



**BPCE**  
EQUIPMENT SOLUTIONS



# **BPCE EQUIPMENT SOLUTIONS SAS DATA PROTECTION NOTICE**

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## 1. WHAT IS THE PURPOSE OF THIS NOTICE?

The purpose of this Data Protection Notice (the "Notice") is to describe how BPCE EQUIPMENT SOLUTIONS SAS (which is part of the BPCE group) processes personal data about its clients and its clients' representatives, as well as its affiliates' or other BPCE group entities' customers and their representatives, and the representatives of its commercial partners, the vendors (hereinafter: "you", "your").

BPCE EQUIPMENT SOLUTIONS SAS, whose head office is at 7, promenade Germaine Sablon – 75013 PARIS (hereinafter: "BPCE ES", "we", "our", or "us") collects, stores, processes, uses and discloses personal data about you in connection with your relation to BPCE ES, a BPCE ES affiliate or another BPCE group entity, the provision of services to you and/or your use of certain websites and/or mobile applications.

This Notice relates the conditions of processing your personal data carried out by BPCE ES.

In some cases, your personal data may be processed by BPCE ES under the instructions of a BPCE ES affiliate, another BPCE group entity, or your company. In such cases, BPCE ES will comply with this Notice, but we invite you to review the privacy policy issued by the relevant BPCE ES affiliate, BPCE group entity or, as the case may be, your own company to understand the specific conditions of processing and protection of your personal data.

## 2. DOES THIS NOTICE APPLY TO YOU?

This Notice applies to all sources of data collection and data processing performed by BPCE ES globally, which occur in the context of various BPCE ES activities such as:

- the management of our relationship with vendors, managing and reporting BPCE ES affiliates' customer data;
- conducting "Know Your Client" and "Know Your Partner" processes for BPCE ES's own account or "Know Your Customer" process for the account of its affiliates or of other BPCE group entities;
- providing to you or to your company financing or insurance products in its quality of banking and payment service intermediary and insurance intermediary (in France only), or aviation advisory services.

Consequently, your personal data may be collected and processed if you belong to either of the following categories of data subjects:

- customers or representatives of customers of a BPCE ES affiliate or of another BPCE group entity;
- representatives of vendors which BPCE ES has entered into a contractual relationship with; and
- BPCE ES clients or their representatives.

## 3. WHO IS THE DATA CONTROLLER?

BPCE ES carries out the data processing activities described in this Notice as data controller, but may also process data as a data processor on behalf of BPCE ES affiliates or of other BPCE group entities under certain circumstances.

At BPCE ES, the Data Protection Officer in respect of your personal data may be reached at the following address: [dpo-es@groupebpce.com](mailto:dpo-es@groupebpce.com).

#### 4. WHAT ARE BPCE ES'S VALUES REGARDING DATA PRIVACY?

BPCE ES respects your concerns regarding the confidentiality of personal data. This Notice allows you to know more about the nature and the use that we make of your personal data, the origin and use of such data and on your rights.

This Notice represents the minimum standards that BPCE ES has set with respect to data privacy to ensure that we collect, use, retain and disclose personal data in a fair, transparent and secure way.

#### 5. WHICH PRINCIPLES GOVERN THE WAY WE PROCESS PERSONAL DATA?

BPCE ES cares about fully protecting the processing of your personal data.

- (a) **Transparency and fairness:** When collecting and processing your personal data, we provide relevant information and notices on who collects your personal data, for what purposes and who are the recipients. When required by applicable law, we will seek your prior express and specific consent. We do not use personal data obtained from individuals for purposes that are incompatible with the purposes stated in our Notice.*
- (b) **Legitimate Purposes:** BPCE ES does not collect or process personal data without having a lawful reason to do so. We process your personal data in a reasonable and lawful manner for relevant and appropriate business purposes (for example to manage our relationship with vendors, to manage and report BPCE ES affiliates' client data, to conduct "Know-Your-Customer" processes, etc.).*
- (c) **Relevant and Accurate Data and Data Minimization:** we collect only the personal data that is necessary for the purposes of data processing set out in the relevant privacy policy or notice. We collect sensitive data only if relevant to such purposes. We take all reasonable measures to ensure that personal data kept is accurate, complete and up to date.*
- (d) **Storage limitation:** we will keep your personal data only for the duration necessary for the fulfilment of the purpose for which it was collected*
- (e) **Privacy by design and privacy by default:** we take all reasonable measures to incorporate privacy by design and privacy by default principles when implementing personal data processing.*
- (f) **Privacy Impact Assessment:** where necessary, for high risk data processing, we carry out a privacy impact assessment to adopt appropriate safeguards and ensure the protection of your personal data.*

