

# ARVAL TRADING DATA PROTECTION NOTICE

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Last updated April 2022

## Preliminary section: Main amendments

As a trusted companion, the protection of your personal data is important to the BNP Paribas Group. We have enhanced our Privacy Notice by being more transparent on the following information on:

- processing activities relating to commercial prospection
- processing activities relating to anti-money laundering and countering the financing of terrorism, and international sanctions (freezing of assets)

## Introduction

**We take the protection of your personal data very seriously;** accordingly, the BNP Paribas Group has adopted strong principles in its Personal Data Protection Charter available at [BNP Paribas - Personal Data Privacy Charter \(group.bnpparibas\)](#).

Arval Trading ("We"), as a controller, is responsible for collecting and processing your personal data in relation to its activities.

Our business is to resell used vehicles to professionals internationally and provide the latter with access to all sales organised by the Arval Group.

As a member of an integrated banking-insurance Group in collaboration with the various entities of the BNP Paribas Group, we provide our customers with a complete range of banking, insurance and leasing products and services.

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

### 1. ARE YOU SUBJECT TO THIS NOTICE?

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

- Guarantors;
- Beneficiaries of your payment transactions;
- Beneficiaries of your insurance contracts or policies and trusts;
- Ultimate beneficial owners;
- Company shareholders;
- Representatives of a legal entity;
- Staff of service provider and commercial partners.

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 Privacy 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 real control over your personal data and how we process them.

If you wish to exercise the rights listed below, please submit a request by mailing a letter to the following address Arval Trading Parc d'activités la Ravoire 74370 EPAGNY METZ-TESSY, France or on our websites <sup>1</sup> with a scan/copy of your identity card where required.

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<sup>1</sup> <https://www.arvaltrading.com/>

If you have any questions relating to our use of your personal data under this Privacy Notice, please contact our Data Protection Officer at the following address [privacy.arvaltrading@arval.fr](mailto:privacy.arvaltrading@arval.fr).

### **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. 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. In this case, you must exercise your right of access with the CNIL (*Commission Nationale de l'Informatique et des Libertés*) in France, which will request the data from us.

### **2.2. You can ask for 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 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 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 the CNIL**

In addition to the rights mentioned above, you may lodge a complaint with the competent supervisory authority, which is usually the one in your place of residence, e.g., the CNIL (*Commission Nationale de l'Informatique et des Libertés*) in France.

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

In this section we explain why we process your personal data and the legal basis for doing so.

#### **3.1. Your personal data are processed to comply with our various regulatory obligations**

Your personal data are processed where necessary to enable us to comply with the regulations to which we are subject, including banking and financial regulations.

##### **3.1.1. We use your personal data to:**

- manage and report risks (financial, credit, legal, compliance or reputational risks etc.) that the BNP Paribas Group could incur in the context of its activities;
- assist the fight against tax fraud and fulfil tax control and notification obligations;
- record transactions for accounting purposes;
- prevent, detect and report risks related to Corporate Social Responsibility and sustainable development;
- detect and prevent bribery;
- 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 also process your personal data for anti-money laundering and countering of the financing of terrorism purposes**

As part of a banking Group, we must have a robust system of anti-money laundering and countering of terrorism financing (AML/TF) in each of our entities managed centrally, as well as a system for applying local, European and international sanctions.

In this context, 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 meet these legal obligations are detailed in Appendix 1.

#### **3.2. Your personal data are processed to fulfil our legitimate interest or that of a third party**

Where we base a processing activity on legitimate interest, we balance that interest against your interests or fundamental rights and freedoms to ensure that there is a fair balance between them. If you would like more information about the legitimate interest pursued by a processing activity, please contact us at [privacy.arvaltrading@arval.fr](mailto:privacy.arvaltrading@arval.fr).

