

Axactor Privacy Policy

<https://my.axactor.es>

The present Privacy Policy informs about the data processing carried out by the entities of Axactor in Spain:

- Axactor España, S.L. with N.I.F. B87334637;
- Axactor España Platform, S.A.U. with N.I.F.: A81238917;
- Alcalá Lands Investments, S.L.U., with N.I.F.: B87774865;
- Beta Properties Investments, S.L.U., with N.I.F.: B87774881;
- Borneo Commercials Investments, S.L.U., with N.I.F.: B87774857;
- Axactor Capital Luxembourg, S.a.r.l, with N.I.F.: N0185639B;
- Axactor Invest 1, S.a.r.l., with N.I.F.: N0185746E and
- Axactor Portfolio Holding AB, with N.I.F.: N0283468G

all of them together referred to as 'Axactor' and, for that purpose, with an address for service in C/Doctor Esquerdo 136, 4ª planta, 28007 - Madrid [Spain])

Your privacy is important to Axactor. It is a priority for us that you know how we treat your personal data, the categories of personal data we process and for what purposes. It is also important for you to know what rights you have before Axactor as the person responsible for processing your personal data and how you can exercise them.

WHAT ARE PERSONAL DATA?

Personal data is any information that may be linked to an identified or identifiable natural person, directly or indirectly, such as name, postal address, e-mail address, IP address and mobile phone number.

CATEGORIES OF DATA SUBJECTS.

We may process personal data linked to the following categories of data subjects:

- Web users: Visitors to the website www.axactor.es (hereinafter referred to as "the website")
- Debtors: natural persons or representatives of legal entities who are obliged to pay debts
- Contact persons: natural persons who are representatives of our customers, partners, suppliers or public authorities
- Candidates: Job applicants who contact Axactor

WHO IS RESPONSIBLE FOR PROCESSING YOUR DATA?

The entities that determine the purposes and means by which personal data will be processed will be considered the Data Processors.

The following cases may be distinguished:

- Web users

In the case of processing related to the use of the web page, your data will be treated as the person responsible for processing by Axactor España, S.L. as the provider of information society services that is the owner of this web site.

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- Debtors

Your data may be processed as the Data Controller by the Axactor entity that holds the credit right, as informed in each case.

For its part, Axactor España Platform, S.A.U., acts as the Data Processor, processing your personal data according to the instructions of its customers (Axactor entities or third parties who hold the credits).

- Contact persons

The personal data of contact persons may be processed by the Axactor entity with which it has relations in its own name or as a representative of its customers, partners, suppliers or public authorities.

- Candidates

The personal data of job applicants will be processed by the Axactor entities to which they apply.

The Data Controller will ensure that your personal data is processed safely and lawfully in accordance with EU Regulation 2016/679 (hereinafter "GDPR"), national data protection laws.

WHAT ARE THE LEGAL BASES FOR THE PROCESSING OF YOUR PERSONAL DATA?

According to the GDPR, Axactor must base the processing of personal data on a legal basis. Our processing of your personal data will be based on one or more of the following points, as explained later in this policy:

- The processing of personal data is necessary for the execution and management of a contract to which you are a party or to take action at your request prior to the conclusion of a contract
- The processing of personal data is necessary for the fulfilment of a legal obligation, including the obligation to keep the information in accordance with the accounting / tax law or anti-money laundering legislation in force
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority
- The processing is necessary for the purposes of our legitimate interest, insofar as this interest is not outweighed by your interests or by the fundamental rights and freedoms requiring the protection of personal data
- You have given your consent to the processing for one or more specific purposes

WHY DO WE HAVE ACCESS TO YOUR DATA AND WHY DO WE PROCESS THEM?

- Web users

A visit to the website does not imply that the user is obliged to provide any information about himself/herself. However, the use of some of the functionalities of the Website and the services available through it depend on you providing or allowing the processing of certain personal information as indicated in the "Cookie Policy", this processing being covered by your consent.

In the event that you make use of any of the services offered through the website, the personal data you provide will be processed for the appropriate provision of such services, the basis for the processing being the correct management of your request, which makes it necessary to process your personal data.

- Debtors

Your data will be processed for the purpose of debt collection management, either because the creditor has entrusted us with the management for the collection of an unpaid claim between you and the creditor (as Data Processor) or when we have acquired the said claim by purchasing the credit (as Data Processor). This means that a contractual relationship exists whose execution requires the processing of your personal data, without your prior consent.

