

## Information on processing of personal data by ING Aktywa Sp. z o.o.

ING Aktywa Sp. z o.o. (hereinafter: "ING Aktywa") presents the following information required pursuant to the Regulation of the European Parliament and of the Council concerning protection of personal data:

**Legal basis:** Regulation of the European Parliament and of the Council (EU) 2016/679 dated 27 April 2016, Official Journal of the EU L.2016.119.1 dated 4 May 2016, applicable from 25 May 2018 (hereinafter referred to as the "Regulation").

**This information contains the following terms:**

**We, that is ING AKTYWA** – ING Aktywa Sp. z o.o. with the registered office in Warsaw. Detailed information regarding ING Aktywa, including entry of ING Aktywa into the court register, its tax identification number (NIP) is contained at the bottom of each page of this information (in the so-called foot).

**You, that is a natural person** whose personal data are processed by ING Aktywa in at least one of the purposes identified in this information, as long as you are:

- a) directly a Salesperson – natural person conducting business activity (including in the form of a partnership with another person/other persons);
- b) a person representing a Seller / Supplier, including the Seller's / Supplier's proxy (regardless of the legal form in which the Seller / Supplier conducts business activity), if we process your personal data in the scope exceeding the information contained in the National Court Register;
- c) any person on the part of a Salesperson, with whom we established contact (if the Salesperson is a natural person conducting business activity, including in the form of a partnership).

**We took the liberty to address you directly in order to ensure greater transparency of the text.**

### I. Controller of your personal data, contact information of ING AKTYWA and our personal data protection inspector.

The controller of your personal data is ING Aktywa Sp. z o.o., which conducts business activity in accordance with its deed of association. ING Aktywa has its registered office in Warsaw, postal code: 02-566, ul. Puławska 2, website: [www.inglease.pl](http://www.inglease.pl). You may contact the ING Aktywa's Data Protection Officer by contacting us preferably with a postscript „Data Protection Officer” – to the postal address of ING AKTYWA or to the following e-mail address: [abi@inglease.pl](mailto:abi@inglease.pl).

### II. Is ING AKTYWA supervised with regard to personal data?

You are entitled to file a complaint with the supervisory authority. As far as personal data are concerned, the supervisory authority of ING Aktywa is President of the Office for Personal Data Protection. ING Aktywa is not supervised by the Polish Financial Supervision Authority in Warsaw

### III. Can you raise an objection or withdraw the granted consent or authorisation?

You may raise an objection against specific processing of data. ING Aktywa will review justness of the objection. In case of granting consents for ING Aktywa, all consents are expressed freely. At any time, you may simultaneously withdraw all consents or individually withdraw each of the consents concerning processing of personal data. Withdrawal of a given consent does not influence ING Aktywa's right to process the data in the purpose identified in the consent until the withdrawal thereof.

There is also a possibility that, pursuant to the provisions of the law, ING Aktywa will be entitled to process the data on a different legal basis or in a different purpose. All consents may be withdrawn at any time simultaneously or each of them individually, including in person, at a branch of ING Aktywa, by means of a letter sent to the address of ING Aktywa, or by sending an e-mail message to the following e-mail address: [bok@inglease.pl](mailto:bok@inglease.pl) containing the filled in form available at the website of ING Aktywa at [www.inglease.pl](http://www.inglease.pl) with an annotation "Consent withdrawal" or in another agreed manner and provided that, in case of electronic withdrawal of the consent, you receive a return e-mail message from ING Aktywa stating withdrawal of the given consent.

If you authorise ING Aktywa to provide other entities with information covered by business secret, you may withdraw such authorisation – and we will not provide anyone with the data or information referred to in the authorization. It is possible that, if you withdraw such authorisation, your agreement cannot be performed in whole or in part.