##### **3.2.1. We use your personal data:**

- in order for your company to be registered as a professional trader by Arval Trading and be able to participate in a Motortrade auction or purchase;
- to ensure execution of the used vehicle purchase agreement, the delivery and the settlement of the payment transaction;
- to deliver the vehicle at the place of your company's choice, possibly with equipment related to electric vehicle charging devices in partnership with selected providers;
- for OEMs recall campaigns in case of defect;
- to manage traffic and parking fines received after the sales;
- to manage our client's account. We may process personal data to manage our clients' accounts, to manage the contractual relationship with our corporate clients of whom you are an employee or to keep you informed about the development of our services;

- to carry out surveys: We may process personal data when we send you a survey in order to improve our services and products by requesting your feedback and measuring your satisfaction;
- to provide you with an access to our Motortrade digital platform. We may process personal data when you use our digital platforms for several purposes (to manage your personal information or data related to vehicles);
- to manage resolution of disputes and assist you and answer your requests and complaints;
- to provide access to the Arval Trading premises and assets. We may process personal data when you visit us in our premises;
- to handle billing, invoicing and recovery;
- to provide access to the Arval premises and assets. We may process personal data when you visit us in our premises in order to maintain appropriate access and security control;
- to communicate with you. We may process personal data when you want to contact us, when you request us some information about our company or our services or when the contract needs to be updated;
- to manage existing debts (identification of customers with unpaid debts);
- to respond to your requests and assist you;
- to manage the end of the contract;
- to manage the risks to which we are exposed:
  - we keep proof of operations or transactions, including in electronic evidence;
  - we monitor your transactions to manage, prevent and detect fraud;
  - we carry out the collection of debts;
  - we handle legal claims and defences in the event of litigation;
  - we develop individual statistical models in order to help define your creditworthiness;
- to carry out financial operations such as debt portfolio sales, securitizations, financing or refinancing of the BNP Paribas Group.
- to enhance cyber security, manage our platforms and websites, and ensure business continuity;
- to implement information technology solutions;
- to maintain information systems in operational conditions;
- to use video surveillance to prevent personal injury and damage to people and property;
- enhance the automation and efficiency of our operational processes and customer services (e.g., automatic filling of complaints, tracking of your requests and improvement of your satisfaction based on personal data collected during our interactions with you such as phone recordings, e-mails or chats);
- to sell used vehicles;
- to conduct statistical studies and develop predictive and descriptive models for:
  - commercial purpose: to identify the products and services that could best meet your needs, to create new offers or identify new trends among our customers, to develop our commercial policy taking into account our customers' preferences
  - safety purpose: to prevent potential incidents and enhance safety management;
  - compliance purpose (e.g., anti-money laundering and countering the financing of terrorism) and risk management;
  - anti-fraud purposes;

- to organize contests, lotteries, promotional operations, conduct opinion and customer satisfaction surveys.

### 3.2.2. We use your personal data to send you commercial offers by electronic means, post and phone

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

Once you are a customer and unless you object, we may send you these offers electronically for our products and services and those of the Group if they are similar to those you have already subscribed to.

We will ensure that these commercial offers relate to products or services that are relevant to your needs and complementary to those you already have to ensure that our respective interests are balanced.

We may also send you, by phone and post, unless you object, offers concerning our products and services as well as those of the Group and our trusted partners.

### 3.2.3. We analyse 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 during our interactions with you or when you subscribe to a product or service;
- resulting from your use of our products or services;
- from your use of our various channels: websites and applications (e.g., if you are digitally savvy, if you prefer a customer journey to subscribe to a product, or service with more autonomy (selfcare));

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

### 3.3. 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 withdraw 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 subscribed to or for products and services from our trusted partners;
- use of your navigation data (cookies) for commercial purposes or to enhance the knowledge of your profile.

You may be asked for further consent to process your personal data where necessary.