In accordance with our legitimate interest, we may also carry out tracing activities, rating to ensure efficient service and compliance with good debt collection practices, enrich data from different sources (e.g. credit reference agencies, detective agencies and public registries), checks on the accuracy of the data we hold and give access to your data with contracted third-party providers (such as other debt collection agencies and credit information agencies).

As part of our investments, we may also initially process generic data on your unpaid credit in order to make valuations for possible purchases of credit portfolios and to perform statistical analysis or modelling with such generic data to predict portfolio forecasts. And in the event that such a purchase is made, the acquiring Axactor entity will be the new part of the credit assigned in the creditor position. In this way, when we claim the debt, we will do so in execution of the contract and to carry out our obligations, which implies processing your personal data, the legitimate reasons for this processing being the exercise and management of the right to unpaid credit and, where appropriate, compliance with legal obligations.

Generally speaking, Axactor can purchase credit portfolios that include your debt through one of our investment companies (AXACTOR PORTFOLIO HOLDING, AB; AXACTOR CAPITAL LUXEMBOURG, S.a.r.l. and AXACTOR INVEST 1, S.a.r.l.), which will act as Processing Managers and subcontract the management of the debt collection to our Spanish debt management company AXACTOR SPAIN PLATFORM, S.A.U, as informed in the presentation letter (Hello letter) that we send you, or if appropriate, to another collection management company, as Processing Managers.

- Contact persons.

In the case of individuals or representatives and contact persons of other entities with whom we have commercial or legal relations, your data will be processed in order to comply with the agreement we have with you or with the company you represent. Therefore, the processing of your personal data is necessary for the correct execution of the contract.

In accordance with our legitimate interest, we may also use your data for the purpose of maintaining relations of any kind with the legal entity in which you provide your services or to provide you with commercial information by any means, including electronic means, about our services, perspectives, analyses, events, training that are likely to be of interest to you.

- Candidates

We may process your data if you have applied for a job at Axactor to determine whether you are a qualified candidate for the position you have applied for. In this case, the legitimate basis for processing will be your consent.

In all cases, we may process personal data for the purpose of resolving disputes, complaints or legal proceedings and to comply with the law or a court order.

WHAT CATEGORIES OF PERSONAL DATA DO WE PROCESS?

The categories of personal data we process vary according to the subject of the data and the purpose.

Web users

- Personal identification and contact data: including name, address, postal code, city/town, date of birth, gender, e-mail address, telephone number, etc. for the management of your file and to be able to communicate with you
- IP addresses and other technical information: The information we hold about you may be anonymized and used for the development of our business

Debtors

- Personal identification and contact data: including name, address, postal code, city/town, date of birth, gender, e-mail address, telephone number, etc. for the management of your file and to be able to communicate with you
- Identification document number (DNI or NIE): such as social security number, passport number, a unique identifier or other, issued by a public body to ensure secure and true identification, for example, to comply with our legal obligation to provide your personal data when we are audited by the authorities and to prevent, control and evidence fraud, money laundering and other criminal activities
- Contract details: details relating to the debtor's unpaid credit
- Financial information: means (a) information obtained from external sources (i.e. public databases, credit rating providers, etc.) relating to the debtor, which is processed in connection with the collection of the debt and (b) any information relating to payment details arising from the contract (received from the client) or (c) information from our own debt collection process, by virtue of payment history, income, assets, loans, etc., to assess its ability to pay, risk analysis and management, to make payment plans, debt monitoring or portfolio assessments
- Information obtained from debtors during debt collection: i.e. the reasons for late payment, such as individual or family circumstances, employment situation, etc. to better understand their specific situation and make an informed decision on how to proceed in their case
- IP addresses and other technical information: The information we hold about you may be anonymized and used for the development of our business
- Voice and image: We may make recordings of telephone conversations for security and quality reasons and to document your rights. In addition, for the safety of our employees and to keep your personal data safe, we may also use surveillance cameras in our centers

Contact persons.

- Personal identification and contact data: We have the necessary information to manage the contractual or prospective business relationship. To be able to communicate with you and ensure secure and true identification, we need your name, title and contact details such as

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address, telephone number and email address. Depending on the nature of the relationship, we may ask a selection expert to determine whether there are circumstances that would disqualify you or the company you represent

- Identification document number (DNI or NIE) In order to comply with our legal obligations relating, for example, to the fight against money laundering, we may also require a passport or similar identification and related information
- Photography and identification; For the safety of our employees and to keep your personal data safe, we may also use video surveillance cameras where appropriate, as well as ask you to provide, for example, your name and telephone number to enter our offices

Candidates.

