

# BMW ConnectedDrive – Legal notices on data protection

The high standards you place on the qualities of our products and services govern how we handle your data. Our aim is to create and maintain the basis for a trusting business relationship with our customers and prospective customers. The confidentiality and integrity of your personal data is one of our prime concerns.

## Who is responsible for data processing?

Data processing activities are jointly performed by the national sales company (BMW Slovenská republika s.r.o., having its registered office at Karadžičova 8, 821 08 Bratislava, Slovak Republic, Company ID: 51 112 736, registered in the Commercial Register maintained by District Court Bratislava I, Section Sro, Insert 122411/B) (hereinafter referred to as "NSC") and Bayerische Motoren Werke Aktiengesellschaft, Petuelring 130, 80788 Munich, with its registered office in Munich and entered in the commercial register of the Local Court [Amtsgericht] of Munich under HRB 42243 (hereinafter referred to as "BMW").

The NSC provides the customer with certain vehicle-related information and assistance services (hereinafter referred to as "services") under the name "BMW ConnectedDrive" (hereinafter referred to as the "BMW ConnectedDrive contract") and is the customer's contact with regard to operational and contractual matters.

BMW is responsible for the technical provision of the services. For the purpose of providing the services and support to the customer in case of problems, data are transferred from the NSC to BMW.

## What kind of data are processed and for what purpose?

The data collected in connection with entering into a contract or providing the services are processed for the following purposes:

### **A. Entering into a contract (Art. 6(1)(b) general data protection regulation No. 2016/679 dated 27 April 2016 "GDPR")**

In connection with entering into a contract, the following data categories are processed:

- *contact data (last name, first name, address, email address, etc.)*
- *account data ( ConnectedDrive or myBMW login account, bank details, etc.)*

### **BMW Group Login**

To use the Service, you must register in the App / portal. When you register, you will receive an online customer account that gives you access to other BMW Group

portals and offers. In order to provide you the BMW Group login service, your data is passed on to the BMW Group company that acts as a provider of the applications in use by you. Storage of the data from your customer account is handled by BMW AG and is separate from any other (even potentially identical) data about your person that may be available to BMW Group

The contractual data are automatically erased 1 year after expiry of the contract; financial transactions are erased in accordance with the statutory provisions after 10 years.

### **B. Compliance with the contractual obligation to perform the BMW ConnectedDrive contract (Art. 6(1)(b) GDPR)**

For the purposes of the performance of the BMW ConnectedDrive, contract entered into between you and the NSC, BMW provides various services, such as „BMW Intelligent eCall“, „Concierge Service“, „Real Time Traffic Information“, „TeleServices“ etc.

For the purposes of the provision of these services by BMW and commissioned service providers, the following (if required, personal) information from the vehicle is processed:

- *vehicle status data (mileage, battery voltage, door and tailgate status, etc.)*
- *position and movement data (time, position, speed, etc.)*
- *vehicle maintenance data (next service, oil level, break wear, etc.)*
- *dynamic traffic information (traffic jams, hindrances, signs, parking spaces, etc.)*
- *environmental information (temperature, rain, etc.)*
- *user profile (configured news, email, audio providers, etc.)*
- *sensor information (radar, ultrasonics, gestures, speech, etc.)*

A complete list and a detailed description of the services and the data used in each case can be found here: [service description list](#).

Although the provision of these data is not required to enter into the ConnectedDrive, BMW is unable to provide you with the respective service if these data are not provided by you and are not processed.

The processed personal data are automatically erased after 4 weeks unless they are needed longer for the provision of a specific service.

### **C. Assurance of product quality and development of new products (Art. 6(1)(f) GDPR)**

Beyond the mere provision of services, the data collected under B. are also processed for the purposes of quality assurance of the products and services offered by BMW Group and for the development of new products and services by BMW. These processing activities serve the legitimate interests of BMW to comply with the

high standards placed by our customers on existing products and services and to be capable of satisfying our customers' future wishes through the development of new products and services. In order to protect our customers' privacy, the data are processed exclusively in a form that is not directly traceable to the customer/vehicle.

**D. Fulfillment of the sales, service and administrative processes of BMW, the national sales company and authorized dealers (GDPR 6(1)(f))**

In order to optimize the customer experience and collaboration with BMW distributors continuously, we create evaluations and reports based on information from agreements and we share these evaluations and reports with the applicable BMW distributors. These evaluations are predominantly used for introducing appropriate measures (e.g. training courses for sales personnel) to improve the request and sales process. We will create the aforementioned reports only in an aggregated and anonymized form; this means that the recipients of the reports will be unable to draw any conclusions about you personally.

