

GDPR INFORMATION CLAUSE

on personal data processing in the Factoring Companies Information Exchange System (SWIFF)

Acting under authorisation from the **Polish Bank Association, BNP Paribas Faktoring Sp. z o. o.** hereby provides, in accordance with Article 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council 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, and repealing Directive 95/46/EC (hereinafter "GDPR"), the following information:

Who is the controller of personal data?

The controller of personal data is the **Polish Bank Association** (hereinafter the **Polish Bank Association**) **Polish Tax ID No (NIP)** 5260000991 | **National Court Register (KRS)** 0000104695 | **Statistical ID No (REGON)** 012015529, with its registered office in Warsaw at ul. Leona Kruczkowskiego 8, 00-380 Warsaw, e-mail address: kontakt@zbp.pl.

How can you contact the Data Protection Officer at the Polish Bank Association?

In all matters concerning the processing of personal data, you may contact the Polish Bank Association's Data Protection Officer, e-mail address: iod@zbp.pl.

What personal data does the Polish Bank Association process?

The Polish Bank Association processes personal data obtained from an entity conducting factoring activities in the scope of identification data of the factoring client and debtor (name, Personal ID No (PESEL), Polish Tax ID No (NIP), foreign identifier of the debtor) and the country of the debtor.

For what purposes and on what legal bases does the Polish Bank Association process personal data?

The data are processed on the basis of:

- a. Article 104(3) of the Act of 29 August 1997 – Banking Law (Journal of Laws of 2022, item 2324, as amended (hereinafter "Banking Law")) in conjunction with Article 6(1)(b) or (f). GDPR, i.e. written or electronic consent of the beneficiary of banking secrecy with regard to information covered by banking secrecy transferred to the Polish Bank Association for the purpose of verification of the factoring client or debtor (applies to banking entities transferring data to SWIFF and the Polish Bank Association);

or

Article 6(1)(f) GDPR in the case of pursuing a legitimate interest consisting of preventing crimes in the area of factoring activities conducted (applies to non-banking entities transferring data to SWIFF and the Polish Bank Association);

these data will be erased upon termination of financing;

- b. Article 6(1)(c) GDPR for the purpose of fulfilling obligations arising from generally applicable legal provisions, including in the scope of preventing crimes committed in the financial sector;

these data will be erased upon expiry of the period specified in legal provisions;

- c. Article 6(1)(f) GDPR pursuing the legitimate interest of the Polish Bank Association, consisting of examining potential complaints and claims lodged, as well as pursuing own claims, and securing and archiving information in case of the need to prove facts or demonstrate fulfilment of an obligation incumbent on the Polish Bank Association;

these data will be erased upon expiry of limitation periods specified in civil and criminal provisions;

Who is the recipient of personal data processed by the Polish Bank Association?

Recipients of personal data are entities participating in the exchange of information in SWIFF, in particular banking and non-banking entities conducting factoring activities, as well as other entities processing data on behalf of the Polish Bank Association, such as: IT service providers, entities pursuing claims, archiving or erasing data, or entities authorised by law to receive such information, including law enforcement authorities, tax offices, and others.

What rights do you have with regard to your processed personal data?

Your rights are: (1) access to your data, (2) request for their rectification or erasure, (3) restriction of their processing, (4) objection to their processing if they are processed on the basis of legitimate interest, (5) data portability, (6) lodging a complaint with the President of the Personal Data Protection Office if you consider that the processing of personal data infringes the provisions of GDPR.

Does the Polish Bank Association transfer personal data to a third country or international organisation?

The Polish Bank Association does not transfer personal data to a third country or international organisation.

Does the Polish Bank Association carry out automated decision-making or profiling?

The Polish Bank Association does not carry out automated decision-making or profiling.