

# Personal Data Protection Policy

The purpose of this Personal Data Protection Policy (hereinafter "the Policy") is to inform you of the conditions under which Orange Bank (67 rue Robespierre – 93 107 Montreuil Cedex) in its capacity as data controller, collects and processes the personal data of its customers and prospects in order to provide its services and offer a range of varied products to meet their needs.

This Policy is an important document and we recommend that you read it carefully and keep a copy. It is updated or supplemented regularly according to regulatory and legal changes and changes in our processing. It applies uniformly to all of the Bank's products and services.

Terms beginning with a capital letter shall have the meaning ascribed to them below:

- Personal data: any information relating to an identified or identifiable natural person who can be identified, directly or indirectly.
- Data controller: a legal entity which, alone or jointly with others, determines the purposes and means of the processing;
- Data processor: a natural or legal person who processes Personal Data on behalf of the Data Controller;
- Orange Bank Group companies: Orange Bank and Anytime.

## Why do we collect and process your Personal Data?

We process your Personal Data for specific, explicit and legitimate purposes and in particular for those detailed below:

### Subscription to Orange Bank offers

Your Personal Data are used in connection with the subscription and performance of the contract, in particular to:

- advise and support you in the subscription process;
- provide you with the products and services subscribed;
- deliver and manage products and services, such as means of payment and
- provision of credit;
- process the requests expressed in connection with use of the products and services subscribed.

This processing is within the framework of Article 6(1)(b) of the European Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, "GDPR"), under which the processing is lawful if it is necessary for the performance of a contract to which the data subject is a party.

### Improvement of Orange Bank services and communication for marketing purposes

In order to improve our products and services, to better meet your needs and in order to retain our customers, we may:

- organise direct marketing campaigns and commercial events;
- organise opinion and satisfaction studies as well as statistical studies;

- draw up individualised profiles (scoring) that have no legal effect on you, by using algorithms to measure your interest in our products and services, improve them and offer you complementary, promotional offers that correspond to you.

This processing falls within the scope of Article 6(1)(f) GDPR, under which the processing is lawful if it corresponds to the legitimate interest of the Data Controller or within the scope of Article 6(1)(a) GDPR, under which the processing is lawful if you have given your consent to it.

You may withdraw your consent at any time and object to this use of your Personal Data by using the unsubscribe links in the sales emails or by contacting us at any time at the address mentioned below.

### **Risk prevention**

We may also process your Personal Data for the following purposes:

- managing our risks, recovering or assigning our receivables and managing payment incidents;
- drawing up individualised profiles (scoring) to predict and assess, in particular, the risks related to the granting of credit and the opening of an account. This scoring is likely to have a legal effect on you. In accordance with the regulations you have the right to obtain clarifications and to challenge the results of these assessments. ensuring a right to defence in court and managing litigation. Like all banks, we are bound by professional secrecy rules. This secrecy may be lifted at your express request for the exclusive benefit of the persons you have designated. It may also be lifted, when the law requires us to do so, at the request of the supervisory authorities, the French Data Protection Authority (CNIL), the tax or customs administration, as well as that of the judicial authorities. Professional secrecy is also lifted for information required to apply the international conventions entered into by France, which provide for an automatic exchange of information for tax purposes.
- preventing fraud;
- anti-money laundering and the financing of terrorism, compliance with regulations on international sanctions and embargoes;
- combating tax fraud, which involves determining your tax status in particular;
- complying with our banking and financial obligations, which involves assessing your solvency, and more broadly ensuring internal control and operational risk management;
- responding to requests from duly authorised public or judicial authorities;
- managing Orange Bank's accounting

Such processing falls within the scope of Article 6(1)(f) GDPR, under which the processing is lawful if it corresponds to the legitimate interest of the Data Controller or within the scope of Article 6(1)(c) GDPR, under which the processing is lawful if it is necessary for compliance with a legal obligation to which we are subject.

