

<b>FLOA Bank</b> <b>PRIVACY POLICY</b>
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*Version : 30.03.2021*

The terms used in this privacy policy (the "Privacy Policy"), when used with capital letters, have the meaning given to them in section 1.

FLOA Bank places respect for your personal data at the center of its concerns.

Our Privacy Policy is intended to inform you in a clear, simple and transparent way about the Treatments performed on the personal data you entrust to us.

Specifically, we inform you about:

- The personal data that we collect and process (article 2) ;
- The way we collect your personal data (article 3) ;
- The purposes and legal basis of the processing of your data (article 4) ;
- The possible transfers of your personal data to a third country (article 5) ;
- How long we keep your personal data (article 6) ;
- The recipients of your personal data (article 7) ;
- The modalities of the profiling made from your personal data (article 8) ;
- The right you have regarding your personal data (article 10)
- Modalities regarding the installation of cookies and trackers on your device and their processing (article 11).

Our privacy policy can be modified, complemented or updated at any time, in order to reflect the changes in data-protection laws. We will process your data in accordance with the privacy policy in effect at the time of the collection.

More information about the processing of your personal data by FLOA Bank can be disclosed especially for a specific product or service request.

## **1. Definitions:**

The following terms when used with a capital letter have the meanings as described below:

« **FLOA Bank** » or « **We** » means FLOA, called under its trade name "FLOA Bank", limited company with the capital of 42 773 400 euros, registered at RCS of Bordeaux under the registration number 434 130 423, whose head office is located 71, rue Lucien Faure – Bâtiment G7 – 33000 Bordeaux (France). FLOA Bank is under the ACPR authority control (Autorité de Contrôle Prudentiel et de Résolution), located 4 Place de Budapest, CS 92459 - 75436 Paris and registered at ORIAS ([www.orias.fr](http://www.orias.fr)) under the number 07 028 160.

« **Personal Data** » refers to all information related to identified or identifiable natural person within the meaning of data-protection laws (hereafter called “**data subjects**”). Some fields are marked with an asterisk when they relate to personal data necessary to achieve a specific purpose.

« **Data-protection laws** » appoints to both the law 78-17 of the 6<sup>th</sup> of January 1978 related to «Computer Science, files and freedoms», modified and called « Computer Sciences and Freedom Law») and the regulation (EU) of the European parliament and of the council of 27<sup>th</sup> of April 2016 on the protection of natural persons regarding to personal data processing and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), and all regulations about data-protection able to entry in force.

« **Controller** » refers to FLOA Bank, unless otherwise specified.

« **Processing** » (or « **To Process**») refers to, in accordance with the article 4-2 of the GDPR, means any operation or set of operations performed upon personal data or sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or any other ways of making the data available, the alignment or combination, the restriction, the erasure or destruction.

« **You**», « **Your**» ou « **Yours** » refer to the natural person concerned by the collect and the processing made by FLOA Bank, person called “Data subject” within the meaning of data-protection laws. “Data subjects” are customers and prospects of FLOA Bank, and visitors of websites and applications edited by FLOA Bank.

## 2. What Personal Data Do We Collect and Process?

We undertake to collect and Process only the Personal Data necessary to achieve the purposes listed in article 4.

These Personal Data include, but are not limited to:

- **The data related to Your identity.** Examples: civility, surname, first names, address, telephone number (fixed and/or mobile), e-mail addresses, date of birth, identity document, photograph, etc.
- **Data related to Your family, economic and financial situation.** Examples: marital life, profession, income;
- **Data related to Your professional activity.** Examples: profession, employer, years of employment
- **Your financial and banking information.** Examples: bank account number, bank card number, expiry date of the bank card, visual cryptogram (not kept), banking establishment, bank seniority, etc. ;
- **Your transaction data.** Examples: file number, product(s) and/or service(s) requested/subscribed, quantity, amount, duration ;
- **Data related to the management of the business relationship.** Examples: history of purchases and services, correspondence, exchanges, recordings of telephone calls, etc...;

- **Your opinions and comments.** Examples: opinions concerning a product(s) and/or service(s) distributed by FLOA Bank ;
- **Data related to Your behavior, habits and preferences.** Examples: use that You make of products and/or services distributed by FLOA Bank, browsing behavior on the Internet sites and applications published by FLOA Bank ;
- **Data related to Your requests to exercise Your rights,** in accordance with Article 10 of the Privacy Policy.