## 4. WHAT TYPES OF PERSONAL DATA DO WE COLLECT?

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

Depending among others on the types of product or service we provide to you and the interactions we have with you, we collect various types of personal data about you:

- **Identification information** : e.g., full name, gender, place and date of birth, nationality, identity card number, passport number, driving licence number, photograph, signature);
- **Contact information** : (private or professional) postal address, e-mail address, phone number;
- **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, needs collected during our exchanges with you in person and online during phone communications (conversation), discussion by e-mail, chat, chatbot, exchanges on our social media pages and your latest complaints. Your connection and tracking data such as cookies and tracers for non-advertising or analytical purposes on our websites, online services, applications, social media pages;
- **Data relating to the Vehicle sales contract** and the related Vehicle (e.g. client identification number, contract number, Vehicle identification number, Vehicle registration plate);
- **Data relating to insurance contracts and related claims** (e.g. insurance claims history, including repairs and compensations paid, liability assessment, expert and assessors reports, victims identification and injuries);
- **Data collected from the video protection system** (including CCTV);
- **Data about your devices (mobile phone, computer, tablet, etc .):** IP address, technical specifications and uniquely identifying data;
- **Personalized login credentials or security features used to connect you to the Arval Trading website and applications**

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

We sometimes collect data from public sources:

- publications/databases made available by official authorities or third parties (e.g., the Official Journal of the French Republic, the 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 BNP Paribas Group entities;
- from our customers;
- 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 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 companies 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:
  - to manage, prevent, detect fraud;
  - 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;

- offer you access to all the Group's products and services that best meet your needs and wishes;
- customize the content and prices of products and services;

Our financing and refinancing also constitute a legitimate interest implying your personal data may be shared with entities of the BNP Paribas Group which are providing our refinancing.

Your personal data may also be shared between Arval Group companies to conduct statistical studies and develop predictive and descriptive models for business, security, compliance, risk management and anti-fraud purposes.

In this context, We and such other Arval Group companies may act as joint controllers by using a joint tool, through which there is shared access to and mutual use of the personal data of customers and drivers.

Requests from data subjects regarding data subject rights may be submitted to either of the joint controllers. The joint controllers inform each other about such requests and support each other in order to address them.

The processing is based on the joint controllers' legitimate interest of improving their products and services by conducting such statistical studies.

#### **b. With recipients outside the BNP Paribas Group and processors**

In order to fulfil some of the purposes described in this Privacy 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, 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 *Banque de France*, *Caisse des dépôts et des Consignations*), to which we, or any member of the BNP Paribas Group, are required to disclose pursuant to:
  - their request;
  - our defence, action or proceeding;
  - 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, 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 TRANSFERS OF PERSONAL DATA**

In case of international transfers originating from the European Economic Area (EEA) to a non-EEA country, the transfer of your personal data may take place. 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 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, you can send a written request as set out in [privacy.arvaltrading@arval.fr](mailto:privacy.arvaltrading@arval.fr).

## 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 customer relationship management, and responding to legal claims or regulatory requests.

For instance :

- **Manage and report risk, monitor operations and transactions to identify deviation, prevent and detect fraud and fulfil tax control and notification obligations** - 10 years after the end of the internal controls;
- **KYC (Know Your Customer)** - Perform a KYC analysis and check on clients (both companies and physical users) prior to signing a contract and classify them depending on the risk - 10 years after end of the contractual relationship with customer;
- **Credit Risk Processing** to build and monitor a credit risk file for each customer, manage credit risk analysis and decide what to do for credit collection - 5 years after end of the contractual relationship with customer;
- **Invoice / Billing** - Record transactions for accounting purposes and comply with legal obligations regarding financial security - 10 years after the invoice date;
- **Fines** - Manage traffic and parking fines and offences related to the use of the Vehicle as part of the "Fines Management" service to the extent legally authorized - 3 years after event date;
- **Improve the efficiency of our processes and services in case of complaint** - 5 years after the end of the contractual relationship with our customer;
- **Collect all B2B leads and make an offer** - 3 years after last contact date;
- **Provide customers with the products and services subscribed** for services related to the **preparation, delivery or use of vehicles** - 2 years after the event date;
- **Research & Development** in order to conduct statistical studies and develop predictive models - Duration of the R&D project.

## 9. HOW TO FOLLOW THE EVOLUTION OF THIS PRIVACY NOTICE

In a world where technologies are constantly evolving, we regularly review this Privacy 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.



## 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 SA, the parent company of the BNP Paribas Group (the term "we" used in this appendix therefore also covers BNP Paribas SA).

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 the Bank does 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, recognised 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 BNP Paribas Group level.

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.