

## PRIVACY POLICY OF CAL&F

Today, personal data is a valuable good worthy of protection, which is why data protection is of utmost importance for CAL&F and their associates. Based on this Privacy Policy, you receive transparent information about how data protection activities are structured with CAL&F. CAL&F processes different data from different groups of persons (more details in the below Privacy Policy), whereby processing includes data erasure, storage, collection, use and transmission.

Crédit Agricole Leasing & Factoring S.A - Belgium Branch is a dependent branch of France-based Crédit Agricole Leasing & Factoring S.A., which is why Crédit Agricole Leasing & Factoring S.A. is the controller.

### **Address**

Crédit Agricole Leasing & Factoring S.A - Belgium Branch  
Troonstraat 60/Rue du Trône 60 1050 Ixelles  
Brussels Belgium/Bruxelles, Belgique

Kruispuntbank der Ondernemingen (KBO): 0789.250.693

### **Permanent Representative**

Jens Hoter

### **Data controller/head office**

Crédit Agricole Leasing & Factoring S.A.  
12 Place des Etats-Unis  
92548 Montrouge  
France

Nanterre Trade and Companies Register no. 5692 029 457

Crédit Agricole Leasing & Factoring S.A. is a credit institution with its registered office in Montrouge (France) and a subsidiary of Crédit Agricole S.A. with its head office in Montrouge (France).

### **Crédit Agricole Leasing & Factoring S.A. Data Protection Officer contact information**

Blaise Diagne  
Data Protection Officer  
50 Av. Jean Jaures 92120 Montrouge  
France  
**DPO-calf@ca-lf.com**

If you have any questions about this Privacy Policy, please contact the Data Protection Officer.

#### **1. Data subject groups and categories of data collected**

We collect personal data and/or data categories from the categories of persons ('data subjects') whose data is required to pursue the intended purpose in the context of our business activities (as further set out below under "Data collection, processing and/or use purpose and legal basis for processing"):

#### **Personal data of our client, or where relevant, its employees, agents or other representatives and ultimate beneficial owners**

We process the following data of our clients, or if the client is a legal entity, we may process the following personal data of the client's employees, agents or other representatives: contact data (given/family names;

telephone/fax numbers; e-mail/postal addresses), contract data (given/family names; signatures; invoices, correspondence), commercial register information, property data (balance sheets; financial situation and credit standing), bank data (bank details: BIC/IBAN; account holder information and information on money wire transfers); in terms of managers and (in-)direct shareholders: contact data (given/family names; telephone/fax numbers; e-mail/postal addresses), permanent address, ID copies (given/family name; gender; address; date/place of birth; nationality; ID card number; and photo), status as politically exposed person (PEP) or relative or close associate to a PEP (RCA), status as ultimate or fictitious beneficial owner); in terms of employees with signature authorization: ID copies (given/family name; gender; address; date/place of birth; nationality; ID card number; and photo)

### **Personal data of our clients' debtors**

We process the following personal data of debtors of our clients : contact data (given/family names; telephone/fax numbers; e-mail/postal addresses), correspondence, tax identification information, property data (financial situation and credit standing) bank data (BIC/IBAN; account holder information and information on money wire transfers), payment history; or if the debtor is a legal entity, the personal data of the debtor's employees: contact data (given/family names; telephone/fax numbers; e-mail/postal addresses) and correspondence.

### **Personal Data of potential clients**

We process the following personal data of our potential clients, or if the potential client is a legal entity, we may process the following personal data of the client's employees, agents or other representatives: contact data (given/family names; telephone/fax numbers; e-mail/postal addresses), commercial register information, property data (balance-sheets; financial situation, properties; and credit standing), bank data (bank details: BIC/IBAN; account holder information); in terms of managers and (in-)direct shareholders: contact data (given/family names; telephone/fax numbers; e-mail/postal addresses), ID copies (given/family name; gender; address; date/place of birth; nationality; ID card number; and photo), status as politically exposed person (PEP) or relative or close associate to a PEP (RCA), status as ultimate or fictitious beneficial owner).

### **Personal data of service providers**

"Service provider" particularly includes suppliers; creditors; brokers; agencies; commercial credit insurance companies; legal counsels; landlords; chartered accounts; and IT service providers. We process the following data of our service providers, or if the service provider is a legal entity, we may process the following personal data of the service provider's employees; contact data (given/family names; telephone/fax numbers; e-mail/postal addresses), contract data (given/family names; signatures; invoices, correspondence) bank data (BIC/IBAN; account holder information and information on money wire transfers); in terms of signature authorized managers: ID copies (given/family name; gender; address; date/place of birth; nationality; ID card number; and photo), status as politically exposed person (PEP) or relative or close associate to a PEP (RCA)..

