

Data protection policy applicable to export financing activities of Bpifrance

[Translation from French to English for information purposes only. In the event of any differences in translations or interpretations, the French version shall prevail]

The present personal data protection policy is intended to inform individuals about the processing of personal data implemented by Bpifrance acting as data controller in the context of its Export Financing activities.

In accordance with the applicable regulations, in particular the European Regulation 2016/679, known as the General Data Protection Regulation (GDPR) and the French provisions relating to information technology, files and freedoms (*Loi Informatique et Libertés*) (the “**French Data Protection Act**”), Bpifrance acting as data controller, collects and processes your personal data:

- On the basis of the **performance of the contract** for the following purposes: study, follow-up and management of applications, examination of the matter, notification of the financing decision, contractualisation with exporting or buying companies, whether French or international (preparation, drafting, negotiation, provision and signature of pre-contractual and contractual documentation), monitoring of the performance of contracts, follow-up of the commercial relationship with the French or international financed company.
- On the basis of a **legal obligation** to which Bpifrance is subject for the following purposes: carrying out customer knowledge process (Know your customer rules), fight against money laundering and the financing of terrorism, compliance with regulations on economic sanctions, compliance with any other legal or regulatory provision to which Bpifrance is subject, in particular the GDPR and the French Data Protection Act. And for electronically signed documentation: overall management of the electronic signature process and, establishment of the body of evidence contributing to the reliability of the electronic signature process.
- On the basis of the **legitimate interest** of Bpifrance in developing and managing its relationship with its clients for the following purposes: sourcing and commercial development with French or international companies (suppliers/buyers), management of any disputes, claims and losses.

In this context, Bpifrance may directly collect the following categories of personal data from the legal representatives and contact points of the various parties involved (exporter, buyer, borrower, guarantor, co-financing party):

- Identification data: title, first name, last name, date and place of birth, personal postal address, personal email address, mobile phone number, nationality, country of residence, copy of identity documents (including passport and national identity card), photo, signature (electronic or handwritten).
- Data relating to professional life: professional postal address, professional telephone number, professional email address, function / capacity within the company, hierarchical position.
- Financial and commercial data (only for one-person companies): bank details (RIB/IBAN), tax situation, registration number (SIREN).

The data is intended for Bpifrance and may also be disclosed to the following recipients:

- all identification data, relating to professional life and financial and commercial information, to other entities within the Bpifrance group, when such disclosure is necessary to enable these entities to meet their legal or regulatory obligations or for internal audit purposes. Such intra-group disclosure does not exempt in any way the entities within the Bpifrance group from the legal, regulatory or contractual confidentiality obligations (including the rules defined by agreement with the French State) which apply to them in relation to third parties;

- information concerning the signatories of the contract (surname and first name of the signatories, postal address, professional email address, information concerning the drafting of powers of attorney) to lawyers in order to set up the contractual documentation, to any interest rate stabilisation authority, to private credit insurers, to the French General Directorate of Treasury (*Direction Générale du Trésor*) or any successor of these bodies;
- contact data to partner banking institutions for notification of the financing decision in the context of co-financed projects.

It may also be disclosed to any French or international administrative, judicial, arbitral or supervisory authority that benefits from a right of communication based on a legislative (statutory) provision in the context of a French or European administrative or judicial procedure, at their request.

In the context of the drafting of contractual documentation, your personal data may be transferred to lawyers located outside the European Union. In the absence of an adequacy decision, transfers are implemented only insofar as they are necessary for the conclusion or performance of a contract entered into in your interest between Bpifrance, acting as data controller, and the mandated lawyers.

Personal data is kept by Bpifrance for a period not exceeding what is necessary to achieve the purposes specified above, increased, where applicable, by the legal and regulatory time limits in France and Europe.

In accordance with the applicable regulations, and subject to the conditions set out therein for the exercise of these rights, you are entitled to:

- the right of access, rectification, deletion and portability of your personal data;
- the right to request the limitation of the processing that concerns you and to object to receiving commercial prospecting or to being the object of profiling related to the commercial prospecting. In certain cases, you may, for reasons relating to your particular situation, object to the processing of such data, including profiling;
- the right to withdraw your consent for processing based on it;
- the right to organise the fate of your personal data post-mortem.

The aforementioned rights may be exercised by contacting the Bpifrance Data Protection Officer at the following postal address: "Délégué à la protection des données (DPO), Bpifrance, DCCP, 27-31 avenue du Général Leclerc, 94710 Maisons-cedex" or at the following email address: donneespersonnelles@bpifrance.fr.

You also have the right to file a complaint with the National Commission for Data Processing and Freedoms (CNIL).