## 6. HOW AND WHY DO WE USE YOUR PERSONAL DATA?

In accordance with the general data privacy principles described above, BPCE ES may use your personal data for the following purposes:

**(a) *When necessary to perform a contract:***

- (i) *for the management of BPCE ES's relationship with vendors within the international vendor management activity to:*
  - (A) review each vendor's commercial performance;
  - (B) communicate information to vendors' representatives in the course of the contractual relationship with them;
- (ii) to report BPCE ES affiliate's or BPCE group entity's customer data to vendors;
- (iii) to conduct its insurance intermediary activities (in France only) by distributing insurance products to you or to your company for which other BPCE group entities are subscribers;
- (iv) to conduct its banking and payment service intermediary activities (in France only), namely to:
  - (A) negotiate the terms of financing transactions with you or your company; and
  - (B) execute financing contracts (such as lease and loan contracts, ect.) on behalf of and for the account of other BPCE group entities.
- (v) to conduct its aviation advisory services activities, namely to:
  - (A) provide assistance to a client to sell or purchase an aircraft; or
  - (B) find a company for services in relation to the client's aircraft.

**(b) *When the processing of personal data is conducted for BPCE ES's legitimate interest to carry out its commercial activities and more specifically to:***

- (i) conduct a yearly vendor review to renew a vendor's credit line based on the vendor's performance, development perspectives, risk calculation and credit line requests;
- (ii) coordinate international programs with local BPCE ES affiliates;
- (i) organize a yearly vendors' conference;
- (iii) provide commercial, risk and financial reports to BPCE ES affiliates or to other BPCE group entities;
- (iv) conduct internal risk, commercial and financial reporting of BPCE ES affiliates' customer data within the BPCE group; and



- (v) manage the connection data to the BPCE ES web site or to the One Platform, or to the web sites of BPCE ES affiliates;
- (vi) manage certain cookies in relation with the web sites and the One Platform mentioned above;
- (vii) manage contact forms on the BPCE ES web site.

**(c) When required under regulatory obligations, to:**

- (i) perform the "Know Your Partner", "Know Your Client", or "Know Your Customer" processes in the context of approving clients, vendors, customers of BPCE ES affiliates or of other BPCE group entities or reviewing their KYP or KYC approval; and
- (ii) comply with the BPCE group obligations with regard to credit risk reporting, regulatory reporting.

Please note that BPCE ES may also provide services and act as a data processor on behalf of BPCE ES affiliates or of other BPCE group entities with which you may be in contact or have a contractual relationship, for the following purposes:

- (a)** provide computing tools, platform and maintenance services to BPCE ES affiliates and other BPCE group entities including electronic services through the One Platform (this excludes the processing of cookies on the One Platform, which is carried out by BPCE ES as a data controller as per section 6(b)(vi) above).
- (b)** perform "Know Your Client" process (in the context of approving new BPCE ES clients, new customers of BPCE ES affiliates or of other BPCE group entities, when required or reviewing their KYP or KYC approval);
- (c)** distribute insurance products for which other BPCE group entities are the subscribers.

For further information on the applicable legal basis and conditions of processing of your personal data, please consult the local Data Protection Notice of the relevant entity.

## 7. WHAT TYPE OF DATA DO WE COLLECT?

Your personal data is any data that can be used to identify, locate or contact you.

*We may process the following types of personal data:*

**(a) For BPCE ES clients and their representatives and customers of BPCE ES affiliates or of other BPCE ES entities and the representatives of these customers:**

- (i) **Identification and Contact data**, such as your name(s), last name(s), gender, date of birth, city of birth, telephone/mobile number(s), e-mail address, identity documents, specimen signature, professional occupation and title, etc;
- (ii) **Financial/Credit information**, such as your potential payment defaults in the course of the financing provided to you by a BPCE ES affiliate in relation to a certain vendor's equipment;

- (iii) **Data related to criminal convictions and offences**, such as any conviction coming to light in the course of the "Know-Your-Customer" or "Know-Your-Partner";
  - (iv) **Conversations and communications with us** including phone calls, electronic mails, instant messages, communication on social networks or any other type of communication.
- (b) For representatives of vendors, clients and natural person clients:**
- (i) **Identification and Contact data**, such as your name, last name, telephone/mobile number or e-mail address;
  - (ii) **Professional data**, such as your job title or professional address;
  - (iii) **Connection data**, such as the time and date on which you connected to an online BPCE ES platform;
- (c) For certain representatives of vendors, clients and natural person clients, and only where relevant and necessary, the following categories of data may be processed:**
- (i) **Private life**, such as personal preferences, and data related to religious beliefs (such as food restrictions, including for the organization of events such as our yearly vendors conference);
  - (ii) **Data related to criminal convictions and offences**, such as any conviction coming to light in the course of the "Know-Your-Partner", "Know Your Customer" or "Know Your Client" processes.

