

Policy relating to the processing of personal data implemented in the context of **Bpifrance's Financing activity**

1. WHO IS THIS POLICY FOR?

This policy (the "**Policy**") is intended for all persons whose data is processed by Bpifrance in the context of its financing activities:

- Innovation funding;
- Financing of the treasury;
- Financing of assets and intangibles (short-term financing);
- Financing of energy/environment projects.

You are covered by this Policy if you are ("**You**"):

- Legal representative, authorised person, project manager, point of contact, beneficial owner or shareholder/partner in a company that Bpifrance plans to finance/support or any other person whose data collection is necessary for the investigation of a transaction (hereinafter the "**Prospect**");
- Legal representative, authorised person, project manager, point of contact, beneficial owner or shareholder/partner in a company financed and/or supported by Bpifrance (i.e. with which Bpifrance has concluded an aid contract or a loan contract) or any other person whose data collection is necessary for the investigation of an operation and its follow-up (hereinafter the "**Financed Company**");
- Any other person whose data collection is strictly necessary for Bpifrance in the context of the examination of an application or the follow-up of a file, and in particular any guarantors, and/or stakeholder or operational contacts.

When you provide personal data relating to other persons, it is your responsibility to duly inform these persons of the transmission of their data to Bpifrance and to make available to them the information contained in this Policy.

Some schemes are the subject of specific information notices:

- With regard to the processing of personal data implemented by Bpifrance in the context of its export financing activities, we invite you to consult the dedicated policy: [Data protection | Bpifrance](https://www.bpifrance.fr/protection-des-donnees) - <https://www.bpifrance.fr/protection-des-donnees>
- Regarding financing guaranteed by Bpifrance, we invite you to consult the dedicated policy: [Data protection | Bpifrance](https://www.bpifrance.fr/protection-des-donnees) <https://www.bpifrance.fr/protection-des-donnees> or you refer to the documentation submitted as part of your financing application.



2. WHO IS RESPONSIBLE FOR THE PROCESSING CARRIED OUT?

Bpifrance, 27-31 avenue du Général Leclerc 94 710 Maisons Alfort, is deemed to act as a data controller (the "**Company**") when it processes your personal data for the purposes detailed below.

3. WHAT DATA DOES BPIFRANCE PROCESS, FOR WHAT PURPOSES AND FOR HOW LONG IS THIS DATA KEPT?

In accordance with the applicable regulations, in particular European Regulation 2016/679, known as the General Data Protection Regulation (GDPR) and the national provisions relating to information technology, files and freedoms (hereinafter the Applicable Regulation), Bpifrance, as data controller, collects and processes your personal data for the purposes listed below.

Bpifrance retains your personal data for the time necessary to implement the purposes set out and applies the retention periods below.



Legal basis for processing	Purposes of the processing	Categories of Personal Data Processed	Retention period
On the basis of pre-contractual measures or the performance of the contract	1- Management of the pre-contractual phase: reception and study of the request, exchanges, eligibility checks, invitations to hearings if necessary and decision on whether or not to grant the offer when Bpifrance is the decision-maker or co-decision-maker (please refer to the specific documentation of the offer in question)	Identification data : title, surname, first name, signature (electronic or handwritten) Data relating to professional life : professional telephone number, professional e-mail address, position/position within the company, professional background and diplomas, curriculum vitae, payslips for certain specific products, video, photo and audio media shared for certain specific products	3 years from: the end of the contract, or the last exchanges with the Prospect in the event of abandonment of the financing project or refusal to grant the financing
	2- Contracting	Identification data : title, surname, first name, signature (electronic or handwritten), copy of an identity document Data relating to professional life : professional telephone number, professional e-mail address, position/position within the company	5 years from the termination of the business relationship or the end of the contract, unless otherwise regulated for a longer period <i>see below</i>
	3- Execution and management of the life of the contract (disbursement of funds, receipt of funds related to the repayment of the financing maturities granted, implementation of the guarantee)	Identification data : title, surname, first name, signature (electronic or handwritten), copy of an identity document Data relating to professional life : professional telephone number, professional e-mail address, position/position within the company	5 years from the termination of the business relationship or the end of the contract, unless otherwise regulated for a longer period <i>see below</i>



Legal basis for processing	Purposes of the processing	Categories of Personal Data Processed	Retention period
	4- Collection actions	Identification data: title, surname, first name, signature (electronic or handwritten) Data relating to professional life: professional postal address, professional telephone number, professional e-mail address, position/position within the company	5 years from the end of the contract and until all remedies have been exhausted
On the basis of a legal obligation to which Bpifrance is subject	1- Know Your Customer (KYC)	Identification data: title, surname, first name, date and place of birth, personal postal address, mobile phone number, nationality, country of residence, identity documents (including passport and ID card), photo, signature (electronic or handwritten) Data relating to professional life: professional postal address, professional telephone number, professional e-mail address, position/position within the company, professional experience	5 years from the termination of the business relationship
	2- Detection and prevention of corruption and influence peddling	Identification data : title, surname, first name, signature (electronic or handwritten) Data relating to professional life : professional postal address, professional telephone number, professional e-mail address, position/position within the company Judicial data and data relating to offences, convictions and security measures <u>within the limits of the legal obligations to which Bpifrance is subject and only in the context of carrying out due diligence.</u>	5 years from the end of the business relationship



