

1. Introduction

This Privacy Policy (“**Policy**”) provides information on how BYD (U.K.) CO., LTD collects and processes your personal data when you purchase goods or services from us. BYD (U.K.) CO., LTD is a company incorporated under the laws of England and Wales under registration number (08458577) and whose registered office is at Unit 5b Ridgeway Distribution Centre, The Ridgeway, Iver, Buckinghamshire, United Kingdom, SL0 9JQ (“**BYD UK**”)

BYD UK can be reached via the following contact details:

Unit 5b Ridgeway Distribution Centre,
The Ridgeway, Iver,
Buckinghamshire,
United Kingdom,
SL0 9JQ
Telephone number: 01753336001
Email address: byduk@byd.com

BYD UK is part of the global group of companies of BYD Company Limited in Dapeng New District, Shenzhen, China.

This Policy sets out the elements necessary for BYD UK’s compliance with applicable data protection laws, including but not limited to the Data Protection Act 2018, the General Data Protection Regulation ((EU) 2016/679) (GDPR) and any national implementing laws, regulations and secondary legislation, for so long as the GDPR is effective in the UK and any successor legislation to the Data Protection Act 2018 and the GDPR (“**Applicable Data Laws**”).

In this Policy, references to “Data Controller”, “Processor”, “Data Processor”, “Data Subject”, “Personal Data”, “Processing” and “Appropriate Technical and Organisational Measures” shall have the meanings as set out in the Applicable Data Laws.

BYD UK reserves the right to review and/or alter the Policy periodically, in order to comply with (local and/or European) legislation, and for any other purpose deemed reasonably necessary by BYD UK.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

For queries and inquiries about this Policy, please contact the Privacy contact person of: byduk@byd.com

2. Handling of Personal Data

This Policy is an external policy, and is directed towards Data Subjects whose Personal Data are being processed by BYD UK for the purpose of producing and delivering products and services. This Policy applies to the processing of Personal Data, in which BYD UK acts as the Data Controller. This is the case when BYD UK determines the purpose for and the means for the processing of Personal Data of Data Subjects within the purposes of this Policy.

For business purposes, Data Subjects may be asked to provide their Personal Data. If this is the case, BYD UK, its affiliates and partners shall be required to keep such information confidential.

3. Personal Data

Personal Data may include a Data Subject’s name, address, email address, mobile phone number, and so on -- that are transmitted to BYD UK by Data Subjects.

The categories of Personal Data BYD UK may process are:

- name;
- last name;
- title;

- family name;
- e-mail address;
- telephone number (business and private);
- fax number;
- bank account number;
- address;
- business, invoice and delivery address;
- work experience;
- position in the company;
- department;
- nationality;
- IP address;
- log in history;
- video images of natural persons;
- digital pictures of natural persons at events;
- payment order/history;
- visitor information (date and time);
- social media account;
- contracts;
- letter of credit;
- invoices and transaction data;
- password;
- energy consumption;
- user (serial) number; and
- user logging ID or username.

4. Purpose and legal basis of data processing

The purposes of the Processing of Personal Data by BYD UK are:

- sales and material management;
- marketing and PR activities;
- payment of invoice and debt management;
- legal aid (review of contracts);
- relationship management;
- maintaining contact with potential business partners;
- create Purchase Order (PO);
- camera surveillance;
- provide service and support;
- visitor registration;
- quality control;
- training customers;
- package delivery; and
- contract management.

For more information on the purposes of the processing of Personal Data by BYD UK please refer to **Annex 1** to this Policy, which includes a table with the purposes, legal grounds and retention periods for the Processing of Personal Data.

Legal grounds

BYD UK will only Process Personal Data where there is a lawful basis to do so. In some circumstances BYD UK may process Personal Data for more than one lawful ground depending on the specific purpose for which we are using such Personal Data.

The lawful grounds on which BYD UK Processes Personal Data are set out below:

- **Legitimate Interest** – this means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. The legitimate interests for which BYD processes Personal Data are: relationship management, marketing and PR activities contact form for offers and orders, and safeguarding the security of customers and visitors.

- **Performance of Contract** – this means Processing your Personal Data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- **Comply with a legal or regulatory obligation** – this means Processing your Personal Data where it is necessary for compliance with a legal or regulatory obligation on BYD UK.
- **Consent** – this is when the Data Subject has given their explicit consent. The Data Subject has the right to withdraw consent at any time.

Please see Annex 1 for further information on the legal grounds used by BYD UK for the Processing of your Personal Data.

Retention period

BYD will not use and store Personal Data longer than necessary to fulfil the above mentioned purposes, and shall remove the collected Personal Data after the necessary period to achieve the purposes described in this Policy has passed, or to comply with contractual obligations or as permitted or required by the Applicable Data Laws. **Annex 1** of this Policy refers to the retention periods for each purpose of processing of Personal Data.

5. Purpose limitation

The Personal Data may only be Processed to the extent necessary for the described purposes. Personal Data may not be Processed for other purposes other than that for which the Personal Data were collected. If there is a necessity or need to process Personal Data for other purposes, it shall be investigated by BYD UK whether the purposes of the intended data Processing is compatible with the original purposes. Prior to carrying out such further Processing, BYD UK shall provide the Data Subject with information in relation to such purposes.

6. Security of Personal Data

BYD UK handles Personal Data carefully and confidentially, and uses all suitable physical, managerial, and technical safeguards to preserve the integrity and security of your Personal Data.

