

WHAT BMW COMPANIES ARE COVERED BY THIS POLICY.

The following BMW companies are covered by this policy in the Netherlands:

SHORT NAME	FULL NAME
BMW NL	BMW Nederland B.V.

Note: for ease of reading the companies are referred to throughout this policy by their **Short name**.

References in this policy to “BMW Group” “BMW Group NL”, “we” or “us” are references to all of the companies above. These are all registered at this address:

Einsteinlaan 5, 2289 CC te Rijswijk, Nederland.

What the BMW Group companies do:

BMW NL coordinates the BMW and MINI business in the Netherlands:

- BMW NL is an importer and distributor of the BMW Group’s brands, of BMW and MINI motor cars and BMW motorcycles in the Netherlands. BMW NL operates under the following trading styles : BMW, MINI, BMW i and BMW Motorrad (motorcycles)
- It is the national sales and marketing company for the BMW Group in the Netherlands and:
 - Appoints Retailers (BMW, MINI and BMW Motorrad Centres) and agents;
 - Deals with technical issues and provides support to Retailers; and
 - Operates the BMW & MINI digital systems and services.

BMW as Data Controllers and our responsibilities:

BMW NL is responsible for, and is the Data Controller of your personal information that it receives through this App.

Contact details of BMW NL and the Data Protection Officer can be found [here](#).

HOW DO WE COLLECT YOUR PERSONAL INFORMATION.

The Electric City App has two functions:

- a) Collects selected data from your BMW PHEV vehicle and sends it to a backend server.
- b) Serves as a platform for a game between BMW PHEV drivers. The score and ranking for this game can be obtained through the App. The aim of the game is, through an adequate charging and driving behavior, to accumulate points while driving or charging.

These are the main ways we collect your information:

- If you contact us directly via our websites or via our customer hotlines to request information about our products and services.
- If you reply to our direct marketing campaigns (e.g. filling out a response card).
- If your contact details are transferred from authorized centers or other third parties.
- If your vehicle data (incl. vehicle identification number) is transferred to BMW AG while you are having your vehicle serviced or repaired.
- If other BMW Group legal entities or business partners transfer your personal data to us.
- If we acquired your personal data from other sources, for example social media sites.
- When the smartphone App “Electric City Drive” is active while driving, selected vehicle data parameters (distance travelled inside and outside the E-Zone, charging statistics, powertrain data) will be transmitted through the mobile connection of your smartphone to a backend system.

If you give information on behalf of someone else you must ensure that you have their permission and that they have been provided with this Privacy Policy before doing so.

Please help us to keep your information up to date by informing us of any changes to your contact details or privacy preferences. You may change or review your preferences by clicking [here](#).

WHAT INFORMATION MAY BE COLLECTED ABOUT YOU.

The following types of personal information about you may be collected:

Contact Details

- Name
- Email address

Device and Service Usage

- How you use your device (mobile or vehicle) and services offered on the device.

Vehicle Configuration Details

- Information about the features and current settings of your vehicle (identified by the Vehicle Identification Number).

Vehicle Technical Information

- About how the engine, battery and systems within the vehicle perform. This include mainly statistical information about distance travelled in any given day and which powertrain mode was used, e.g. Max eDrive, Sports Mode, EcoMode, etc.

Vehicle / Device Location Information

- Your vehicle's or mobile device's location

HOW YOUR PERSONAL INFORMATION MAY BE USED.

Use of personal information under the Netherlands data protection laws must be justified under one of a number of legal grounds and we are required to set out the grounds in respect of each use in this policy. An explanation of the scope of the grounds available can be found [here](#).

In the frame of a jointly promoted research project between BMW NL and the city of Rotterdam, the main uses of your information are:

To be able to conduct a research study by the Erasmus University of Rotterdam. The goal of this research is to assess PHEV drivers' behavior as it is exposed to different incentive schemes. Specifically, the focus is the behavior related to electric driving and charging in urban areas. The results of the research may be used to establish technical or policy solutions that increase electric driving/charging in urban areas, thus improving air quality and emissions.

Quality Assurance, Research and Development – to improve our products and services.

BMW AG may use any of the information that it receives through the provision of services to BMW NL, centers (including Location Information) for product and service quality assurance and development purposes. Before any such use is undertaken your information will be de-personalized so it cannot be directly linked back to you.

Compliance with legal requests for your information – to comply with our legal obligations to law enforcement, regulators and the court service.

We may be legally required to provide your information to law enforcement agencies, regulators, courts and third party litigants in connection with civil or criminal proceedings or investigations anywhere in the world. Where permitted, we will direct any such request to you or we may notify you before responding unless to do so would prejudice the prevention or detection of a crime.