Portions of the vehicle-specific data collected under B. are used for performance of the service processes (e.g. repair, warranty, goodwill) of BMW, the national sales companies and authorized dealers. This processing is within the legitimate interests of BMW to provide our customers with the best possible service process. Processing sometimes also takes place in connection with legal requirements (e.g. repair and maintenance information due to the provisions of anti-trust regulations). Technical data is always processed in relation to the vehicle and without direct connection to the customer in order to protect the privacy of our customers.

The following data categories are used for this:

- *Vehicle master data (vehicle type, color, equipment, etc.)*
- *Vehicle service data (due date of next service visit, oil level, brake wear, etc.)*
- *Vehicle status information (mileage, battery voltage, door and hatch status, etc.)*

The technical vehicle data is deleted at the end of the vehicle life cycle.

The NSC is a company within BMW Group. In part, we process your data in order to make the administration of the various companies within BMW Group as efficient and successful as possible. One of the areas this affects is common group accounting in accordance with international accounting regulations for companies (such as the International Financial Reporting Standards (IFRS)).

**E. Customer support (GDPR 6 (1)(b), (f))**

The NSCs and BMW partners use your personal data for communication as part of concluding contracts, see above (e.g. booking BMW ConnectedDrive services) or for the transaction of a request formulated by you (e.g. inquiries and complaints to BMW

Customer Support). We contact you regarding all aspects of concluding a contract or processing a request without special permission e.g. in writing, by phone, by messenger services, by e-mail, depending on which contact data you have specified.

#### **F. Marketing communications and market research due to consent (GDPR 6 (1) (a))**

If you have separately given your consent to the further use of your personal data, your personal data may be used to the extent described in the consent declaration, e.g. for marketing purposes and/or market research and where applicable disclosed to third parties. Further details can be found in the respective consent declaration, which can be revoked at any time.

#### **Compliance with legal obligations to which the NSC or BMW is subject (Art. 13(1)(c), Art. 6(1)(c) GDPR)**

Furthermore, BMW will process personal data if it has a legal obligation to do so. For example, BMW may be legally obliged to disclose personal data to public authorities or other third parties.

G. Fulfillment of legal obligations of the NSC or BMW (GDPR 13(1)(c) and 6(1)(c))The NSC will also process personal data if there is a legal obligation to do so. This could be the cause if we needed to contact you because your vehicle is subject to a recall or repair request.

Collected data is also processed as part of safeguarding the operation of IT systems. Safeguarding in this context includes, but is not limited to, the following actions:

- *Backup and restoration of data processed in IT systems*
- *Logging and monitoring transactions to check the specific functionality of IT systems*
- *Detecting and defending against unauthorized access to personal data*
- *Incident and problem management for resolving problems in IT systems.*

Collected data is also processed as part of internal compliance management, wherein we review aspects such as whether you have received sufficient advising as part of concluding an agreement and whether dealers have complied with all legal requirements.

BMW is subject to a number of additional legal obligations. In order to comply with these obligations, we process your data to the extent needed and pass on this data to the responsible authorities if necessary as part of legal reporting requirements.

#### **H. Data transfer to selected third parties**

The data collected under B. can be passed on to a third party electronically at your request. This is used in the fulfillment of other purposes in the relationship between you and the third party, such as concluding a usage-related insurance policy for your vehicle. You can find more information at [www.bmw-connecteddrive.com](http://www.bmw-connecteddrive.com).

BMW provides the data collected under B. to third parties in anonymized form for the purposes of using resources such as mobility services, maps and tools, especially in combination with highly automated, fully automated and autonomous driving.

## How long do we store your data?

We only store your personal data for as long as is required for the respective purpose. If data are processed for multiple purposes, they are automatically erased, or stored in a form that is not directly traceable to you, as soon as the last specified purpose has been fulfilled.

## How are your data secured?

We secure your data using state-of-the-art technology. By way of example, the following security measures are used to protect your personal data against misuse or any other form of unauthorised processing:

- *access to personal data is restricted to only a limited number of authorised persons for the specified purposes;*
- *collected data are transferred only in encrypted form;*
- *furthermore, sensitive data are stored only in encrypted form;*
- *the IT systems used for the processing of the data are technically isolated from other systems to prevent unauthorised access, e.g. by hacking;*
- *furthermore, access to these IT systems is monitored permanently in order to detect and avert misuse at an early stage.*

## Who will we share your data with and how will we protect them?

BMW is a global company. Personal data are processed preferably within the EU by BMW employees, national sales companies, authorised dealers and service providers engaged by us.

