

# PRIVACY NOTICE

## JAGUAR FLEET & BUSINESS LEASING

### version 2021-06

#### Jaguar Fleet & Business Leasing and privacy

Axus Nederland B.V., trading under the name Jaguar Fleet & Business Leasing (hereinafter: “we”, “JFBL” or “Jaguar Fleet & Business Leasing”) is a service provider of mobility services, among which the operational lease of vehicles. In this privacy statement we explain our practices regarding the use and processing of personal data of our business customers and lease drivers (hereinafter: “you”).

We respect your privacy, that is why we process your personal data in accordance with the General Data Protection Regulation (hereinafter: “GDPR”), other applicable laws and regulations in the area of data protection and privacy and this privacy statement.

#### Who is the controller for the processing of your personal data?

Jaguar Fleet & Business Leasing is the controller responsible for the processing of your personal data.

Our contact information is:

#### Jaguar Fleet & Business Leasing

P.O. Box 703

2130 AR Hoofddorp

The Netherlands

Tel. +31 (0)20 658 73 40

E-mail: [privacy-nl@jaguarfbl.nl](mailto:privacy-nl@jaguarfbl.nl)

You can reach our Data Protection Officer via: [fg-nederland@jaguarfbl.nl](mailto:fg-nederland@jaguarfbl.nl).

#### From whom do we process personal data?

This privacy statement is relevant for anyone from whom we may process personal data in the context of our (business) activities, including but not limited to:

- directors, authorised representatives, and contact persons of our current, former, or future contracting parties and/or business partners; and
- drivers of our lease vehicles.

#### How do we collect personal data?

We may collect information about you in a number of ways including (but not limited to):

- Directly from you, for example when you provide us with your personal data by contacting us or when you are provided with a lease vehicle by your employer;
- From third parties, for example when we obtain your contact details from your employer or from dealers;
- Through forms on the website [Jaguar Fleet & Business Leasing](#), our [JFBL Customer Portal](#), or our portal Dealerquoter; and
- Otherwise, for example, through your company's website or from public sources such as the trade register.

#### What personal data do we process and for what purposes do we process your personal data?

The legal bases we use for our processing activities are as follows:

- 1) To be able to execute a (lease) agreement;

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- 2) Because we have a legitimate interest in doing so, such as preventing fraud and theft, conducting legal proceedings, preparing and implementing transactions, (re)financing, reorganisations, mergers and/or demergers, and carrying out marketing and promotional activities;
- 3) To comply with a legal obligation; and/or
- 4) Because you have given your consent.

Where the processing of personal data is based on your consent, you have the right to withdraw your consent at any time (by contacting us using the contact details above). Withdrawing your consent does not affect the lawfulness of the processing based on the consent previously given before it was withdrawn.

In the table below, you can see which processing operations we base on which legal basis (the numbers in the rightmost column correspond to the numbers of the legal bases above).

Where we intend to further process your personal data for a purpose other than that for which your personal data has been collected and as set out below, we will provide you, prior to such further processing, with information about the other purpose and all relevant further information as required under the GDPR.

If you decide not to provide us with your personal data (which we need in order to fulfil a legal or contractual obligation), this may result in us not being able to provide certain services, or that the contract with you cannot be executed properly. You will bear all the consequences of this.

Activity	Personal data	Purposes	Legal basis
<b>KYC and Financial Acceptance Policy</b>	<ul style="list-style-type: none"> <li>• <b>Identification data</b>, such as your name, address, place of residence, gender, date of birth, telephone number, email address, and data relating to your identity card. This applies to both company drivers and individual drivers of our vehicles.</li> <li>• <b>Financial data</b> and documents from the company where the (future) lease driver works which are necessary for assessing whether the business customer has sufficient financial capacity to pay the lease instalments. When assessing your creditworthiness, we may use risk profiles. Data on sole proprietorships and general partnerships qualify as personal data in the sense of the GDPR.</li> </ul>	<p>We process your personal data to assess whether we can enter into a (lease) agreement with you. We do this on the basis of Jaguar Fleet &amp; Business Leasing's Know Your Customer and Acceptance Policy (KYC). Financial data of the employer may be checked with data held at the Chamber of Commerce and data known to trade information agencies.</p> <p>In addition, we screen our customers against international sanction lists in accordance with our KYC policy and international legal obligations as part of a bank.</p>	<p>2: Our legitimate interest consists of wanting to know with whom we conclude a (lease) agreement, to be able to ensure the continuity of our business operations and to be able to defend ourselves in court and/or establish our legal position, should this prove necessary.</p> <p>3: The legal obligations that rest on us as part of a bank to identify our customers and to assess creditworthiness.</p>
<b>Concluding and executing a (lease) agreement</b>	<ul style="list-style-type: none"> <li>• <b>Identification data</b>, such as your name, address, place of residence, gender, date of birth, telephone number, email address, and data relating to</li> </ul>	<p>We process your data in order to conclude a (lease) agreement with you and to execute such an agreement.</p>	<p>1: in connection with the execution of the (lease) agreement that has been agreed upon with you or your employer.</p>