### IV. For purposes do we process your personal data?

ING Aktywa processes your data for the following purposes:

- a) performance of activities in accordance with granted consent. The legal basis for granting the consents or authorisations are the provisions of the Regulation, community law (European Union law) or Polish law, legal and executive acts;
- b) connected with conclusion, performance or termination of the agreement and performance of other activities connected with the agreement concluded between ING Aktywa and the Salesperson (basically, a

sales agreement, but this may be a different agreement, such as a buyback agreement), including activities preceding conclusion thereof. These activities are preparatory activities, other activities related to conclusion, performance or termination of the agreement. These activities may also include other activities or statements connected with the agreement, including those relating to statements connected with representation of the Salesperson (e.g. power of attorney), including activities of the representative him/herself;

c) performance of a legal obligation. Such obligations result from the law, including: provisions of the community law (European Union law) or Polish law. Among others, such obligations may result from tax law, regulations on accountancy or archiving, or regulations on the prevention of legally forbidden acts, or regulations imposing obligations in order to ensure transaction security. Moreover, ING Aktywa has the right to process such data in order to perform obligations resulting from decisions, rulings, guidelines or recommendations issued by authorised bodies;

d) exercise of legally justified interests of ING Aktywa, identified above, but also such interests as:

- ensuring security of persons (above all, Clients and employees) and the property of ING Aktywa;
- ensuring security of transactions, which does not result from the obligations imposed by the law, but from the principles and policies adopted by ING Aktywa,
- pursuance or defence concerning the claims or rights of ING Aktywa or an entity being a representative of ING Aktywa, this purpose also includes the processing of data related to complaints proceedings, alternative dispute resolution or mediation that can be filed or initiated against ING Aktywa or by ING Aktywa or the entity which ING Aktywa represents;
- management of relations and in marketing purposes, including advertisements profiled for specific Salespersons.

#### V. **W in what other purposes can we process your data?**

Above, we outlined the primary purposes of data processing. ING Aktywa may process data in other, secondary purposes – if both purposes are related to each other. The following secondary purposes are foreseen:

- a) transfer of data into the archives;
- b) audits or clarification proceedings;
- c) implementation of business and management control mechanisms;
- d) other statistical research, historic or scientific research;
- e) business, economic or legal advisory provided to ING Aktywa.

<sup>1</sup> ING Group – at present, in particular the following entities: ING Bank Śląski S.A. with its registered office in Katowice, ING Investment Holding (Polska) S.A. with its registered office in Katowice, ING Commercial Finance Polska S.A. with its registered office in Warsaw, ING Bank N.V. with its registered office in Amsterdam (Netherlands), ING Usługi

#### VI. **What are the kinds of processed data?**

We process data connected with:

- a) identification or verification of the Salesperson. This involves establishment or verification of identity of the Salesperson or the person/entity representing the Salesperson. We verify whether the data are compliant with the data furnished or received from respective documents, registers or listings;
- b) transaction data. These are data which allow us to execute a specific transaction or which are connected with its identification or execution;
- c) data concerning business activity. These are data or information on such business activity of the Salesperson or the entity representing the Salesperson, required in connection with the concluded agreement, including contact information;
- d) audio-visual data. These include recordings connected with securing of property or assets, recordings of conversations for security reasons or in evidence purposes.

Moreover, ING Aktywa may process your other personal data as long as such data cannot be qualified into any of the above groups, but processing is performed in the purposes outlined in this information.

#### VII. **What categories of data recipients are distinguished?**

Personal data may be furnished to authorities or entities:

- a) authorised pursuant to provisions of the law;
- b) to whom the data are made available or entrusted pursuant to concluded agreements on provision of services or service outsourcing agreements, including entities which conclude agreements with the Client for and on behalf of ING pursuant to powers of attorney granted to them, entities providing services related to acquisition of a lease product client, entities providing client verification services (CDD), entities providing services related to vehicle registration, entities providing: archiving, IT, accounting, lease transaction administration and office services;
- c) to whom the data may also be furnished pursuant to your consent, authorisation or concluded agreement.

Data may also be furnished to ING Group <sup>1</sup> companies – pursuant to binding corporate rules or the law. If data are furnished to ING Group <sup>1</sup> entities outside the European Economic Area, respective security measures resulting from binding corporate rules or standard data protection clauses adopted by the European Commission will be applied. ING Aktywa may also entrust data to other entities, still maintaining the function of controller thereof.

#### VIII. **What categories of data recipients are distinguished?**

dla Biznesu S.A. with its registered office in Katowice and ING Finance Sp. z o.o. with its registered office in Warsaw. The list of subsidiaries of ING Bank Śląski S.A. and list of subsidiaries of ING Lease (Poland) Sp. z o.o. are available on the website: <http://www.inglease.pl>.