- Identification and contact details: Such as your name, address, e-mail address, telephone number
- Resume information: Such as your professional background, educational history, skills, language fluency and any other information you may include in your resume
- Cover letter: Any information you decide to include in your cover letter
- Suitability for work: You may have to prove that you are legally fit to work
- Statement of good character: Depending on the nature of the position, we may ask you to obtain a statement from the relevant public authority that you have not been convicted of any offence that would disqualify you from that particular position

Anonymous data.

The processing of anonymous data, i.e. data that cannot be linked directly or indirectly to a natural person, is not subject to the restrictions described in this policy.

DO WE PROCESS SENSITIVE PERSONAL DATA?

Sensitive personal data means personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, the processing of genetic data, biometric data for the purpose of identifying a natural person uniquely, and data concerning the health or sex life or sexual orientation of a natural person.

As a general rule, and unless you give us your express consent or it is necessary for the establishment, exercise or defense of legal claims, we will not include special categories of personal data.

- Debtors.

However, as a debtor, you may benefit from notifying us of any health conditions, disabilities and/or personal information related to your private life that may affect your ability to pay. This will allow us to take reasonable steps to accommodate your needs or requirements, such as allowing sufficient interruptions in your payment arrangement, providing a respite to seek free independent debt counseling or adjusting your payment arrangement. This information will be used by us to assist you and will be kept for as long as required for this purpose, or until you notify us that you no longer

agree to the processing or that it is necessary for the establishment, exercise or defence of legal claims.

- Candidates.

If you are a job applicant, we may in certain circumstances process sensitive data, such as health data

- Web users and contact persons.

If you are attending an Axactor event, we may ask you to inform us about allergies or similar issues relevant to your well-being when you participate.

FROM WHAT SOURCES DO WE COLLECT PERSONAL DATA ABOUT YOU?

- Web users.

In addition to the information you provide directly, we use so-called "cookies" on our website. A cookie is a small text file that is sent to your browser and placed on your computer, tablet or mobile device when you visit a website. It can be used to remember information about your visit and can, for example, be used to track your preferences. For more information on the use of cookies, please see our Cookie Policy [here](#).

- Debtor.

In addition to the information you may provide to us, we may receive information from:

- Your creditor (our customer)
- Public records
- Credit rating agencies
- Detective agencies to update in your case your location data

- Contact persons.

In addition to the information provided by you, we may receive personal data from our customers or suppliers.

- Candidates.

In addition to the information you provide us, we may collect information from:

- Internal applications. If you are already an employee of Axactor and are applying for another internal position, we may use the information in your personnel file to supplement the information you provide when applying for the job
- Evaluation. We may ask you to submit to an assessment of your skills, personality or cognitive ability. These assessments are usually conducted using third-party software or a third-party company, which will share the results with us. Before you undergo such an assessment, we will provide you with further information relevant to your specific situation
- Pre-employment assessment. Depending on the nature of the position, we may ask a pre-employment assessment expert to determine whether there are circumstances that would disqualify you for the position. Before commencing the selection, we will discuss with you whether or not a selection will be made, as well as the scope and purpose of the selection

- References. We may decide to obtain references from people who have worked with you in the past. Generally, we will only contact these people if you have provided us with their names and contact details. If you are already an employee of Axactor, we may ask your manager and/or co-workers for references, without your knowledge
- Social media; Public information available on social media (such as Facebook, LinkedIn, Google+ or Instagram), may be collected and used

TO WHOM MAY WE COMMUNICATE PERSONAL DATA?

- Web users.

Your personal data will not be communicated to third parties, unless the specific management that you may request from us through the web implies, for its correct execution, the need to carry out that communication.

- Contact persons.

In accordance with our legitimate interest, your data may be communicated to third parties who wish to maintain relations of any kind with the legal entity in which you provide your services

- Debtor.

In order to be able to fulfil our contractual obligations, we may share your personal data with our customers, on whose behalf we carry out the management of these debts.

We may also share personal data with our contracted external partners (agents, lawyers, solicitors, suppliers, e.g. printing and mailing services, land registry searches, telecommunications services, other debt collection agency, investors, external advisors or consultants whom we have engaged to provide services or assist us in debt collection or other business processes). Suppliers who process data on our behalf do so on the basis of an Agreement regulating the responsibilities of such suppliers as Data Processors in relation to the processing of personal data accessed by them for the provision of the respective contracted service.