	<p>your identity card. This applies to both company drivers and individual drivers of our vehicles.</p> <ul style="list-style-type: none"> <li>• <b>Data relating to the (lease) agreement and the vehicle</b>, such as vehicle registration number, brand, model, version, classification, lease term and book value of the vehicle, location data, maintenance and damage data, insurance data, tank data and fines, contract and debtor number.</li> </ul>		<p>2: Our legitimate interest is to be able to defend ourselves in court and/or to establish our legal position, should this be necessary.</p>
<p><b>Financing of transactions</b></p>	<ul style="list-style-type: none"> <li>• <b>Identification data</b>, such as your name, address, place of residence, gender, date of birth, telephone number, email address, and data relating to your identity card. This applies to both company drivers and individual drivers of our vehicles.</li> <li>• <b>Financial data</b> and documents from the company where the (future) lease driver works which are necessary for assessing whether the business customer has sufficient financial capacity to pay the lease instalments.</li> <li>• <b>Data relating to the (lease) agreement and the vehicle</b>, such as vehicle registration number, brand, model, version, classification, lease term and book value of the vehicle, location data, maintenance and damage data, insurance data, tank data and fines, contract and debtor number.</li> </ul>	<p>We process your data in the context of a transaction, (re)financing, reorganisation, merger and/or demerger, for example if we transfer part of our vehicle fleet or the financing thereof to another party such as Axus Finance NL B.V. In the context of (re)financing we may for example transfer the claims we have on you under the concluded lease agreement(s) to a third party. For more information on this, please see the section "Do we share your personal data with third parties?" below.</p>	<p>2: Our legitimate interest is that we must (be able to) (re)finance our vehicle fleet and/or have another business interest in a (re)financing, reorganisation, merger and/or split of our company.</p>
<p><b>General business operations</b></p>	<ul style="list-style-type: none"> <li>• <b>Identification data</b>, such as your name, address, place of residence, gender, date of birth, telephone number, email address, and data relating to your identity card. This applies to both company drivers and individual drivers of our vehicles.</li> <li>• <b>Data relating to the (lease) agreement and the vehicle</b>, such as vehicle registration number, brand, model, version, classification,</li> </ul>	<p>We process your personal data for the purpose of (possible) legal proceedings, fraud and other investigations and/or to cooperate with requests from supervisory authorities. In addition, we process your personal data in order to comply with statutory retention, administration and tax obligations.</p>	<p>2: Our legitimate interest consists of wanting to know with whom we enter into a (lease) agreement and want to be able to defend ourselves in court and/or establish our legal position, should this prove necessary.</p> <p>3: The legal obligations to identify our customers and to investigate fraud and other investigations and/or</p>