We do not collect any Personal Data related to Your racial or ethnic origins, political, religious or philosophical opinions, trade union membership, sexual orientation or sex life, or genetic data, unless required by law.

We inform You, if necessary, of the consequences of a refusal to disclose Your Personal Data. We inform You, for example, that refusing to provide Us with the Personal Data necessary about Your financial situation prevents Us from studying Your credit application.

### **3. How Do We Collect Your Personal Information?**

The Personal Data that We process may have been provided directly by You (3.1) or collected indirectly from third parties (3.2), in accordance with Data Protection Laws.

#### **3.1 Personal data collected directly from You:**

We directly collect Your Personal Data, in particular when:

- You are visiting one of the Internet sites or using one of the applications published by FLOA Bank ;
- You subscribe to one of the products and/or services distributed by FLOA Bank ;
- You are a member of Our Loyalty Program;
- You agree to receive Our commercial communications;
- You are participating in a competition organized by FLOA Bank and/or one of its partners;
- You communicate them to Us voluntarily, in particular via collection forms, requests for information or surveys.

#### **3.2 Personal data collected indirectly, from third parties :**

We indirectly collect Your Personal Data, in particular from:

- From Our partners, in compliance with the Data Protection Laws and in accordance with the agreements made with these partners;
- Third parties with whom You have subscribed to a product or service and/or whom You have authorized to communicate Your Personal Data to Us;
- Administrative or judicial authorities, when they publish Personal Data, in accordance with the applicable legislation.

#### **4. What are the purposes of the Treatments that We carry out and their legal bases?**

What are the purposes of the Treatments that We carry out and their legal bases?

Your Personal Data is processed by FLOA Bank for the following purposes:

##### **4.1 Compliance with the legal and regulatory obligations of FLOA Bank :**

Compliance with the legal and regulatory obligations of FLOA Bank :

We Process Your Personal Data in order to comply with our legal and regulatory obligations in the following cases:

- **Making declarations to authorized third parties, in particular to the State**, administrative or judicial authorities, the Banque de France or the Directorate General of Taxes ;
- **Evaluation of credit risk and the fight against over-indebtedness.** To this end, when You make a credit request to FLOA Bank :
  - We check Your creditworthiness by consulting in particular the National Personal Credit Repayment Incident File (FICP - Fichier National des Incidents de remboursement des Crédits aux Particuliers) and The Central File of Checks and Withdrawal of Bank Cards (FCC – Fichier Central des chèques) kept by the Banque de France
  - We use automated Decision Support Processes based on information available to Us, particularly related to Your financial situation and/or based on scoring models. When You make a credit application, this processing allows Us to study it and evaluate the statistical risk of default attached to You. If Your application is refused, You may ask Us to re-examine Your file and present Your observations, in particular on Your financial situation;
  - We detect people in situations of financial fragility. Thus, depending on the type of credit taken out with FLOA Bank, We may process Your Personal Data in order to detect any financial difficulties that You may encounter. If necessary, We will offer You a solution adapted to Your situation.
- **Fight against money laundering and terrorist financing.** These processes aim at setting up appropriate surveillance and the detection of operations that could constitute money laundering or terrorist financing
- **Security of payment services provided and fraud detection.** These Processes generate an alert in the case of unusual behavior allowing Us to adopt appropriate measures to limit the consequences of fraudulent use of the payment instrument made available to You by FLOA Bank.

- **Physical, logical and IT security of the FLOA Bank network and information system.** This Processing allows Us to protect Your personal Data (examples: identification data, password, etc.) as well as Ours and Our entire information system. It allows Us, for example, to detect suspicious behaviors on the websites and applications that We publish, a massive connection, an extraction from Our databases, an attempt of fraud, etc.
- **Management of administrative and judicial procedures.** Examples: responses to the CNIL, management of litigation.