### **Website visitors**

When you visit our website <https://www.ca-leasingfactoring.be> (the "Website"), we process the following data: Technical information, such as information about your device, IP address, browser type, geographical location, operating system, page response times, download errors; Navigational information, such as Uniform Resource Locators (URLs), navigational paths to, through and from our Website (including date and time) , the pages you viewed, the length of time you spent on certain pages, page interaction information (such as scrolling, clicks and hovers), and methods used to leave the page.

### **People contacting CAL&F**

When you contact us by filling out a contact form on our Website or by email we will process your request and Identity information that you provide us with, such as your first name, last name, date of birth; The contact details you provide us with, such as your e-mail address, postal address, country and (mobile) telephone number; Content of the communication, such as your question or complaint; Technical communication information, such as the name of the person you are communicating with at our end, the date and time of the communication or the telephone number used to call; Your preferences regarding receiving our e-mail

communications, such as newsletters, promotions, advertisements, etc., if you have chosen to receive such communications; and any other personal data you provide us with.

### General remark

*Certain data (referred to above) is collected, processed and used as a result of contractual agreements or provisions in General Terms and Conditions as well as on the basis of European, Belgian and French legislation and banking supervisory regulations and directives as well as regulatory requirements, in particular but not exclusively the French Monetary and Financial Code, the Belgian Law of 18 September 2017 and the French and Belgian tax laws to, inter alia, combat money laundering and terrorist financing, fulfil tax law requirements, fulfil control and reporting obligations in the event of sanctions and embargoes, prevent fraud and assess and manage risks within the Group.*

- contact data includes given/family names; telephone/fax numbers; e-mail/postal addresses; contact histories
- contract data includes, without limitation, given/family names; signatures; debtor data; and warrants
- authentication data includes, without limitation, ID copies (given/family name; address; date/place of birth; nationality; ID card number; and photo); specimen signatures; registration confirmations; email addresses; and telephone numbers
- property data includes, without limitation, balance-sheets; bank details/data; cash (financial situation); properties; and credit standing
- bank data includes, without limitation, bank details: BIC/IBAN; account holder information; and information on money wire transfers

## 2. Legal basis for processing, purposes and retention

We collect your data for the below purposes and process these data on the following legal bases:

### Client or service provider (or its employees' or representatives') data

- On the legal basis of **performance of the contract** or of pre-contractual provisions made at the request of the prospect or client: client management, examination and granting of credit, or risk assessment and management. When the data subject is acting on behalf of a client, which is a legal entity, processing is undertaken on the legal basis of CAL&F's **legitimate interest** in entering into the contract with the client, which is a legal entity. The personal data may be kept for a maximum period of five (5) years from the end of the business relationship.
- On the legal basis of **performance of the contract**: the implementation and management of the contract, and management of the data subject's requests and products and services to which the data subject subscribes. When the data subject is acting on behalf of a client or a service provider, which is a legal entity, processing is undertaken on the legal basis of CAL&F's **legitimate interest** in entering into the contract with the client, which is a legal entity, and ensuring the effective performance of the contract between the client and CAL&F. The personal data may be kept for a maximum period of five (5) years from the end of the business relationship or, where appropriate, the end of the collection.
- On the legal basis of our **legitimate interests** to be able to promote our services and products, or where necessary **consent**: sending you promotions and newsletters regarding our services and products via e-mail. Where our processing is based on our legitimate interests or consent, you will be able to respectively object to our processing or revoke your consent in every e-mail.

### Debtor Data

- On the legal basis of the **performance of the contract**: for the execution of the debt claim, CAL&F will process data of client's debtors. The personal data may be kept for a maximum period of twelve (12) months from the date the debt is repaid in full.
- On the legal basis of **legitimate interest**: CAL&F's legitimate interest is to determine whether it wants to purchase a certain debt/receivable of its client against one of its debtors, to collect such receivables/debts or bring legal proceedings to protect its interests or those of its clients and to carry

out factoring services as agreed with clients. The personal data may be kept for a maximum period of twelve (12) months from the date the debt is repaid in full.

#### **Personal data of potential Clients**

- On the legal basis of **legitimate interest**, or where required on the basis of your **consent**: commercial prospecting, delivering marketing events and advertising campaigns, opinion polls and satisfaction surveys and statistical research. CAL&F's legitimate interest is both in presenting its existing and new offers and promotions to its clients and partners and in measuring and achieving their satisfaction, while improving its products and services. Personal data may be kept for a maximum period of three (3) years from the end of the business relationship.
- In accordance with relevant legislation, on the legal basis of **consent**: commercial prospecting to clients, prospects and partners on services and products of Crédit Agricole Leasing & Factoring S.A - Belgium Branch or Crédit Agricole Leasing & Factoring S.A. by electronic means, such as e-mail. Personal data may be kept for a maximum period of three (3) years from the end of the business relationship.