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	lease term and book value of the vehicle, location data, maintenance and damage data, insurance data, tank data and fines, contract and debtor number.		to cooperate with requests from supervisory authorities and to comply with legal filing, administration and tax obligations.
<b>Invoicing</b>	<ul style="list-style-type: none"> <li>• <b>Contact details</b>, such as your name, address, place of residence, telephone number and email address and details of your company or the company you work at.</li> <li>• <b>Financial company data</b>, such as bank account number, outstanding amounts, payment terms and payment arrears.</li> <li>• <b>Data relating to the (lease) agreement</b>, such as customer number and contract number.</li> <li>• <b>Vehicle data</b>, such as registration number, damage data, tank data and other data relevant to the specification of the invoice.</li> </ul>	We process personal data for invoicing and payment purposes (direct debit)	<ol style="list-style-type: none"> <li>1: Within the framework of executing the (lease) agreement agreed upon with you or your employer.</li> <li>2: Our legitimate interest is to collect outstanding invoices and to follow up payment.</li> <li>3: to meet our legal obligations with regard to the filing, administration and taxation of invoices.</li> </ol>
<b>Maintain contact</b>	<ul style="list-style-type: none"> <li>• <b>Contact details</b>, such as your name, address, place of residence, gender, date of birth, telephone number and email address.</li> <li>• <b>Data relating to the (lease) agreement and the vehicle</b>, such as vehicle registration number, brand, model, version, classification, lease term and book value of the vehicle, location data, maintenance and damage data, insurance data, tank data and fines, contract and debtor number.</li> <li>• <b>Additional data</b> that you share with us when corresponding with us and when having conversations with us by telephone.</li> </ul>	<p>To maintain contact with you (for example by mail, email, telephone and through our <a href="#">JFBL Customer Portal</a> and to manage our relationship with you.</p> <p>The content of telephone calls is recorded and used for training and quality purposes.</p> <p>We also use your data to send service messages, such as winter tyre change, MOT reminders, penalty notices and customer satisfaction surveys and newsletters if you have signed up for them.</p>	<ol style="list-style-type: none"> <li>1: As part of the performance of the (lease) agreement that was concluded with you or your employer.</li> <li>2: Our legitimate interest is to maintain contact with you and to be able to help you with your questions.</li> </ol>
<b>RDW Registration</b>	<ul style="list-style-type: none"> <li>• <b>Vehicle data</b>, such as Vehicle Identification Number (VIN), also known as chassis number, brand, vehicle category, vehicle description, year of manufacture, fuel(s), maximum construction speed, GV registration number.</li> </ul>	To register a vehicle in the licence plate registry of the National Vehicle Authority (RDW).	<ol style="list-style-type: none"> <li>3: The legal obligation to register the cars or have them registered.</li> </ol>

<p><b>Maintenance</b></p>	<ul style="list-style-type: none"> <li>• <b>Contact details</b>, such as your name, telephone number and email address.</li> <li>• <b>Data relating to the (lease) agreement/vehicle data</b>, such as registration number, maintenance and damage data and insurance data.</li> </ul>	<p>To have maintenance, repair and damage repair done to the vehicle.</p>	<p>1: Within the framework of the execution of the (lease) agreement agreed with you or your employer.</p>
<p><b>Inspection</b></p>	<ul style="list-style-type: none"> <li>• <b>Contact details</b>, such as your name, address, place of residence, telephone number and email address.</li> <li>• <b>Data relating to the (lease) agreement/vehicle</b>, such as registration number, maintenance and damage data and insurance data.</li> <li>• <b>Details of the inspection itself</b>, such as date of inspection, outcome, operator, date of cancellation.</li> </ul>	<p>To have the vehicle tested, for example for the MOT, and to support you in this process.</p>	<p>3: The legal obligation to have the cars tested.</p>
<p><b>Insurance and claims handling</b></p>	<ul style="list-style-type: none"> <li>• <b>Contact details</b>, such as your name, address, place of residence, telephone number and email address.</li> <li>• <b>Data relating to the (lease) agreement and the vehicle</b>, such as registration number, brand, model, version, classification, lease term and book value of the vehicle, location data, maintenance and damage data, insurance data, tank data and fines, contract and debtor number.</li> <li>• <b>Data relating to a possible counterclaim and the cause of the accident.</b></li> </ul>	<p>To conclude and manage insurance policies and to process (counter) claims.</p>	<p>1: as part of the execution of the (lease) agreement concluded with you or your employer. 3: the legal obligation to insure the vehicles.</p>
<p><b>Emergency and roadside assistance</b></p>	<ul style="list-style-type: none"> <li>• <b>Contact details</b>, such as your name, address, place of residence, telephone number and email address.</li> <li>• <b>Data relating to the (lease) agreement and the vehicle</b>, such as registration number, brand, model, version, classification, lease term and book value of the vehicle, location data, maintenance and damage data, insurance data,</li> </ul>	<p>To provide emergency or roadside assistance.</p>	<p>1: Within the framework of the execution of the (lease) agreement concluded with you or your employer.</p>