In the legally established cases or when you have given your express consent, we may also transfer your personal data to credit information companies that are authorized to obtain and process personal data, such as income, debts, etc., in order to provide such information to third parties that perform credit rating or public records. In this sense, we inform you that failure on your part to comply with your payment obligations entitles Axactor to make these communications.

If we are to take legal action in relation to the debtor's files, we may transfer the debtors' personal data to legal advisers/attorneys/administrators and to the courts.

We may also share personal data with authorities where we are required by law to do so, this may include regulators, law enforcement authorities, social welfare authorities and fraud prevention authorities.

We also have a legal obligation to provide your personal data when we are audited by authorities and to prevent, control and expose fraud, money laundering and other criminal activity.

Axactor will ensure adequate safeguards in accordance with applicable law to protect your personal data processed by third party service providers. All Axactor employees are committed to maintaining confidentiality.

- Candidates.

If you authorize it, your data may be brought to the attention of Axactor's various entities so that they may assess your application.

If you are a job applicant, we may share your personal data with third parties in order to obtain information from these third parties, service providers who help us to perform background checks, to request references or to perform an evaluation of your application, as well as to provide a recruitment portal or the improvement of our recruitment practices. Employees with access to personal data are subject to an obligation of confidentiality.

DO I HAVE TO PROVIDE AXACTOR WITH MY PERSONAL DATA?

- Debtor

As a debtor, you do not have to provide us with any personal data additional to those contained in the original credit agreement, or those that AXACTOR may obtain from public records or credit information agencies. However, you may choose to provide us with additional personal data. Such information may even help us manage your case, and is usually to your benefit. For example, you may have a valid reason for not paying your debt, which you may want to share with us, or if we agree to

set up a payment plan to help you pay your debt, you may provide certain details so that the payment plan is reasonable and appropriate to your specific situation.

- Web Users, Contact Persons and Candidates.

You must provide personal details to enable us to respond to your request, communicate with the customer, supplier or with you as a job applicant, as the case may be.

DO WE TRANSFER YOUR PERSONAL DATA TO COUNTRIES OUTSIDE THE EU/EEA AREA?

As part of the Axactor group, we may transfer your data to another country. If we do so, we will ensure that adequate safeguards are in place to comply with the RGPD. Generally, your personal data will not be transferred outside the European Economic Area (EEA), unless it is necessary to collect a debt and/or pursue a legal claim in a country outside the EU/EEA. We also use third party service providers located outside the EU/EEA who may have access to your data. We will never transfer your personal data outside the EU/EEA without guaranteeing the security and protection of your personal data. Therefore, we make sure that all recipients have signed the EU standard model clauses, to justify the transfer, or that the country guarantees adequate protection according to data protection legislation. We may also disclose information outside these cases if required by law.

HOW LONG DO WE STORE YOUR PERSONAL DATA?

- Web users.

Your personal data will be kept for as long as necessary to deal adequately with your request.

- Contact persons.

Personal data will be kept for as long as the commercial or contractual relationship that motivates their treatment persists, and until the legal responsibilities derived from them are prescribed.

- Debtor.

We will keep your data for as long as is necessary for the lawful purpose for which they were obtained, provided that we have the right to keep them, for example, until the end of our agreement and/or the statutory period of limitation in order to be able to defend ourselves against legal claims. We are also legally obliged to retain your personal data for a period of time to prevent and detect fraud, to detect and evidence money laundering and for financial audits. The retention period will depend on the regulations of the country of the legal entity Axactor that processes your personal data.

- Candidates.

If you are a job applicant, we will retain your data during the application process and delete them once we have found a suitable candidate. If we have selected you for the position, we will retain your personal data in your personal file in accordance with our HR privacy guidelines. We may process your personal data for a longer period after the application process has been completed, if there is a pending legal dispute or if you have given us permission to keep your personal data on file for a longer period of time.

DO WE KEEP YOUR PERSONAL DATA SECURE?

In order to ensure the security of personal data, we establish appropriate security measures to prevent unlawful or malicious circumstances, events or actions that may compromise the availability, authenticity, integrity and confidentiality of the personal data we process. Therefore, we apply the appropriate technical and organizational measures to guarantee and be able to demonstrate that our processing of personal data is carried out in accordance with the RGPD and the applicable security standards.