Your personal data is collected either directly from you (e.g., when BPCE ES and a vendor or client enter into a contract), from your employer (if you are a vendor's or a client's representative), from a BPCE ES affiliate (if you are a BPCE ES affiliate's customer) or from an entity of the BPCE group.

## 8. WITH WHOM DO WE SHARE YOUR PERSONAL DATA?

We need to use partners or processors as the case may be to achieve the purposes described in Section 6 above. However, we limit our sharing of your personal data on a need-to-know basis as follows:

- (a)** *We may share your personal data with, or otherwise make it available to, internal business departments such as international vendor management team, the risk team, IT services, support and maintenance teams. Inside the BPCE ES group, your personal data may be shared with BPCE ES affiliates, who may only use your personal data in compliance with this Notice.*
- (b)** *We may also share your personal data with other entities of the BPCE group in compliance with this Notice.*
- (c)** *For customers and representatives of customers of BPCE ES affiliates or of other BPCE group entities, we may share your personal data with the vendor or affiliates of the vendor from which you have purchased equipment.*

- (d) We may share your personal data with our service providers, such as data hosting or maintenance service providers. Such providers are instructed to only use your personal data in accordance with our instructions.*
- (e) In the course of aviation advisory services activities, we may share your personal data with potential sellers or purchasers of aircrafts or providers of services for aircrafts.*
- (f) In the course of insurance intermediary activities, we may share your data with the relevant insurance company.*
- (g) We may also disclose your personal data where needed to effect the sale or transfer of business assets, in connection with bankruptcy proceedings, to enforce our rights, protect our assets, or protect the rights, assets or safety of others, or, as needed, support external auditing, compliance and corporate governance functions.*
- (h) We may also disclose personal data when required to do so by law, including to law enforcement agencies and courts in the countries where we (directly or through our BPCE ES affiliates) operate.*
- (i) Please note that we may also use and disclose personal data about you that is not personally identifiable i.e. personal data in an aggregate form that no longer identifies you.*

## **9. WHERE IS YOUR PERSONAL DATA TRANSFERRED?**

Some of the countries where the recipients as per Section 8 above are located may not provide the same level of data protection as the country in which you provided the data.

For customers and the representatives of these customers of BPCE ES affiliates or of other BPCE ES entities:

- your data may be transferred to vendors in non-European Economic Area (EEA) countries (such as Japan, South Korea or the United States of America) and for the purpose of client data reporting; and
- data we collected about you from our BPCE ES affiliates may be transferred to, stored and processed in any country or territory where one or more BPCE ES affiliates are located outside of the EEA for the purpose of providing commercial, risk and financial reports to BPCE ES affiliates in Brazil, China (including Hong-Kong) and the United States of America to the extent that you have entered into a contract with one of these BPCE ES affiliates.

For BPCE ES clients and their representatives in the context of aviation advisory services activities, your data may be transferred to potential buyers, sellers or providers of services for aircrafts in non-European Economic Area (EEA) countries (such as Japan, South Korea or the United States of America) and for the purpose of client data reporting.

We may also transfer your personal data to any BPCE group affiliate and service provider involved in the provision of IT support and maintenance services located in India.

When we transfer your data, we provide adequate protection for the transfer of your personal data to recipients in those countries by entering into data transfer agreements based on the European Commission's standards contractual clauses ("SCCs") with such data recipients including all the necessary security measures. Please note that the security measures provided for in the SCCs are



regularly reassessed and, if necessary, adapted when they no longer guarantee an adequate level of protection.

You can request a copy of such agreements by contacting us at: [dpo-es@groupebpce.com](mailto:dpo-es@groupebpce.com)

## **10. HOW LONG DO WE KEEP YOUR PERSONAL DATA FOR?**

Your personal data may be kept for the period necessary for the fulfilment of the purpose for which it was collected as mentioned above. It will then be deleted. As an exception, this data may be archived to manage ongoing complaints and litigation as well as to meet BPCE ES's legal and/or regulatory obligations and/or to respond to requests from authorities authorised to request it.