	<p>tank data and fines, contract and debtor number.</p> <ul style="list-style-type: none"> <li>• <b>Data relating to the emergency or roadside assistance situation</b>, such as the location, nature of the incident, and the involved persons or vehicles</li> </ul>		
<b>Replacement vehicle</b>	<ul style="list-style-type: none"> <li>• <b>Contact details</b>, such as your name, telephone number and email address.</li> <li>• <b>Data relating to the (lease) agreement and the vehicle</b>, such as registration number, brand, model, version, classification, location data, contract and debtor number.</li> <li>• <b>Data relating to the replacement vehicle</b>, such as license plate number, vehicle category and location data.</li> </ul>	To provide replacement transport.	1: in connection with the execution of the (lease) agreement concluded with you or your employer.
<b>Fuel card</b>	<ul style="list-style-type: none"> <li>• <b>Contact details</b>, such as your name, address, place of residence, telephone number and email address.</li> <li>• <b>Data relating to the (lease) agreement</b>, such as vehicle registration number, vehicle data and tank data.</li> </ul>	<p>To provide you with a fuel card from our supplier and to process the payments made with it.</p> <p>In order to send you a fuel card, your personal address is shared with the fuel card supplier, who uses this data once and then destroys it.</p>	1: Within the framework of the execution of the (lease) agreement concluded with you or your employer.
<b>Fines</b>	<ul style="list-style-type: none"> <li>• <b>Contact details</b>, such as your name, address, place of residence, telephone number and email address.</li> <li>• <b>Data relating to the (lease) agreement</b>, such as contract number, customer number and vehicle registration number.</li> <li>• <b>Vehicle data</b>, such as license plate number, damage data, location data and insurance data.</li> <li>• <b>Data relating to fines</b> (amount, location, type of offence).</li> </ul>	<p>To ensure the payment and/or settlement of fines.</p> <p>In certain cases, we forward the fine to our contractor (the driver's employer). For more information on the information received by the contractor, please contact that party.</p>	<p>1: in the framework of the execution of the (lease) agreement that was concluded with you or your employer.</p> <p>2: Our legitimate interest is to assist you in handling fines (or to claim a fine from you) and to be able to defend ourselves in court and/or to be able to establish our legal position, should this be necessary.</p>
<b>Marketing and white papers</b>	<ul style="list-style-type: none"> <li>• <b>Contact details</b>, such as your name, gender, email address, job title, company name and whether you or your company are a customer of Jaguar Fleet &amp; Business Leasing.</li> </ul>	For marketing and promotional activities and to send you (or fleet managers) related messages. We also process your data to	2. our legitimate interest is to retain our customers and acquire new ones. 4. consent is requested in those cases where you are not yet our customer.

		provide you with our Whitepapers at your request. We always offer an opt-out facility for direct marketing emails.	
<b>Audit</b>	<ul style="list-style-type: none"> <li>• <b>Identification data</b>, such as your name, address, place of residence, gender, date of birth, telephone number, email address.</li> <li>• <b>Data relating to the (lease) agreement and the vehicle</b>, such as registration number, brand, model, version, classification, lease term and book value of the vehicle, location data, maintenance and damage data, insurance data, tank data and fines, contract and debtor number.</li> <li>• <b>Other personal data</b> contained in our IT systems (insofar as an audit relates to the operation/security of our IT systems).</li> </ul>	For reporting and internal and external audit purposes.	<p>2: Our legitimate interest is to carry out internal reporting on our customer base, our IT systems, our accounting or other aspects of our services.</p> <p>3: The legal obligation to have audits carried out.</p>

**Do we share your personal data with third parties?**

For the execution of the (lease) agreement with you or your employer, we may use the services of third parties or it may be necessary to provide your personal data to third parties. Examples are companies affiliated with Jaguar Fleet & Business Leasing, fuel card providers, car dealers, garages, insurers, claims handlers or (IT) service providers. To enable you to electronically sign your application and the contract, your data will be exchanged with our processor Evidos.

In certain cases (when necessary and relevant for the purposes described above or when we are legally obliged to do so) we may provide your personal data to financial institutions, (external) advisors, (potential) buyers (e.g. in connection with transactions, (re-)financings, reorganisations, mergers and/or demergers) or to competent supervisors and authorities. The personal data that we provide to (potential) buyers in the context of (re)financing are in principle limited to a description of your vehicle (brand, model, version, classification, lease term and book value) and your contract and debtor number. These are pseudonymised data (i.e. data from which the receiving party cannot directly deduce who you are). If we provide more personal data to the receiving party (such as your name, contact or payment details) because it is necessary for the execution of your lease agreement(s), you will always be informed separately first.

Third parties and companies affiliated with us that process your personal data under our responsibility do so exclusively for purposes and under conditions that we have agreed with them. We record these agreements in processing agreements. You can receive a list of categories of our service providers on request.