#### 4.2 Execution of pre-contractual measures or a contract to which You are or wish to be a party:

We Process Your Personal Data for the purpose to carry out pre-contractual measures or a contract to which You are or wish to be a party in the following situations:

- **Credit granting and management.** The purpose of this Processing is to collect, at the time of Your request, the Personal Data necessary for the study of Your file and, if necessary, for credit management (payment, reimbursement, etc.);
- **Subscription to a contract for a bank card** distributed by FLOA Bank : The purpose of this Processing is to collect, when You subscribe to a contract aimed at obtaining a bank card distributed by FLOA Bank, the Personal Data necessary to study Your request and, where applicable, to conclude and manage Your contract;
- **Customer relationship management.** This Processing allows, in particular, to provide information and assistance relating to the management operations of your account (e.g.: changes of contact details, status, retractions, etc.), to process postal, electronic, chat, SMS and telephone correspondence between You and Us, to manage disputes, litigation and complaints;
- **Management of payment incidents, unpaid bills and amicable or judicial recovery of any credit granted.** This processing allows Us to identify the sums that You owe, to manage Your possible unpaid debts and to approach You to recover them in an amicable or legal manner. If necessary, We may request the registration of information concerning You in the FICP and/or FCC files in the event of a payment incident occurring in the context of the reimbursement of credits or the use of the bank card that You may have with FLOA Bank. You have the right to access this information at Banque de France counters.
- **Management of Your insurance contract.** The purpose of this Treatment is to take into account Your request for cover, to manage the requests linked to Your insurance contract and to put You in contact with our partners, insurers and brokers, in particular within the framework of the management of Your claims.

- **Organization of competitions.** The purpose of this Processing is to take into account Your registration to the contests organized by or in partnership with FLOA Bank, to manage Your participation, to register You for the draws and to send You Your winnings, if applicable.

#### **4.3 Pursuit of the legitimate interests of FLOA Bank :**

We Process Your Personal Data for the purpose of pursuing our legitimate interests in the following cases:

**Establishment of proof of transactions.** This Processing may consist of the recording of postal, electronic, chat, SMS and telephone call correspondence between You and Us and the retention of all elements necessary to establish proof of transactions between You and Us.

**Prevention and fight against external fraud.** This Treatment ensures:

The detection of acts carried out within the framework of activities presenting an anomaly, an inconsistency or having been reported as potentially fraudulent (e.g. communication of false proof of income or contradictory information);

Management of external fraud alerts leading to checks, requests for explanations or additional supporting documents;

- **Prospecting and sales promotion, including through social networks.** This Treatment allows You to be informed of Our news (example: subscription to Our newsletter or to Our Facebook or Instagram page) as well as to receive Our offers by email, SMS, postal mail (according to Your choices). We draw Your attention to the fact that You may withdraw Your consent to this processing at any time in accordance with Article 10.
- **Membership in Our loyalty program:** The purpose of this Treatment is to take into account and manage Your membership in Our loyalty program, to send You information concerning Your account and, subject to Your consent, to send You Our best offers.
- **Realization of statistics, surveys,** satisfaction surveys and study of the results. In particular, this processing enables Us to increase Our knowledge about You, about Your use of the websites and applications published by FLOA Bank, about the products and services that We distribute, and the relevance and performance of our promotional campaigns, with objective to improve Your experience and Your satisfaction.
- **Maintenance of customer notifications.** The purpose of this Processing is to collect Your opinions concerning the products and services distributed by FLOA Bank and thus to improve Your experience and Our offer. Your opinions may be posted on Our websites and applications as well as on the websites and applications of our partners.

#### **4.4 Other purposes pursued with Your consent:**

On the basis of Your consent, We Process Your Personal Data for the following purposes:

- **Prospection and sales promotion, including through social networks.** This Treatment allows You to be informed of Our news (example: subscription to Our newsletter or to Our Facebook or Instagram page) as well as to receive Our offers by email, SMS, postal mail (according to Your choices). We draw Your attention to the fact that You may withdraw Your consent to this processing at any time in accordance with Article 10.
- **Personalization / optimization of the route and offers that are proposed to You on the websites and applications that We publish.** This Processing allows Us to analyze Your browsing path, to know the searches that You have made, the products or services that We distribute and that are likely to interest You, in order to improve Your experience and Your satisfaction.
- **Collection of customer opinions.** The purpose of this Processing is to collect Your opinions concerning the products and services distributed by FLOA Bank and thus to improve Your experience and Our offer. Your opinions may be posted on Our websites and applications as well as on the websites and applications of our partners.