#### **Website visitors**

- On the legal basis of **consent**: We process your personal data to perform statistical analyses in order to improve our Website, advertising, products and services or to develop new products and services.
- On the basis of our **legitimate interest** to detect any danger or threat to the security or integrity of our Website or other communication channels or any of our computer systems, selected partners or third parties due to viruses, Trojan horses, spyware, malware or any other form of malicious code.

#### **People who contact CAL&F**

- On the legal basis of our **legitimate interest** to be able to process your request our question and to be able to respond to you.

#### **For all data subject categories**

- On the legal basis of a **legal obligation**: detection of actions taken as part of the activities presenting an anomaly, incoherence or having been flagged as possibly arising from fraud. The personal data may be kept for a maximum period of five (5) years in the case of proven fraud, and otherwise twelve (12) months
- On the legal basis of a **legal obligation**: compliance with our legal obligations, specifically current European and national legislation on the prevention of corruption, money laundering and financing of terrorism, and national and international financial sanctions. For this purpose, data processing is undertaken throughout the business relationship to enable verification of clients, shareholders, directors, beneficial owners, partners and suppliers with respect to international lists, as well as supervision of transactions undertaken; and to comply with any reasonable request from competent officials or representatives of law enforcement, judicial authorities, government agencies or bodies, including competent data protection authorities. Also the data of client's debtors can be processed for such purpose on this legal basis. Personal data collected for this purpose may be kept for a maximum period of five (5) years from the end of the business relationship or, where appropriate, the end of any legal proceedings. On the legal basis of **legitimate interest**: compliance with current OFAC (Office of Foreign Assets Control) on the prevention of money laundering and the financing of terrorism, and international financial sanctions. For this purpose, data processing is undertaken throughout the business relationship to enable verification of clients, shareholders, directors, beneficial owners, partners and suppliers with respect to international lists, as well as supervision of transactions undertaken. Also the data of client's debtors can be processed for such purpose on this legal basis. Credit Agricole Leasing & Factoring S.A. - Belgian Branch's and Crédit Agricole Leasing & Factoring S.A.'s legitimate interest is in supporting international sanctions legislation compliance programs. Personal data collected for this purpose may be kept for a maximum period of five (5) years from the end of the business relationship or, where appropriate, the end of any legal proceedings.

Finally, the personal data may be kept for longer periods than as set out above, in accordance with applicable legislation (please see below under "Data erasure deadlines").

Please note that it is impossible to comply with certain laws or to fulfil certain duties without having certain data.

### **3. Data recipients/recipient categories**

For the purposes set out above, CAL&F may be required to disclose personal data to any entity in the Crédit Agricole Group in the event of sharing of resources or bringing together of companies in the group, and to subcontractors, particularly those contributing to the offer of financial products, within the limit of what is necessary for the achievement of the purposes set out above.

Also, for the purposes as set out above and always in accordance with applicable data protection laws, CAL&F may be required to disclose personal data to third parties guaranteeing the financing of the factoring services, cooperating banks for the purposes of managing, implementing and monitoring the accounts of CAL&F on which debtors may pay their debts (also referred to as the Collection Account); third parties assisting us with the collection of receivables/debts credit agencies; lawyers; notaries; liquidators; insurance companies (to the extent required for contract fulfilment); and public bodies who receive or may request personal data based on legal provisions (such as tax offices, social security agencies, supervisory authorities and prosecution authorities).

In addition, we may commission data processors (service providers) with the task of data processing based on valid legal provisions, which particularly includes IT, printing, telecommunication and consultancy services.

### **4. Third countries**

Because of the international scope of the Crédit Agricole Group and measures taken to assure the use of IT tools and the security of IT networks and transactions, and in connection with sharing of resources, IT maintenance operations and operational management, the processing specified above may involve the transfer of personal data to countries which are not members of the European Economic Area, and which have different legislation in respect of protection of personal data.

In this event, a detailed and rigorous framework, compliant with the models adopted by the European Commission, together with appropriate security measures, will ensure the protection of personal data transferred.

The processing may be carried out by subcontractors located in the United Kingdom (satisfaction surveys), Morocco (IT development and maintenance services centre) or Mauritius (debt collection) and are covered by European Commission standard contractual clauses, which may be obtained under the same procedures as those provided for the exercise of your rights as set out below, and additional safeguards where needed.

### **5. Data erasure deadlines**

We generally keep the personal data during the periods as set out above. Further, we comply with any and all legal obligations concerning the storage of data and other documents during a given period and we erase or anonymise data after applicable legal or determined storage periods terminated. Legal deadlines depend, amongst other things, on the French and Belgian tax laws and Codes of Commerce, the French Monetary and Financial Code, Belgian Law of 18 September 2017 and any equivalent and applicable European and French legislation. The deadlines referred to therein amount to up to 10 years, but civil-law deadlines may amount to up to 30 years. If data is not affected by this, it will be erased once the purpose no longer exists and we fulfil the data minimisation requirement.