**Could your personal data be processed outside the EEA?**

It is possible that your personal data will be processed outside of the European Economic Area (hereinafter: “EEA”). If this is the case, we will ensure that an adequate level of protection of your personal data is guaranteed and that the transfer only takes place in accordance with the requirements of the GDPR.

If you would like more information about the possible transfer of your personal data to countries outside the EEA, the appropriate safeguards we have put in place or to receive a copy of the appropriate safeguards, please contact us via [fg-nederland@jaguarfbl.nl](mailto:fg-nederland@jaguarfbl.nl).

### How long do we keep your personal data?

The collected personal data will be kept for as long as necessary to pursue the indicated purposes and - where applicable - as long as necessary to comply with applicable legal obligations. If the (lease) agreement with you ends, we will retain your personal data for the statutory retention period applicable to us. As a rule, this is 7 years after the lease agreement has ended. If no statutory retention period applies, we will keep your personal data for a maximum of 5 years after the lease agreement is terminated (in connection with limitation periods and the execution of post-contractual agreements). We may keep your personal data longer if this is necessary to enforce or defend our rights. For more information about the specific storage periods we apply to your personal data, please contact us via the contact details above.

### How do we secure your personal data?

We have taken appropriate technical and organisational measures to protect your personal data against loss or any form of unlawful processing. These measures include:

- Maintained and up-to-date policies and work instructions and verification of compliance with them.
- Separation of tasks and roles, so that our employees only have access to your personal data if that is necessary for their function and role.
- Training of our employees.
- Physical security of the locations where we process your personal data (e.g. access control and camera surveillance).
- IT security measures (for example, secure servers, firewalls and encryption).

### Use of cookies

The website [Jaguar Fleet & Business Leasing](#) is owned and operated by the JLR Group, our partner. You can read the relevant cookie policy here: [JLR Group Cookie Policy](#). On our [JFBL Customer Portal](#), and our Dealerquoter portal only functional cookies and limited analytical cookies are used. We do not process personal data by placing and reading these cookies.

### What rights do you have regarding the personal data we process?

The GDPR grants you the following rights:

- Right of access and rectification. Pursuant to Article 15 of the GDPR, you have the right to access the personal data that we process about you. You also have the right to rectification if this data is incorrect or incomplete. If you have access to our [JFBL Customer Portal](#), you can do this yourself in many cases.
- Right to erasure. Under Article 17 of the GDPR, you have the right under certain circumstances to have your personal data deleted when processing thereof is no longer necessary. If we have an overriding interest in not deleting your personal data or if deletion is prohibited by law, we are not obliged to comply with your request.
- Right to restriction of processing. Under Article 18 of the GDPR, you have the right to request us to restrict the processing of your personal data under certain circumstances.
- Right to data portability. Pursuant to Article 20 of the GDPR, you have the right to receive your personal data from us in a structured, accessible and machine-readable form and/or to have them transferred by us to a third party.
- Right to object to processing. Pursuant to Article 21 of the GDPR, you have the right to object to the processing of your personal data if this processing is based on our legitimate interest (which at least includes direct marketing). If we have an overriding interest in not doing so or if deletion is prohibited by law, we will not be obliged to comply with your request.
- Right not to be subject to a decision based solely on automated processing, including profiling, which will have legal consequences. Article 22 of the GDPR gives you the right to object to automated decision-making which



has legal consequences for you. As part of our underwriting process, a calculation is made automatically about your creditworthiness (or of the company you work for), whereby a check is always made by one of our credit analysts. Therefore, there is no 'automated processing leading to a decision' within the meaning of the GDPR.

- Right of complaint. Pursuant to Article 77 of the GDPR, you have the right to lodge a complaint with the Data Protection Authority about the way in which we process your personal data. The contact details of the Dutch Data Protection Authority are Bezuidenhoutseweg 30 (2594 AV) The Hague; telephone number 088 - 1805 250. A complaint can also be submitted via the Internet: [Complaint Form Dutch Data Protection Authority](#). Of course, you can always first submit your complaint to us. To do so, you can contact our Data Protection Officer.

You can exercise your rights by contacting us. As soon as we have received your request, we will let you know the further course of the procedure.

#### **Automated decision making**

We do not make use of automated decision-making.

#### **Amendment of this privacy declaration**

We point out that we can change this privacy statement. In case of material changes, we will send you a new version of the privacy statement. You can request the most recent version of this privacy statement by sending an e-mail to [privacy-nl@jaguarfbl.nl](mailto:privacy-nl@jaguarfbl.nl).

This privacy statement was last updated in June 2021.