We retain your personal data collected only for a period that does not exceed the duration necessary for the purpose of your relationship with BPCE ES or as required to comply with BPCE ES's or the relevant BPCE ES affiliate's legal obligations.

If a judicial action is initiated, your personal data may be stored until the end of such action, including any potential periods for appeal, and will then be deleted or archived as permitted by applicable law.

In any event, your personal data will not be kept in a form that allows you to be identified any longer than is reasonably considered necessary by BPCE ES for achieving the purposes for which it was collected or processed or as it is established in the applicable laws related to data retention periods.

## **11. HOW DO WE ENSURE THE SECURITY AND INTEGRITY OF YOUR PERSONAL DATA?**

We provide an adequate level of protection to your personal data and make sure that appropriate technical and organizational security measures are in place to protect your personal data (including education and training of relevant personnel) against accidental or unlawful destruction, accidental loss or alteration, unauthorized disclosure or access, and against all other unlawful forms of processing.

We only allow access to your personal data to the teams and employees who need to know the data within BPCE ES, we make sure that administration rights and policies are implemented within BPCE ES, and we implement procedures and contractual arrangements designed to ensure that such employees, advisers and service providers keep the personal data they process confidential.

## **12. HOW DO YOU EXERCISE YOUR RIGHTS RELATED TO THE USE OF YOUR PERSONAL DATA?**

You will find below the rights that you can exercise in relation to your personal data by contacting us as detailed in Section 13 below.

You may request access to your personal data we may maintain about you for the period stated in Section 10 above. If you request such access, we will provide you with all the information on the purposes of the processing, categories of data processed, categories of recipients, data retention term, your rights to rectify, delete or restrict the data accessed if applicable, etc.

You may also obtain a copy of any personal data that we hold about you in our records in a format compatible and structure to allow you to exercise your right to data portability.

You can request the restriction of the processing of your personal data (i) for a period enabling BPCE ES to verify the accuracy of your personal data in the event you contest its accuracy, (ii) the processing is unlawful and you wish to restrict your personal data rather than deleting it, (iii) if you wish BPCE ES to keep your personal data because you need it for your defense in the context of legal claims (iv) if you have objected to the processing but BPCE ES is in the process of checking whether it has legitimate grounds for such processing which may override your own rights.

You may also request that we correct, amend, erase, any data which is incomplete, out of date or inaccurate.

You can request the deletion of your personal data as permitted by applicable law and notably (i) if your personal data is no longer necessary for the purpose of the data processing, (ii) if you have withdrawn your consent to data processing based exclusively on such consent, (iii) if you objected to the data processing, (iv) if the personal data must be erased to comply with a legal obligation applicable to BPCE ES. We will take reasonable steps to inform all relevant recipients which may be involved in the data processing of such erasure.

You can also object to the processing of your personal data when such processing is based on BPCE ES's legitimate interest (pursuant to article 6-1.f) of EU General Data Protection Regulation (GDPR)).

You also have the right to lodge a complaint with the competent supervisory authority.

You can also provide your instructions regarding the storage, deletion or disclosure of your personal data after your death. Such instructions may be general or specific.

### **13. HOW DO YOU CONTACT US OR THE SUPERVISORY AUTHORITY TO LODGE A COMPLAINT?**

If you have any questions, complaints or comments regarding this Notice or our data collection practices, please contact us :

- by writing to us at the following address:

**BPCE EQUIPMENT SOLUTIONS SAS**

Attn: Data Protection Officer

7, promenade Germaine Sablon – 75013 PARIS

- or sending an email to: [dpo-es@groupebpce.com](mailto:dpo-es@groupebpce.com)

You are informed that you can also lodge a complaint with the supervisory authority of the country where you are located if you have any concern about the conditions of processing of your personal data by BPCE ES.

If you are located in France, the competent supervisory authority is: Commission Nationale de l'Informatique et des Libertés (CNIL), located at 3, place de Fontenoy- TSA 80715 - 75334 Paris Cedex 07.

## **14. CHANGES TO THIS NOTICE**

Our Notice may change from time to time to reflect changes in our processing of your personal data. However, these changes stay at the best state of art and are in any event compliant with applicable law. We encourage you to periodically review this page for the latest information on our privacy practices. We will notify you of any material changes as required by law.