WILL YOU BE SUBJECT TO AUTOMATED DECISION MAKING?

- Debtors

Given Axactor's legitimate interest in collecting its debt, we use the scoring system (profiling). This is necessary to optimize our service and manage your case in an efficient and timely manner. It is also necessary to ensure compliance with good debt collection practices and avoid unnecessary reminders and expenses, etc.

The scoring is done by automated means and indicates how your case is handled. The score decides, for example, whether you are likely to pay the debt or whether we should refer your case to a collection agency. We do not consider scoring to be automated decision making (as defined in the GDPR), as it has no legal effect or affects you in a similar and significant way, as it does not affect your rights and obligations based on the contract.

Generally, you will not receive any information about the individual score that has been awarded to your case, but if you believe that we have mishandled a score, you can ask us to manually reconsider the score through human intervention.

- Web Users, Contact Persons and Candidates

In these cases, it will not be subject to automated decision making.

WHAT ARE YOUR RIGHTS?

Your rights	What does it mean?
Right to access	<p>You can request information about how we treat your personal data, including information about</p> <ul style="list-style-type: none"> - Why we process your personal data and how we have assessed our legitimate interest - What categories of personal data we process. - With whom we share your personal data - How long we keep your personal data or the criteria for determining this period - What rights you have - Where we have received your personal data (if not from you) - Whether a scoring or profiling has been done with your case - Whether the processing includes automatic decision making (so-called profiling) - Whether your personal data have been transferred to a country outside the EEA and how we ensure the protection of your personal data <p>All of the above information is available in this Privacy Policy. You may also request a copy of the personal data we process about you. However, additional copies will be combined with a fee.</p>
Right to correction	<p>It is important that we have the right information about you and encourage you to let us know if any of your personal data is incorrect, e.g. if you have changed your name or moved.</p>
Right to be forgotten	<p>If we process your personal data in an unlawful way, for example if we process your personal data longer than necessary or for no reason, you may ask us to delete this information.</p>
Right to restriction	<p>From the time you have requested we correct your personal data or if you have objected to the processing and until we have been able to investigate the issue or confirm the accuracy of your personal data (or changed it in accordance with your instructions), you are entitled to restricted processing. This means that we (except for storing the personal data) may process your personal data only in accordance with your consent, if necessary with reference to legal claims, to protect someone else's rights or if there is an important public interest in the processing.</p> <p>You may also request that we restrict the processing of your personal data if the processing is unlawful, but you do not want us to delete the personal data.</p>
Right to objection	<p>If you believe that we do not have the right to process your personal data, or if you want an automated decision to be reconsidered, you may object to our processing. In such cases, we may continue processing only if we can show compelling justifying reasons that out-weigh your interests, rights and freedoms. However, we may always process your personal data if it is required for the determination, exercise or defense of legal claims.</p>
Right to data portability	<p>Where the processing of the personal data is based on consent or a contract and the processing is carried out by automated means, you may have the right to data provided to you in a structured, widely used and machine-readable format. You also have the right to request to transfer that information to another data controller.</p>
Withdrawal of consent	<p>Axactor does not base its processing upon consent. However, given that some processing activities should be based on consent, you are in your right to withdraw it and we will consequently stop the processing activities based on this legal ground.</p>

We will also notify other persons with whom we have shared your personal data about your request(s).

HOW CAN I EXERCISE MY RIGHTS?

If you wish to make a request or complaint about the way we treat your personal data, including in relation to any of the rights mentioned above, or if you have any other questions about how we treat your personal data, please contact our Data Protection Officer at local level or let us know via this link: derechosarco@axactor.com

If you are not satisfied with our response, or believe that we are treating your data in an inappropriate or illegal manner, you may file a complaint with the Spanish Data Protection Agency. You can find more information about the Spanish Data Protection Agency, its complaints procedure here: <https://www.aepd.es>

USE OF THIRD-PARTY WEBSITES.

We may link to third party websites via the web. When you click on one of these links, you will be taken directly to a website that is not controlled by us. Please note that we are not responsible for third party websites and that our cookie policy and this Privacy Policy do not apply when these websites are used.

MODIFICATIONS TO THIS PRIVACY POLICY.

We are constantly developing our services. Therefore, we may from time to time need to update our Privacy Policy. All amendments to this Privacy Policy will be available on our website.

In case of relevant changes, you may receive a notice, either by email, post or by visiting our website

Last update: February 2021