The period of processing of your data depends on the purpose in which the data are collected and processed, provisions of the law or rules adopted by ING Aktywa, pursuant to methods or models compliant with the regulations, as well as your consents and other statements. We process data connected with:

- a) the agreement – over the term of the agreement and, after termination thereof, until expiry of the period of limitation of claims under the agreement and deadlines governing the processing of personal data resulting from the law or your consents;
- b) another legal activity – over the time necessary for handling of the application, preparation for execution of the given activity and, if the activity becomes effective – over the time required for performance thereof. If the activity does not become effective, data are processed for 3 years after data collection or longer if another period of personal data processing results from the law or your consent;
- c) archival data – after expiry of the given legal relationship (e.g. an agreement), personal data are processed during the archiving period determined in accordance with the law and taking into account the limitation period for claims. The basic archiving period is 6 years, except that this period ends on the last day of the calendar year unless provisions of the law foresee a different term. In case of pending litigation, judicial procedure or other proceedings (including in particular criminal proceedings), the archiving period will be counted from the date of legally effective conclusion of the litigation and, in case of numerous litigations, legally effective conclusion of the last of them – irrespective of the manner of termination, unless provisions of the law foresee a longer term of data archiving or a longer period of limitation for claims/right covered by the proceedings;
- d) a judicial ruling – data may be processed during the limitation period for claims. The basic limitation period is 6 years from the date of issuance of a final judgment ending the proceedings, except that claims are available may be covered by a specific indication of other limitation periods;
- e) the Salesperson's consent – over the time identified in the consent statement and in each case – until withdrawal of the consent.

The above periods are not cumulative. Data may be processed separately, depending on particular purposes and legal bases. The basic data processing period does not exceed the documentation archiving period, which is 6 years, except that this period ends on the last day of the calendar year. The period of processing your data depends on the purpose for which they were collected and processed, the provisions of law or adopted by ING Aktywa, in accordance with these provisions methods or models, as well as consents and other your statements.

## IX. Know your rights towards ING Aktywa.

- a) You have the right to request ING Aktywa to provide you with access to the personal data concerning yourself and the right to correct the data if they do not reflect the actual condition and, moreover, in the cases foreseen in

the law, to have the data deleted or to restrict processing of data.

- b) You have the right to raise an objection against specific processing of data. The objection will be reviewed by ING Aktywa.

- c) You have the right to relocate the data or obtain a copy of the data – provided however that the right may not have negative influence onto the rights and freedoms of other persons, including business secrets or intellectual property, and that it will be exercised to a technically feasible extent. The first copy of the data is free of charge. Taking into account other provisions of the law, relocation of the data may require obtaining consent of the Client or another person, or fulfilment of other conditions required under those regulations. Requests concerning exercise of the rights of the Salesperson and/or the Salesperson's representative/contact person may be submitted electronically to [bok@inglease.pl](mailto:bok@inglease.pl) or in writing. Submission of such requests via telephone will be admissible as far as ING Aktywa makes this process available for exercising the given right, taking into account requirements concerning verification of the Salesperson's identity. ING Aktywa may require detailed identification of the information or activities covered by the request. While exercising the request concerning relocation or obtaining of a copy of the data, ING Aktywa delivers the information with notification regarding the electronic format or carrier used.

- d) In case of conclusion of the agreement, furnishing of personal data is required for the conclusion thereof. Provisions of the law may introduce the requirement to furnish data in the purpose referred to therein (e.g. identification or verification). Moreover, furnishing of specific data may be required for execution of a specific transaction or activity. If the Salesperson does not provide the data required by the agreement or another document used by ING Aktywa in accordance with its procedures or the law, ING Aktywa will not conclude the agreement, execute the transaction or activity.

- e) Your personal data will not be processed in an automated manner or profiled.

## X. Final provisions

You have the right to withdraw the granted consents or authorisations regarding processing of personal data. This authorisation also concerns consents to processing of data by ING Aktywa in marketing purposes or authorisations to furnish the data to another entity which you granted to ING Aktywa in the past. Withdrawal of a given consent does not influence ING Aktywa right to process the data in the purpose identified in this consent until withdrawal thereof. You may exercise the rights foreseen by the Regulation, subject to the terms identified in the Regulation and in accordance with other provisions of the law.

**This information fulfils the legal obligation. It does not require any action on your part.**