**You will be informed of any Processing of Personal Data for purposes other than those listed above, and if necessary We will obtain Your consent to such Processing.**

#### **5. Are your Personal Data transferred outside the European Union?**

In principle, Your Personal Data is processed within the European Union.

However, some of Groupe Casino's service providers and banking agents, who assist Us in particular in the management and execution of Your request and, where applicable, Your contract, may be located outside the European Union. If this is the case, FLOA Bank ensures that this transfer is carried out in compliance with Data Protection Laws and guarantees an adequate level of protection of Your privacy and Your fundamental rights.

#### **6. What are the retention periods We apply to Your Personal Data?**

**The retention periods for Your Personal Data are as follows:**

- **If You are a client of FLOA Bank** (a current contract binds You to FLOA Bank), Your Personal Data will be kept for a period of 5 years from the date of termination of Your contract and the closing of Your client account;
- **If You are a prospective client of FLOA Bank** (no contract binds You to FLOA Bank ), Your Personal Data will be kept for 3 years from the date of collection or from the last contact made by You;
- **Special case of fraud alerts and characterized frauds:**

- In the event of a fraud alert: any external fraud alert that is not qualified within 12 months of its issuance shall be deleted without delay ;
  - In the event of serious fraud: data relating to serious fraud are kept for a maximum period of 5 years from the closure of the fraud file. Data relating to persons on a list of proven fraudsters are deleted after the 5-year period from the date of inclusion on the list.
- **Cookies and tracers:** The methods for depositing cookies and other tracers are detailed in Article 11.

When an administrative or judicial procedure is in progress, we keep the data until the end of the procedure. They are then archived in accordance with the applicable statutory limitation periods.

You will be informed of any Processing of Personal Data with a retention period other than those listed above.

## **7. Who are the recipients of Your Personal Data?**

In order to achieve the purposes detailed in Article 4, Your Personal Data may be transmitted:

- **to Our service providers**, who perform services on Our behalf, including lawyers, bailiffs, auditing firms, etc. ;
- **to Our financial and commercial partners ;**
- **Credit institutions** bound by professional banking secrecy in accordance with Article L.511-33 of the French Monetary and Financial Code and belonging to the FLOA Bank's Group (the list of companies can be sent to You on request), i.e. controlled by FLOA Bank, or which controls FLOA Bank, directly or indirectly, within the meaning of Article L.233-3 of the French Commercial Code, within the framework of preventive risk management and collection;
- **subject to the conditions for the lifting of professional secrecy, to judicial, administrative, financial or other governmental authorities, in particular :**
  - the tax and customs authorities ;
  - the Banque de France (e.g., Fichier Central des Chèques, Fichier National des Incidents de Remboursement de Crédit aux Particuliers);
  - social security organizations (under the conditions provided for in Articles L.114-19 to L.114-21 of the Social Security Code);
  - to the Autorité de contrôle prudentiel et de résolution (ACPR).
  - to the Commission nationale informatique et libertés (CNIL).
- **financial institutions**, in the event of information required for the application of agreements concluded by France organizing an automatic exchange of information for tax purposes (Article 1649 AC of the French General Tax Code);

- **insurance brokers and insurance companies**, when You purchase products or services from these partners through us. In this case (i) either We act as distributor and You subscribe the contract through us, in our capacity as representative of the partner, or (ii) or We act as business provider and You will subscribe the contract directly with the partner. In both cases, Your Personal Data is collected and Processed on the one hand by FLOA Bank in its capacity as distributor or business contributor, and on the other hand by the partner, each in its capacity as data controller for the specific purposes related to the product or service subscribed to. Where applicable, the partner will communicate to You the information applicable to the protection of Your Personal Data by itself, for the purposes that concern it.

The communication of Your Personal Data to the recipients listed above is carried out in compliance with the Data Protection Laws and the agreements that We have concluded with the recipients, if any.

## 8. What categories of profiling do We do ?

Profiling is defined by the RGPD as follows: "any form of automated processing of personal data consisting in using such personal data to evaluate certain personal aspects related to a natural person, in particular to analyze or predict elements concerning that natural person's work performance, economic situation, health, personal preferences, interests, reliability, behavior, location or movements".

