

SF3-IN Data Privacy Policy

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August 2022

BMW India Financial Services

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3.0	November 2018	Change in the address of Grievance Officer	22 November, 2018
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1. Introduction

Data Privacy is a fundamental principle within a modern society. Data privacy is not - unlike the term may first suggest - all about data, but about the people, of whom information (data) is processed. Data privacy is a fundamental right, which refers to the protection of the personal rights of natural, living people. Every person should have the opportunity to decide, who gets which information about him on which occasion (informational self-determination).

BMW India Financial Services Private Limited (“Company”) is strongly committed to protect the privacy of its customers and have taken all necessary and adequate measures to protect the confidentiality, integrity of the customer’s information and its transmission to its affiliates and third parties under the applicable statutory and regulatory requirements.

The Company has created this Policy to demonstrate its commitment towards The Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information), Rules, 2011 (“Rules”) and also towards the Company’s global policy for Data privacy and Information protection and includes

1. What personal information is collected
2. Purpose for which the personal information is used
3. Sharing of personal information

This Policy has been approved by the Board of Directors in its meeting held on February 3, 2015 and is effective therefrom.

1. What personal information is collected

The Company collects, uses and processes various types of personal information about customer contracts to the extent appropriate for their relationship with us. The personal information that we collect about customer may include but is not limited to name, sensitive personal data or information as defined in the Information Security Rules, 2011 and Know Your Customer (KYC) Direction, 2016 as amended from time to time, address, email address, telephone and mobile number, date of birth, personal identifiers such as passport number, permanent account number, driving license, occupation, assets and income, account balances, payment history, account activity, credit worthiness, company name and other personally identifiable information.

The collection of personal information may be from various sources, including online surveys conducted to understand the profile and need of the customers, online and electronic interactions / surveys including via website of the Company, text messaging programs or, transaction with third parties, credit bureaus etc., offline interactions, including via direct marketing campaigns, hard copy registration / application forms, contests and contacts through Company's call center and interaction with online targeted content (such as advertisements) etc.

2. Definition

2.1 "**Personal Data**" means any information concerning the personal or material circumstances of an identified or identifiable individual, e.g., name, address, bank details etc. It can be with reference to employees, customers, suppliers, shareholders, etc.

A person is considered to be identifiable if they can be identified directly or indirectly.

2.2 **Employees** are identified or identifiable persons, who are employed by the Company including partners associated with the Company.

2.3 "**Customers**" are identified or identifiable natural persons, who show the Company that they have an interest in concluding a contract for the purpose of acquiring a product or a service or, as the case may be, that they are the recipient of a product or service provided by the Company.

2.4 "**Processing**" is any operation or set of connected operations performed using the Personal Data, whether with or without the help of automatic means. This includes collection, recording, organization, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction.

2.5 "**Rendering Anonymous**" means the alteration of Personal Data so that the details about personal or material circumstances can no longer be matched to an identified or identifiable natural person or could be so matched only by expending a disproportionate amount of time, expense and effort.

2.6 "**Pseudonymizing**" means replacing identifying features by a code in order to make identification of the Data Subject impossible or considerably more difficult.

2.7 "**Sensitive Personal Data**", for the purposes of this Policy, refers to such personal information about a natural person, which consists of information relating to:

- a) Password;
- b) Financial information such as Bank account or credit card or debit card or other payment instrument details;
- c) Physical, physiological, and mental health condition;
- d) Sexual orientation;
- e) Medical records and history;
- f) Biometric information;
- g) Any detail relating to the above clauses as provided to us for providing services; and
- h) Any of the information received under any of the above clauses by us for processing, storing, or processing under lawful contract or otherwise.

Any information that is freely available or accessible in public domain or furnished under the Right to Information Act, 2005 or any other law for the time being in force shall not be regarded as Sensitive Personal Information for the purposes of this Policy.

2.8 "**Provider**" for the purpose of this Policy, refers to a natural person who, provides Personal Information or Sensitive Personal data or information, directly under lawful contract to the Company.

2 Purpose for which personal information is used

Provider's Personal Information/ Sensitive Personal Data is collected and used /processed for lawful, legitimate, contractual, and administrative purposes of the Company.

Generally the Personal Information/ Sensitive Personal Data collected pertains to the Provider that may be used for the purposes such as

1. administration and facilitation of relationship with customers, employees, suppliers etc. for internal operational purposes,
2. for marketing surveys and customer research and feedback,
3. warranty services,
4. to update with information about the Company and the products and services,
5. to provide information about special offers, from time to time and
6. to satisfy the legal and regulatory obligations.