7. Transfer of Personal Data

Personal Data is accessed or transferred by BYD UK and other third parties such as BYD UK's affiliates, creditors, embassies, governments, webshops (e.g. Broekman), package delivery firms (e.g. TNT/DHL) and collection agencies.

In all cases, BYD UK will expressly state why such information is necessary, so that Data Subjects may provide the information at their own discretion. BYD UK will not disclose Personal Data provided by Data Subjects to any party, other than BYD UK itself, without prior permission from the Data Subjects.

BYD UK discloses Personal Data in case such disclosure is mandatory under Applicable Data Laws or is reasonably judged to be essential in order to protect and safeguard the rights, property and safety of other parties, BYD UK itself, and/or BYD UK's affiliates.

BYD UK may use the IP addresses of Data Subjects recorded in the system, in order to explore the cause of or solution to any problem arising in its servers, or to administer its website.

Circumstances may arise where, whether for strategic or other business reasons, BYD UK decides to sell, buy, merge or otherwise reorganise businesses. Such a transaction may involve the disclosure of Personal Data to prospective or actual purchasers, or receiving it from sellers. It is BYD UK 's practice to seek appropriate protection for information in these types of transactions.

BYD UK may transfer Personal Data to a third country or international organisations outside of the European union/European Economic Area (“**EU/EEA**”), such as to China, which shall take place only in compliance with the Applicable Data Laws, and where Appropriate Technical and Organisational Measures are in place that ensure the level of protection of Data Subjects as required by the Applicable Data Laws (e.g. transfers on the basis of an adequacy decision or standard EU Model clauses). The EU

Model Clauses are attached to the Data Processing agreement between BYD UK and its data processors.

In certain circumstances, it is possible that Personal Data may be subject to disclosure pursuant to judicial or other government subpoenas, warrants, or orders.

8. Rights in relation to Personal Data

Data Subjects have the right of information, access, rectification, addition and erasure of Personal Data, and the right to object against or restrict the Processing of Personal Data (or withdraw an earlier given consent), as well as the right to data portability. The procedure of BYD UK that enable Data Subjects to exercise these rights, is described below.

Data Subjects may file a request for access with BYD UK, and BYD UK shall respond as soon as possible, and in any event within one (1) month, about:

- a) whether BYD UK holds any Personal Data relating to the respective Data Subject; and,
- b) if so, information is provided on the purposes of the Processing, the categories, the recipients (if applicable) the envisaged period for which the Personal Data will be stored, or the criteria used, the existence of the right to request rectification, erasure, restriction or to object to such Processing, the right to lodge a complaint with a supervisory authority, the existence of automated decision-making, where the data is transferred to a third country, the Appropriate Technical and Organisational Measures and the source(s) of the Personal Data.

After a Data Subject has accessed the Personal Data, he/she may request BYD UK to correct, restrict, amend, add, erase and/or transport the Personal Data. BYD UK shall inform the Data Subject within one (1) month after receiving the request whether the request shall be complied with (in time), and if not, accompanied with the reasons for the delay or rejection.

Information provided shall be free of charge. Data Subjects can exercise these rights at reasonable intervals. BYD UK may charge a reasonable fee if the Data Subject's request for access is clearly unfounded or excessive. Data Subjects can exercise their rights by contacting the Privacy contact person in writing (see address above) or via e-mail at: byduk@byd.com

BYD UK will comply with a legitimate request of a Data Subject for correction, restriction or erasure, if the Personal Data are factually incorrect, incomplete, or irrelevant for the purpose(s) of the data Processing, or otherwise processed in violation with the Applicable Data Laws.

With regard to a request to erase Personal Data, it should be taken into account that BYD UK shall not comply with such request, if it is incompatible with any legal obligations of BYD UK.

If a request is allowed, BYD UK shall execute the decision to correct, amend, erase and/or transport the Personal Data as soon as possible.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

9. Questions and inquiries

For queries and inquiries about this Policy of BYD UK, please contact the Privacy contact person at: byduk@byd.com

Annex 1: purposes of Processing, legal grounds and retention periods.

Purpose of Processing	Legal ground	Retention period
Sales and material management	Legitimate interest	7 years after expiration of contract
Offers and orders of vehicles	Necessary for the performance of a contract	7 years after the end of the contract
Marketing and PR activities	Legitimate interest (marketing and PR)	1 year after the person leaves the position
Payment of invoice and debt management	Necessary for performance of a contract	7 years
Legal aid (review of contracts)	Legitimate interest (review of contracts)	7 years after expiration of contract
Relationship management	Consent and necessary for performance of a contract	7 years, or 2 years after end of the relationship with the customer
Maintaining contact with potential business partners	Consent	1 year
Create Purchase Order (PO)	Necessary for performance of a contract	5 years after creating PO
Camera surveillance	Legitimate interest	1 year, or in case of an incident as long as needed for handling a legal claim
Provide service and support	Necessary for performance of a contract	10 years after the purchase, or 2 years after the end of BYD UK's contractual obligations.
Visitor registration	Legitimate interest (security)	6 months
Package delivery	Necessary for performance of a contract	7 years
Contract management	Necessary for performance of a contract	7 years after the end of the contract with the suppliers
Quality control	Necessary for the performance of a contract and necessary for compliance with legal obligation	For the duration of the warranty (12 years or 25 years performance warranty)
Training customers	Legitimate interest	For duration of dealership, every two years