### **Subscription to Hello bank! offers as part of the listing process**

If you have agreed to the transfer of your customer information covered by banking secrecy (identification and contact data, data related to your work situation, banking

and financial data relating to your products and services, data relating to your family, economic and tax situation) from your application, Orange Bank, as data controller, will forward this information to BNP Paribas to facilitate the steps to open your account.

This processing falls within the scope of Article 6(1)(f) GDPR, under which the processing is lawful if you have given your consent to it.

To facilitate the closing of your bank account, the monitoring of your project, and the cooperation with BNP Paribas on the exclusive offer in the context of the listing, BNP Paribas as data processor, will provide us with the data relating to the progress of your procedure, the type of bank account subscribed, the request for banking mobility as well as your bank details (IBAN).

Such processing falls within the scope of Article 6(1)(f) GDPR, under which the processing is lawful if it corresponds to the legitimate interest of the data controller.

### **Other regulatory obligations**

We may also process your Personal Data:

- To respond to requests for the exercise of rights under the regulations on the protection of personal data. The exercise of your rights requires the processing of Personal Data about you for the purposes of identification, managing your requests and preserving evidence.
- If you are a victim of fraud, attempted fraud or any other criminal offence, you expressly authorise us to inform the police or judicial authorities of your full name, your IBAN, your connection data, as well as any information necessary for reporting facts constituting a crime and this, in order to provide our assistance to the courts.
- When you have paid by credit card for a product/goods or a service that poses a threat to people's safety (recall of defective products, health crisis, etc.), you authorise us to provide your contact data required to process the alert to the merchant in question so that it can inform you thereof. In this situation, prior to providing the data, we will obtain from the merchant an undertaking to use them only for this purpose and to delete them automatically as soon as they are no longer of use.

Such processing falls within the scope of Article 6(1)(f) GDPR, under which the processing is lawful if it corresponds to the legitimate interest of the Data Controller or within the scope of Article 6(1)(c) GDPR, under which the processing is lawful if it is necessary for compliance with a legal obligation to which we are subject.

## **How does Orange Bank collect your Personal Data?**

Orange Bank collects your Personal Data:

- directly from you when you:
  - subscribe to our products and services;
  - use your accounts and subscribed products (bank transaction data, payment method, etc.);
  - browse our sites or applications;

- indirectly from third parties: partners, suppliers, fraud prevention and credit rating agencies, publicly available sources, financial institutions and public files (National File of Incidents of Credit Repayment to Individuals, Central Cheque File, National Directory of Identification of Natural Persons, Directorate General of Public Finance);

In addition, and even if you are not a customer, we may also have Personal Data about you if you have been referred by someone you know.

## **What personal data do we process?**

In order to offer you and give you access to the products and services subscribed, we process the following Personal Data:

- identification and contact data (surname, first name, date of birth, identity card and passport number, postal and electronic address, telephone number, as well as all other information you provide to us when entering into a relationship and then when requesting a service), including tax number and tax status;
- data relating to your family situation (marital status, marital regime, composition of the household, etc.)
- data related to your work situation (level of education, employment, remuneration, etc.)
- details of our communications (via email, internet, our call centre or through third parties);
- data related to the operations and transactions you carry out using the Service (payments, transfers in particular);
- banking and financial data (bank details, card number, balance, expenses and receivables, etc.);
- identification and authentication data related to the use of the services (connection and usage logs, IP address, etc.);

In the event of attempted fraud, proven fraud, identity theft or any other criminal offence:

- your personal information;
- your economic and financial information, your IBAN;
- your login data;
- as well as any information necessary for reporting acts constituting a crime, in order to provide our assistance to the courts

## **Who can access your Personal Data?**

Orange Bank employees, our partners, our duly authorised Processors as well as:

- the Companies of the Orange Group or Groupama, having the status of intermediaries in banking transactions and payment services, contracted by Orange Bank, to the extent necessary for the provision and performance of the service;
- credit rating or fraud prevention agencies or other bodies to verify your identity on the basis of the Personal Data you have provided and to check your credit

history. These agencies may retain some of your Personal Data and copies of searches carried out on you, including when your request is rejected or unsuccessful;