The Personal Information/ Sensitive Personal Data collected pertaining to the staff/ employee may be used for human resource management, technology support/ updates, management planning, administration and management of the internal processes, services, and operations to enable it to perform its proper functions and to satisfy the legal and regulatory obligations.

The Personal Information/ Sensitive Personal Data (as per Rules) can be collected /or retained either directly by the Company or through an affiliate or third party, as per the procedure prescribed by Rules.

3 Disclosure (Sharing of personal information)

The Personal Information/ Sensitive Personal Data collected would only be used, processed and/or shared within the affiliates and/or group companies, authorized BMW and MINI dealers and other authorized business partners.

The Company would not disclose any Personal Information/ Sensitive Personal Data to any external organization unless it has the consent of the provider or are required by law or have previously informed the Provider.

Notwithstanding anything in Article 3 to the contrary, if the Company is, in the opinion that it is required by applicable law or government authority, to disclose any Personal Information/ Sensitive Personal Data to any Person, then it may disclose such information only to the extent so required.

The Company will permit only authorized employees, who are trained in the proper handling of customer information, to have access to that customer information.

Wherever services are outsourced and customer information is involved, confirmation to our Privacy Policy is obtained from such service providers and to allow us to audit and inspection them for compliance.

4. Security practices and procedures

The Company has in place a security system, to ensure that the personal information is protected from unauthorized access, use, disclosure, or alteration by anyone including the employees of the Company. The Company undertakes a number of security measures to maintain the safety of the Provider's personal information, which include the use of: physical secure data centers and premises; internal security policies and procedures; defined internal segregation of duties; and electronic access controls such as passwords and encryption technology. Our Information Security Management System follows international standard ISO 27001."

Security Practices:

- **Data economy** – Access to personal data is granted only to personnel on need-to-know basis. Redundant data may not be stored and personal data from concerned Department shall not be exported to other applications unless absolutely necessary. Where it is not necessary to know the identity of the Data Subject there the personal data shall be processed in pseudonymized form or a form that has been rendered anonymous.
- **Purpose Limitation** – Data collected for a particular purpose shall be used for that purpose only and shall not be used for any other purpose without the consent of the Data Subject or other legal permission.

For further information on Maintenance and Preservation of Records as well as for Deletion / Archival of Data, please refer to SF3-IN Policy for Maintenance, Preservation and Destruction of Documents.

6. No Obligation to provide personal information

The Provider is under no obligation to provide any personal information requested by the Company and a Provider can withhold any personal information as he/ she may choose, but in such a case the Company may not be able to provide all products and services as this will depend on the kind of information withheld.

The Provider can opt-out at any time online by accessing the unsubscribe form. A minimum period of ten business days is required to process the requests.

The Provider may review the Personal Information/ Sensitive Personal Data provided to the Company for the purpose of ensuring that the said information is accurate. The Company shall not be responsible for the authenticity of the information supplied to the Company or to any person acting on behalf of the Company.

7. Review

Any or all provisions of this Policy would be subject to revision/ amendment amendments by the Board of Directors of the Company and rules and regulations as may be prescribed by the Central Government, from time to time. This policy shall be reviewed at least once in 2 years or earlier if required.

The Company reserves the right to modify, cancel, add, or amend any of these Rules.

Contact Us

The Company strives to maintain the Provider's personal information on the records as accurately and updated as reasonably possible. On request, the details on record, the purpose for which it is used, and to whom has it been disclosed can be provided. Access to personal information in the possession of the Company shall be subject to certain exceptions and reasonable costs.

If the personal information that the Company hold about the Provider is incorrect or changed then the Provider can notify the Company of such changes. Additionally, any discrepancy or grievance of the Provider of information with regard to processing of information can be addressed to the following contact (Grievance Officer) as below:

Mr. Mohit Sharma – Chief Compliance Officer / DPPO
ComplianceNFSC@bmw.in
BMW India Financial Services Private Limited
The Oberoi Corporate Tower, Building No. 11,
1st Floor, DLF Cyber City, Phase 2, Gurugram – 122002, India

In case of any doubt with regard to any provision of the policy and also in respect of matters not covered herein, a reference to be made to the Board of Directors. In all such matters, the decision of the Board of Directors shall be final.