### **6. Your rights concerning data processing (art. 15-21 of the EU General Data Protection Regulation):**

Below, we set out the rights that data subjects have under the GDPR. If you would like to invoke any of these rights, please contact CAL&F's Data Protection Officer (see contact details above).

#### **Right to access, rectification and information provision and right to withdraw consent**

You have a right to know which data CAL&F actually processes. Should your data change, you may request its rectification and should it be incomplete, you may request it to be completed. If we transferred your data to

third parties, we must ensure that these third parties also rectify/complete your data (pursuant to legal provisions).

When the processing has consent as a legal basis, the data subject may withdraw his/her consent without affecting the lawfulness of processing based on the consent given before it was withdrawn.

### **Right to personal data erasure**

You may request your personal data to be erased if

- it is no longer required for the data collection purpose;
- CAL&F processes your personal data on the basis of your consent and you withdrew your consent to data processing, or if there is no legal basis for data processing and/or no prevailing interest worth of protection;
- it was illegally processed; or
- erasure is necessary due to legal requirements.

***In this context, please consider that your right to erasure may, in certain cases, depend on whether there is a reason requiring data processing continuation (e.g. compliance with legal storage obligations).***

### **Right to data processing restriction**

You may request the processing of your personal data to be restricted if

- you challenge the accuracy of our personal data and we are investigating whether this is correct;
- data processing is illegal and if you prefer restriction over erasure;
- data is still required only to assert legal claims;
- you objected to data processing, whereby data processing is restricted in this case until we determined whether your interest in data processing prevails.

It is specified that the exercise of some of these rights may lead to CAL&F being unable, on a case-by-case basis, to supply the expected product or service.

### **Right to data portability**

You have the right receive the personal data that you have provided to us in a structured, commonly used and machine-readable format, and to ask us to provide such personal data to a third party if:

- the processing of your personal data is based on consent or the execution of a contract;
- the personal data are processed in an automated manner.

### **Right to lodge a complaint (towards Crédit Agricole Leasing & Factoring S.A.)**

In the case of a complaint from your part, you may refer to the Crédit Agricole Leasing & Factoring S.A. Data Protection Officer or the competent data protection authority.

#### Competent authority in France:

Commission nationale de l'informatique et des libertés (CNIL)  
3 Place de Fontenoy, TSA 80715  
75334 Paris Cedex 07  
France

Tel.: +33 (0)1 53 73 22 22  
presse@cnil.fr, <https://www.cnil.fr/en/contact-us>

***The competent authority may change their contact data; for the up-to-date contact data, please refer to the authority's website.***

#### **Right to lodge a complaint (towards Crédit Agricole Leasing & Factoring S.A - Belgium Branch)**

In the case of a complaint from your part, you may refer to the Crédit Agricole Leasing & Factoring S.A. Data Protection Officer or the competent data protection authority.

#### Competent authority in Belgium:

Autorité de protection données Rue de la Presse, 35  
1000 Brussels  
Belgium

Tel. +32 (0) 2 274 48 00

Fax +32 (0) 2 274 48 35

Email: [contact@apd-gba.be](mailto:contact@apd-gba.be)

Website: <https://www.autoriteprotectiondonnees.be>

***The competent authority may change their contact data; for the up-to-date contact data, please refer to the authority's website. It goes without saying that you may direct your complaint also to the relevant national supervisory authority.***

#### **Right to object to data processing**

If we process your personal data on the basis of our legitimate interests (under art. 6(1) lit. f) of the GDPR, you have the right to object to the processing of your personal data at any time if this is justified due to your special situation; and if we process your personal data for direct marketing purposes, you have the right to object to the processing of your personal data at any time without having to provide a justification; this applies also to profiling in terms of art. 4 no. 4 of the GDPR.

If you object to the processing of your personal data, Crédit Agricole Leasing & Factoring S.A. will no longer process any personal data, unless we have interests worthy of protection making data processing necessary and prevailing over your interests or unless such data is required to enforce, assert or defend legal claims.

In the case of objection, please immediately contact the Crédit Agricole Leasing & Factoring S.A. Data Protection Officer (**for the contact data, please see above in this Privacy Policy**).

#### **7. Privacy Policy amendments**

We reserve the right to amend this Privacy Policy if need be so that it always meets applicable legal requirements or so that it is adjusted to any changes to our services. The current and up-to-date version of this Privacy Policy can be accessed at any time on CAL&F's website:

<https://www.ca-leasingfactoring.be/nl-BE/privacy-statement-for-all-clients-and-business-partners-be.html>