- card networks and payment systems, such as MasterCard, to enable us to provide these services to you;
- insurance companies, as part of the marketing of the insurance products and services that we distribute as an insurance agent;
- collection agencies acting on our behalf;
- third-party companies in the event of assignment of receivables or securitisation;
- the bailiffs responsible for monitoring and managing our competitions;
- Hello bank! and BNP Paribas if you have explicitly consented to the transfer of your personal data to facilitate the procedures for opening your account in the context of listing. judicial bodies, administrative and supervisory authorities in compliance with our legal or regulatory obligations in the context of anti-money laundering and the financing of terrorism, combating fraud and organising exchanges of information for tax purposes. These requests are part of a mandatory national law or an international convention entered into by France, or when this communication is required for the purposes of legal or criminal proceedings;
- law enforcement authorities if you are a victim of fraud, attempted fraud or any other criminal offence;
- service providers and Processors carrying out certain tasks related to the purposes described above, within or outside the European Union on our behalf.

No Personal Data about you will be transferred to third parties for marketing or commercial prospecting purposes, without your consent. We ensure that our partners and service providers, which are involved in the provision of the service, comply with the principles of the regulations in force on the protection of Personal Data.

We may also communicate your Personal Data when professional secrecy is lifted by law, in particular with regard to:

- the tax and customs authorities
- the Bank of France
- the social security bodies
- parliamentary inquiry committees.

When you have paid by credit card for a product/goods or a service that poses a threat to people's safety (recall of defective products, health crisis, etc.), you authorise us to provide your contact data required to process the alert to the merchant in question so that it can inform you thereof. In this situation, prior to providing the data, we will obtain from the merchant an undertaking to use them only for this purpose and to delete them automatically as soon as they are no longer of use.

Also, in the event of receipt of funds on the basis of erroneous bank details, we will have to forward to the payment service provider of the issuer who so requests the information at its disposal that may document legal proceedings by the payer with a view to recovering the funds.

Professional secrecy may also be lifted with regard to the information required to apply the conventions entered into by France, which provide for an automatic exchange of information for tax purposes.

Professional secrecy may not be invoked against a judicial authority acting in the context of criminal proceedings, or in the context of civil proceedings where expressly provided for in specific legislation.

## **How long do we retain your Personal Data?**

We retain your Personal Data in order to manage our relationship in compliance with applicable legal and regulatory obligations.

As a result, your Personal Data will be retained for the following periods:

- Personal Data collected for contract management purposes are retained for the duration of our contractual relationship, supplemented by the duration provided for by the law or regulations in force. Thus, if you are a customer, we retain your Personal Data for five (5) years from the time our contractual relationship ends;
- Personal Data collected for pre-contractual purposes without actually entering into a contract are retained for a maximum of two (2) years;
- Personal Data collected for marketing purposes are retained for a maximum of two (2) years from the last time you contacted us.

## **Are your Personal Data processed outside the European Union?**

Personal Data collected may be processed outside the European Union. In this case, we make the necessary arrangements with our Processors and partners to ensure an adequate level of protection of your Personal Data in accordance with the applicable regulations. Our Processors and partners are either:

- located in a country with legislation providing adequate protection
- signatories of European Commission "standard contractual clauses"
- or subject to Binding Corporate Rules (BCR) approved by the competent supervisory authorities for the protection of Personal Data.

## **How are your Personal Data secured?**

To protect your Personal Data, we put in place appropriate organisational and technical measures. In general, we endeavour to protect Personal Data by taking into account the sensitivity of the information in question and the potential risks entailed by the processing of these Personal Data. We implement any useful means to ensure the confidentiality, integrity, availability and resilience of your Personal Data. We ensure that we store Personal Data about you in information systems that provide an appropriate level of security, access to which is protected, restricted and recorded and we enter into strict confidentiality agreements with all persons involved in the processing of Personal Data on our behalf.

We also ensure that all staff members and all persons involved in the processing of Personal Data comply with all the rules on the protection of Personal Data and undertake to keep the Personal Data processed confidential.