Legal basis for processing	Purposes of the processing	Categories of Personal Data Processed	Retention period
	3- Creation of the credit risk score model, improvement of the model and assessment of counterparty risk	Identification data : title, surname, first name Education and employment data: educational attainment, career path, occupational skills	5 years from the termination of the business relationship or the end of the contract
	4- Detection and prevention of money laundering and terrorist financing	Identification data : surname, first name, nationality, personal postal address, country of residence, personal email address, copy of an identity document, identity document number, residence permit, country of birth, place of birth, date of birth, city of birth Data relating to professional life : title of legal representatives, payslips, position in the company, date of entry into the company Economic and financial data: bank details, credit, proof of economic activity, resources or assets, tax notice, income, nature of loans granted, tax rate, loan number, early repayment, nature of the donation, amount of the donation, flat-rate assessment of benefits in kind Judicial data and data relating to offences, convictions and security measures within the limits of the legal obligations to which Bpifrance is subject and only in the context of carrying out due diligence.	5 years from the termination of the business relationship or the end of the contract



Legal basis for processing	Purposes of the processing	Categories of Personal Data Processed	Retention period
	5- Compliance with International Economic Sanctions	Identification data : surname, first name, nationality, personal postal address, country of residence, personal email address, copy of an identity document, identity document number, residence permit, country of birth, place of birth, date of birth, city of birth Data relating to professional life : title of legal representatives, payslips, position in the company, date of entry into the company	5 years from the termination of the business relationship or the end of the contract
	6- Management of the Electronic Signature, knowledge of the signatory of the contract, and establishment of the body of evidence contributing to the reliability of the Electronic Signature process	Identification data : title, surname, first name, electronic signature Data relating to professional life : professional telephone number, professional e-mail address	5 years from the end of the contract
	7- Claims Management	Identification data : title, surname, first name, electronic or handwritten signature Data relating to professional life : professional telephone number, professional e-mail address	5 years from the closure of the claim



Legal basis for processing	Purposes of the processing	Categories of Personal Data Processed	Retention period
	8- Compliance with any other legal, tax or regulatory provision to which Bpifrance is subject	Identification data : title, surname, first name, electronic or handwritten signature Data relating to professional life : professional postal address, professional telephone number, professional e-mail address, position/position within the company	5 years from the end of the contract, unless otherwise regulated for a longer period, in particular: - for schemes subject to a State aid scheme: 10 years from the end of the aid scheme - for schemes subject to the de minimis regime and for projects notified to the European Commission: 10 years from the date of grant of the aid
On the basis of Bpifrance's legitimate interest in developing and managing its relationships with the Companies	1- Sending marketing communications	Identification data : title, surname, first name Data relating to professional life : professional postal address, professional telephone number, professional e-mail address, position/position within the company Connection data related to the use of our websites and applications : identification and authentication data for your connected spaces, including IP address, logs, browsing data	3 years from the last contact from the Prospect
	2- Prospect Identification	Identification data : title, surname, first name Data relating to professional life : professional postal address, professional telephone number, professional e-mail address, position/position within the company	3 years from the last contact with the Prospect



Legal basis for processing	Purposes of the processing	Categories of Personal Data Processed	Retention period
	3- Management of the commercial relationship between Bpifrance and its Prospects	Identification data : title, surname, first name Data relating to professional life : professional postal address, professional telephone number, professional e-mail address, position/position within the company Data from correspondence and communications between you and us: interviews, phone calls, e-mails, instant messaging, social media communications or any other type of communication	3 years from the last contact with the Prospect
	4- Carrying out studies or satisfaction surveys	Identification data : title, surname, first name Data relating to professional life : professional e-mail address, position/position within the company	3 years from the completion of the study
	5- Organization and management of a Prospect's participation in an event that can be done via a form on a Bpifrance website or a social network	Identification data : title, surname, first name Data relating to professional life : professional postal address, professional telephone number, professional e-mail address, position/position within the company	3 years from the last contact from the Prospect
On the basis of Bpifrance's legitimate interest in monitoring the financing scheme	6- Evaluation and improvement of the system	Identification data : title, surname, first name, signature (electronic or handwritten). Data relating to professional life : professional postal address, professional telephone number,	5 years from the end of the contract



Legal basis for processing	Purposes of the processing	Categories of Personal Data Processed	Retention period
		professional e-mail address, position/position within the company.	
On the basis of Bpifrance's legitimate interest in justifying its management of the financing scheme	7- Compilation of statistics and reporting to donors where appropriate	Identification data : title, surname, first name, signature (electronic or handwritten) Data relating to professional life : professional postal address, professional telephone number, professional e-mail address, position/position within the company	5 years from the expiry of the agreements with the donors governing the schemes concerned
On the basis of Bpifrance's legitimate interest in ensuring the defence of its rights, in particular in court	8- Management of possible disputes	Identification data : title, surname, first name, signature (electronic or handwritten) Data relating to professional life : professional postal address, professional telephone number, professional e-mail address, position/position within the company Any other data necessary for the management of the dispute	Until remedies have been exhausted



Please note that, in accordance with the principle of minimisation, Bpifrance only collects the personal data it needs for the above-mentioned purposes.