We carry out several categories of profiling:

- **Profiling for credit risk assessment and granting purposes**, notably through Our Score Model. This type of profiling is likely to produce legal effects for you and may result in a decision such as a credit refusal. These decisions are, however, necessary for the conclusion or performance of the contract between You and FLOA Bank .
- **Profiling for "marketing" purposes**, in order to send You personalized offers, to suggest services, products or complementary offers likely to correspond to Your preferences and this, on the basis of segmentation or selections or based on algorithms. This type of profiling is likely to produce legal effects with respect to You, such as marketing segmentation leading to the non-reception of some of Our commercial offers. However, these decisions are necessary in order to improve the targeting of Our marketing campaigns and therefore, to Your satisfaction.

The profiling tools We use are based on different variables, including:

- Your contact information;
- If applicable, the type of product or service for which financing is being considered;
- Where applicable, a check with the national file of incidents of repayment of loans to individuals (FICP) and/or the Central Check File (FCC);
- A score based on the Processing of Your Personal Data, including those collected from our partners (examples: customer account data and/or loyalty card(s), associated with Your purchase history).

We may also aggregate and anonymize Your Personal Data in order to establish scoring models or statistics.

#### **9. What security measures do we put in place to protect Your Personal Information?**

FLOA Bank undertakes to implement the appropriate technical and organizational measures in order to guarantee the protection, confidentiality, non-alteration, availability, absence of access by an unauthorized third party, and therefore, in general, the security of Your Personal Data.

These measures are defined and implemented following the best market standards in terms of security and in particular the recommendations of the French National Commission for Information Technology and Freedom (CNIL) and the National Agency for the Security of Information Systems (ANSSI).

#### **10. What are Your rights regarding the Personal Information We collect?**

What are Your rights regarding the Personal Information We collect?

- **right of access:** You may obtain a copy of all of Your Personal Data processed by FLOA Bank ;
- **the right of rectification:** You may ask FLOA Bank to correct and/or complete Your Personal Data if it is inaccurate or incomplete;
- **the right of deletion :** You can obtain the deletion of your Personal Data. Your Personal Data may however be retained by FLOA Bank when their Processing is necessary to comply with a legal obligation or to exercise a right before an administrative or judicial authority;
- **the right of opposition:** you may ask FLOA Bank , for reasons concerning Your particular situation, to cease the Processing that are being made on Your Personal Data, unless FLOA Bank justifies that its legitimate and compelling interests take precedence over Your rights and freedoms. With respect to commercial prospection, You have the right to object, without charge or reason, to the use of Your Personal Data for commercial prospection purposes.
- **the right to the limitation of the Treatment:** You may request a limitation on the Processing of Your Personal Data, for example when You dispute their accuracy, in order to allow FLOA Bank to carry out the appropriate verifications, or when You exercise Your right of opposition, during the time that FLOA Bank is studying Your request. Where applicable, Your Personal Data may only be processed with Your consent or for the defense of a right before an administrative or judicial authority;
- **the right to portability:** You may obtain the Personal Data that you have provided to FLOA Bank in a structured, commonly used, machine-readable format, as well as their transmission to another service provider, where technically possible ;

You also have the right to formulate specific or general guidelines concerning the storage, deletion and communication of Your Personal Data post-mortem.

Visit [cnil.fr](http://cnil.fr) for more information about Your rights.

If You have any questions regarding the Processing and collection of Your Personal Data or in order to exercise the above rights, You may contact FLOA Bank :

- by e-mail at [crc@services.floa.fr](mailto:crc@services.floa.fr) ;

- or by post at : SERVICE CONSOMMATEUR – FLOA Bank - 36 rue de Messines - 59 686 Lille Cedex 9, France.

or contact Our Data Protection Officer (DPO) by e-mail at [dpofloa@floa.fr](mailto:dpofloa@floa.fr).

You may, at any time, address a complaint to the competent supervisory authority (in France, the CNIL: [www.cnil.fr](http://www.cnil.fr)).

### **11. What is our Cookie Policy?**

[Click here to consult our Cookie policy.](#)