If data are processed in countries outside the EU, BMW ensures that your personal data are processed in accordance with the European level of data protection, using EU standard contractual clauses, including suitable technical and organisational measures. If you want to access the actual protections for data transfer to other countries, please contact us using the communications channels specified below.

Some countries outside the EU, such as Canada and Switzerland, the EU has already officially considered as countries providing an adequate and comparable level of data protection. As a result, data transfers to these countries do not require any specific authorisation or agreement.

## How can you review and change your privacy settings?

You can review and/or change privacy information at any time in the ConnectedDrive portal.

These changes are automatically synchronised in your vehicle. Depending on the vehicle model, you can also access a corresponding privacy menu in your vehicle in which you can also change these settings.

**Contact details, your rights as a data subject and your right to lodge a complaint with a supervisory authority**

In the event of questions regarding our use of your personal data, please start by contacting BMW customer support, either by e-mail [[zakaznický.servis.sk@bmw.com](mailto:zakaznický.servis.sk@bmw.com)] or by phone at [+421 (2) 33 33 10 99] (daily 8:00 AM – 8:00 PM).

As persons affected by the processing of your data, you can assert certain rights in accordance with the GDPR and in accordance with other applicable data privacy provisions.

The following section contains explanations regarding your rights as a data subject in accordance with the GDPR.

**Rights as a data subject**

**In accordance with the GDPR, you specifically have the following rights as a data subject in relation to BMW:**

**Right of access by the data subject (GDPR Article 15):** At any time, you can request information about the data that we have about you. This information includes the data categories processed by us, the purposes for which we process it, the source of the data if we did not collect it from you directly and, where applicable, the recipients to which we have transferred your data. You can obtain from us one free copy of your data that is part of the agreement. If you are interested in additional copies, we reserve the right to charge you for any additional copies.

**Right to rectification (GDPR Article 16):** You can request that we rectify your data. We will take appropriate measures to maintain, based on the latest information available to us, the correctness, completeness, timeliness and relevance of the data we have and continue to process regarding you.

**Right to erasure (GDPR Article 17):** You can request that we erase your data if the legal requirements exist for doing so. In accordance with GDPR Article 17, this could be the case if

- *the personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;*
- *you withdraw your consent on which the processing is based and where there is no other legal ground for the processing;*
- *you object to the processing of your data and there are no overriding legitimate grounds for the processing, or you object to data processing for direct marketing purposes;*
- *the personal data has been unlawfully processed*

if such processing is not necessary

- *for compliance with a legal obligation that requires that we process your data;*
- *especially with respect to retention periods required by law;*
- *for the establishment, exercise or defense of legal claims.*

**Right to restriction of processing (GDPR Article 18):** You can request the restriction of processing of your data by us if

- *you contest the accuracy of the personal data for a period enabling us to verify the accuracy of the personal data;*
- *the processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead;*
- *we no longer need your data but you require it for the establishment, exercise or defense of legal claims;*
- *you have objected to processing pending the verification whether our legitimate grounds override yours.*

**Right to data portability (GDPR Article 20):** Your data shall, where technically feasible, be transmitted to another responsible party at your request. This right shall be available to you only insofar as data processing is based on your consent or is necessary in performance of an agreement. Instead of receiving a copy of your data, you can also request that we transfer the data directly to another controller that you specify.

**Right to object (GDPR Article 21):** You can object, on grounds relating to your particular situation, at any time to processing of your personal data if data processing is based on your consent or to our legitimate interests or to those of a third party. We will cease processing of your data in such a case. The latter shall not apply if we can demonstrate compelling legitimate grounds for the processing which override your interests or we require your data for the establishment, exercise or defense of legal claims.

#### **Periods for fulfillment of rights as a data subject**

We always make an effort to comply with all requests within 30 days. This period, however, may be prolonged for any reason relating to the specific right of a data subject or the complexity of your request.

#### **Information restriction for fulfillment of rights as a data subject**

In certain situations, we may be unable to provide you with any information about any of your data due to legal requirements. If we are required to decline a request for information in such a case, we will promptly notify you of the reasons for the refusal.

**Complaints to supervisory authorities**

BMW takes your rights and concerns very seriously. If you feel that we have not duly addressed your complaint or concern, you have the right to initiate a proceeding at Office for Personal Data Protection of the Slovak Republic lodge a complaint with a responsible data protection authority.

Valid as per: March 2021