When you do not provide the personal data identified as mandatory, Bpifrance will not be able to carry out its activities and carry out the financing.

4. HOW IS YOUR PERSONAL DATA COLLECTED?

Your personal data is collected by Bpifrance directly from you or from a third party who has duly informed you of the transmission of your information to Bpifrance.

In some cases, Bpifrance also collects personal data about you indirectly from:

- Other Bpifrance entities in compliance with legal, regulatory or contractual confidentiality obligations that apply to third parties;
- Any other funder/funder, in particular the State, within the framework of the financing mechanisms implemented by Bpifrance;
- Bpifrance partners in charge of all or part of the scheme to which you are applying ;(please refer to the documentation for your scheme);
- Freely accessible sources on the internet, professional social networks, professional directories,
- Company websites and other official databases;
- Data brokers, a list of which can be found here <https://urlr.me/j2c3vs> ;
- IT service providers whose solution integrates a database containing information about you.

5. TO WHOM IS YOUR PERSONAL DATA DISCLOSED?

Your data is intended for Bpifrance and will also be communicated:

- To the other entities of the Bpifrance group, when such transmission is necessary to enable these entities to meet their legal, regulatory or contractual obligations, or in order to ensure the deployment of the proposed system. This transmission of intra-group information does not in any way exempt the entities of the Bpifrance group from the legal, regulatory or contractual confidentiality obligations that apply to them with regard to third parties;
- Partner banks involved in the financing operation when Bpifrance acts as lead bank;
- To the professional advisors (advisors, experts, law firms) and auditors of Bpifrance,
- Where applicable, to the State and the services attached, to other donors, to local authorities, to the European Commission, the European Investment Fund (EIF) or the European Investment Bank (EIB) when a party to the operation, as well as to any competent institution/body of the European Union;
- The partners involved in the financing mechanism concerned;
- IT service providers, or any other service provider (including lawyers and experts who give an opinion on a project that has been the subject of a request for financing) or subcontractors providing services in connection with all or part of the processing identified above on behalf of Bpifrance;
- Service providers in charge of evaluating the financing mechanism concerned (including external expertise and audits);
- To any French or European administrative, judicial or supervisory authority that needs to be aware of it in the context of an administrative or judicial procedure that benefits from a right of communication based on a legislative or regulatory provision.
- To the relevant tax authorities, for the purposes of complying with our legal obligations.

Bpifrance is committed to limiting the transfer of personal data outside the European Union. When such transfers are to be implemented, Bpifrance relies on the following to carry out these transfers:

- A decision issued by the European Commission, attesting to the level of adequacy of the regulations of the country to which your data is transferred;



- One of the derogations provided for by the GDPR (in particular when the transfers are implemented because they are necessary for the conclusion or performance of a contract concluded in your interest between Bpifrance and the legal person to which you are linked);

In other cases, Bpifrance ensures that the transfer is supervised in accordance with the GDPR and implements appropriate guarantees with regard to the protection of personal data, by means of legal, technical and organisational measures.

6. WHAT ARE YOUR RIGHTS?

In accordance with the Applicable Regulations, and subject to the conditions set out therein for the exercise of these rights, you benefit from:

- The right to access, rectify, delete, and portability of your personal data.
- The right to request the limitation of the processing concerning you and to object to receiving commercial prospecting.
- The ability to provide Bpifrance with instructions relating to the fate of his or her personal data after your death.

To exercise your rights, you can contact the data protection officer of the Bpifrance group, using the contact details provided in Section 7 ("*How to contact Bpifrance?*") below.

You also have the right to lodge a complaint with the Commission Nationale de l'Informatique et des Libertés (CNIL).

7. HOW TO CONTACT BPIFRANCE?

Please send all correspondence to the Data Protection Officer (DPO) of the Bpifrance group using the contact details below:

- Via our online form accessible here: <https://bpifrance.app.witik.io/fr/form/bpi/formulaire-rgpd-bpifrance>
- By post by writing to Bpifrance - DCCP - Data Protection Officer, 27-31 avenue du Général Leclerc 94 710 Maisons Alfort

After receiving your request, it will be answered within a maximum period of one month, except for derogations provided for by the GDPR.

If there is reasonable doubt as to the identity of the person concerned by the request to exercise the right, you may be asked to provide additional information necessary to confirm your identity.

8. UPDATING THE POLICY

This Policy may be amended and updated periodically to reflect legislative or regulatory developments or to meet our information obligations under applicable regulations on the protection of personal data.

We invite you to refer to it regularly on the Bpifrance website. The Policy is available at the following address: [Data Protection | Bpifrance](https://www.bpifrance.fr/protection-des-donnees) - <https://www.bpifrance.fr/protection-des-donnees>

In addition, in the event of substantial changes, Bpifrance will make available on its website (add the website) an update to this Policy and specify the changes relating to the processing of your personal data.