by you on your own behalf (e.g. as part of your business activity) or as an authorized representative of the Counterparty (e.g. an employee or a proxy);
- in connection with activities undertaken for the implementation of the cooperation agreement – based on point (b) or (f) of Article 6(1) of the GDPR;
- for the Factor's technical and organizational needs (e.g. keeping records of cooperation agreements, audits) – based on point (f) of Article 6(1) of the GDPR;
- in connection with the legal requirements imposed on the Factor in connection with the conclusion and performance of a cooperation agreement – based on point (c) of Article 6(1) of the GDPR;
- for the purposes of actions taken by the Factor to pursue claims or defend against claims related to the cooperation agreement – based on point (f) of Article 6(1) of the GDPR.

### **Types of personal data processed**

Personal data have been obtained directly from you or the Counterparty, depending on who is the party to the cooperation agreement. Sometimes, the Factor also collects personal data from public sources: publications/databases provided by public authorities or third parties (e.g. Official Journal of the Republic of Poland, National Court Register, Central Registration and Information on Business).

Your personal data processed by the Factor for the aforementioned purposes may include identification details, i.e. name, surname, e-mail address, telephone number, business address, information about the position or function at the Counterparty, tax ID No (NIP) and Statistical ID No (REGON) of your business activity, if you are a party to the cooperation agreement.

Depending on the specific situation, the terms and conditions of cooperation between the Factor and the Counterparty or your interaction with the Factor, apart from the aforesaid identification details, the

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<sup>1</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation).

Factor may also process other personal data obtained directly from you or from the Counterparty.

Providing the above categories of your personal data is voluntary, however, it is a condition for concluding and performing a cooperation agreement.

### **Recipients of personal data, transfer of personal data outside the EEA**

The recipients of your personal data may include, inter alia:

- entities to which the Factor is obliged to provide your personal data, in connection with legal provisions;
- companies of the BNP Paribas capital group; a detailed list is available on the website of BNP Paribas Bank Polska SA ("Bank") (<https://www.bnpparibas.pl/korporacje/oferta-gmpy-bnp/podmioty-bnp-panbas-w-polsce>) and in the Bank's branches;
- entities cooperating with the Factor performing services on behalf of the Factor (e.g. IT, logistics, printing, telecommunications, debt recovery, advisory and distribution and marketing services);

The Factor may transfer your personal data to third countries (outside the European Economic Area – EEA), including in connection with the use of suppliers' services and cooperation within the BNP Paribas capital group. 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, the Factor will either rely on a derogation applicable to the specific situation (e.g. if the transfer is necessary to perform the cooperation agreement) 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.

### **Period of personal data storage, rights related to the processing of personal data**

Personal data processed for the aforementioned purposes are stored by the Factor during the period of negotiations and performance of the cooperation agreement, and after its termination for the period required by the law applicable to the Factor and for the period necessary to pursue or defend against any possible claims related to the cooperation agreement.

In connection with the processing of personal data by the Factor, you have:

- the right to object to the processing of data based on point (f) of Article 6(1) of the GDPR;
- the right of access to your data (Article 15 of the GDPR), the right to rectification (Article 16 of the GDPR), the right to erasure (Article 17 of the GDPR), the right to restriction of processing (Article 18 of the GDPR), the right to data portability (Article 20 of the GDPR);
- the right to lodge a complaint with the President of the Personal Data Protection Office (ul. Stawki 2, 00-193 Warszawa) – in connection with unlawful processing of personal data.

In order to exercise the rights:

- the right to object to the processing of data based on point (f) of Article 6(1) of the GDPR;
- the right of access to your data (Article 15 of the GDPR), the right to rectification (Article 16 of the GDPR), the right to erasure (Article 17 of the GDPR), the right to restriction of processing (Article 18

BNP Paribas Faktoring Sp. z o.o. with its registered office in Warsaw (01-211), ul. M. Kasprzaka 2, entered into the register of entrepreneurs in the National Court Register by the District Court for the Capital City of Warsaw in Warsaw, 13<sup>th</sup> Commercial Division of the National Court Register under KRS No 0000225155, Tax ID No (NIP): 966-17-67-430, share capital of PLN 10,410,000.

of the GDPR), the right to data portability (Article 20 of the GDPR);

please contact the Factor at the following address: Data Protection Officer, BNP Paribas Faktoring Sp. z o.o., ul. Kasprzaka 2, 01-211 Warszawa, or by e-mail: [iodo.faktoring@bnpparibas.pl](mailto:iodo.faktoring@bnpparibas.pl) , or to the contact details of the Factor indicated directly in the cooperation agreement.

Your personal data are not subject to any automated decision making, including profiling.