## **What are your rights?**

In accordance with the regulations in force, you have a right to access information about you, a right to rectify your Personal Data when they are inaccurate or incomplete, and a right to erase them when they are no longer necessary for the management and performance of your contract, except when they are required for the establishment, exercise and defence of our legal rights.

You may also request the portability of the Personal Data about you in order to obtain a copy that you may forward to another Data Controller. You also have the right to object to the processing carried out or request the limitation thereof for legitimate reasons.

You can also send us your instructions for the retention, erasure or communication of your Personal Data in the event of death and designate the person who will be responsible for the data.

You can object at any time to us sending you marketing, and can request to no longer receive our sales offers from your customer space, by email or by simple letter using the contact details indicated below.

You also have the right to access and rectify other files about you.

- The FICOBA file: this file lists accounts of all kinds (banking, savings, etc.). When you open an account, it is registered in FICOBA and you are notified. Only authorised persons may consult this file. Your right of access is exercised directly with the tax centre of your place of residence (identification data) or indirectly with the CNIL (nature and identification of accounts).
- The files of the Banque de France:
  - The File of Incidents of Credit Repayment to Individuals (FICP): this file lists information on payment incidents related to bank overdrafts and loans to individuals. It is systematically consulted by credit institutions prior to the granting of a loan, the granting of an authorised overdraft of more than one month or the renewal of a revolving loan. Rectification of the payment incident results in its deletion from this file.
  - The Central Cheque File (CCF): this file lists people who no longer have the right to issue cheques or use a bank card due to misuse. Registration in the file is erased if the person's situation is rectified, or automatically after a period of 2 to 5 years. The FCC may be consulted by authorised bodies. You can also access it and request a rectification of the information about you.
  - The National Register of Irregular Cheques (FNCI): this file centralizes the bank details of all accounts opened in the name of a person affected by a ban on issuing cheques or a court-ordered ban, stops on lost or stolen cheques, closed accounts, as well as the characteristics of fake cheques. This information is sent to it by the banking institutions.

You can check if you are registered on these files in two ways: request by letter to the Banque de France or directly at the counter of a branch of the Banque de France.

## How can you exercise your rights?

If you have any questions about the use of your Personal Data, or if you wish to exercise your rights, you may contact our Data Protection Officer at any time by writing to the following address: Orange Bank - 67 rue Robespierre - 93107 Montreuil Cedex or by email to the following address: [dpo@orangebank.com](mailto:dpo@orangebank.com).

In order to verify your identity, we may, if necessary, ask you to provide a photocopy of your proof of identity (national identity card or passport, residence card, residence permit or *livret de circulation* (identify document for those having no fixed residence) issued by the French State or identity card of the European Union).

A response will be sent to you within one month of receipt of your request. This period may be extended by two months in certain circumstances.

We will do our best to answer your questions about the processing of your Personal Data. You can, if you wish, submit a complaint to the CNIL according to the terms indicated on its website ([www.cnil.fr](http://www.cnil.fr)).

## Rules specific to telephone marketing

Law no. 2014-344 of 17 March 2014 on consumption, allows any person to refuse to be solicited by a professional with whom they do not have an ongoing contractual relationship.

You can register for free on a blocked numbers list called "bloctel" on the website [www.bloctel.gouv.fr](http://www.bloctel.gouv.fr) so that you can no longer be contacted by telephone by a professional or by letter sent to: Worldline - Service Bloctel - CS 61311 - 41013 BLOIS CEDEX.

Each telephone number entered is registered for a period of 3 years from confirmation of its registration. It is possible to remove this registration at any time.

After 3 years, you must re-register your phone number. If it was registered before 2 April 2019, you must re-register it. If it was registered on or after 2 April 2019, the re-registration is automatic.

## Changes to our Personal Data Protection Policy

We reserve the right to modify or adapt our security and Personal Data protection measures, in particular due to technological, technical or regulatory developments.

In this context, we may therefore have to modify the terms of this policy. If we make significant changes to this Personal Data Protection Policy, you will be informed



through our website [orangebank.fr](https://www.orangebank.fr) and will be able to read the latest version available directly.