Legal grounds for processing of your personal information.

The use of your information set out above is permitted under the Netherlands data protection law on the basis of these principal legal grounds:

- Where you have consented to the use (you will have been presented with a consent form in relation to any such use and may withdraw your consent at any time through the BMW Customer Interaction Centre

1. on (+31)(0)800 - 0992234 (calls are free of charge plus your phone company's access charge)
2. or sending an email to uwprivacy@bmw.nl or uwprivacy@mini.nl
3. or by writing to us at:
BMW Customer Interaction Centre
Einsteinlaan 5, 2289 CC te Rijswijk

- Where necessary to enter into or perform our contract with you
- Where we need to use it to comply with our legal obligations
- Where we use it to achieve a legitimate interest and our reasons for using it outweigh any prejudice to your data protection rights (our legitimate interests include promoting the BMW

Group business and tailoring news and offers to your profile, research and development of vehicle related products and services, assessing your credit-worthiness, detecting fraud and criminal activities).

There may be uses that are permitted on the basis of other grounds; where this is the case we will use reasonable endeavors to identify the ground and communicate it to you as soon as possible after becoming aware of the new basis.

Third parties to whom we may transfer your data.

Personal information which we collect may be transferred to or accessed by third parties on our behalf, with your consent where necessary.

The types of third parties apart from the BMW companies already stated are:

- Marketing and research companies who run and manage marketing and research campaigns
- Event companies who run and manage sponsored events
- BMW Customer Interaction Centre who provide customer support
- BMW Retailers and Retail Centers who provide services to you
- IT providers who provide us systems and services for customer support
- Companies who provide transport to you or offer you mobility services (e.g. chauffeurs)
- Law firms who provide legal advice to us (e.g. where there is a customer dispute)
- The city of Rotterdam and its contractors working on the city's behalf
- The Erasmus University of Rotterdam will obtain the data for research purposes. BMW AG for research and development purposes.
- To other research institutions that wish to replicate the findings of the Erasmus University of Rotterdam. The data will however be shared only in anonymized form and solely for scientific purposes. Your name, address, email, telephone number and specific location information of the vehicle will **not** be shared.

This is only shared in a secure manner, using a consistent security protocol. When we share with other parties we ensure that they only use your personal data for the purpose it was collected and do not allow them to abuse this agreement.

BMW Group NL may also transfer your personal information to a third party without your consent if it is in its legitimate interest or if there is a contractual obligation to do so.

HOW DO WE KEEP YOUR PERSONAL INFORMATION SAFE.

We use technical and organizational security measures including encryption and authentication tools to protect your personal information, against manipulation, loss, destruction, and access by third parties.

Although data transmission over the Internet or website cannot be guaranteed to be secure, we and our business partners work hard to maintain physical, electronic and procedural safeguards to protect your information in accordance with applicable data protection requirements. Our main security measures are:

- Tightly restricted access to your data on a “need to know” basis and for the communicated purpose only
- Transferred collected data only in encrypted form
- Highly confidential data stored only in encrypted form - e.g. credit card information
- Firewalled IT systems to prohibit unauthorized access e.g. from hackers
- Permanently monitored access to IT systems to detect and stop misuse of personal data.

If you have a personal password which enables you to access certain parts of our websites or any other portal, app or service we operate, do not forget your responsibility for keeping this password confidential. We ask you not to share your password with anyone.

HOW LONG WE KEEP YOUR PERSONAL INFORMATION FOR.

We retain your information only until the 31st of December 2019 and only for the purpose for which we obtained them. We restrict access to your information to only those persons who need to use it for the relevant purpose.

Our retention periods are based on business needs and your information that is no longer needed is either irreversibly anonymized or destroyed securely.

Where claims are contemplated:

- In relation to any information where we reasonably believe it will be necessary to defend or prosecute or make a claim against you, us or a third party, we may retain that data for as long as that claim could be pursued.

WHO MAY WE SHARE YOUR INFORMATION WITH.

BMW is a global company. Your personal information may be accessed by our staff, agents or contractors from a country outside the European Economic Area (EEA) for any of the purposes set out in this policy. These countries may have in place data protection laws which may be of a lower standard than in the EEA. We will ensure that any of your information that is accessible outside the EEA is handled subject to appropriate safeguards.

Certain countries outside the EEA, such as Canada and Switzerland, have been approved by the European Commission as providing essentially equivalent protection to EEA data protection laws and therefore no additional legal safeguards are required. In countries which have not had such approval, we will either ask for your consent to the transfer or transfer it subject to European Commission approved contractual terms that impose equivalent data protection obligations directly on the recipient unless we are permitted under applicable data protection law to make such transfers without such formalities.

Please contact us [here](#) if you would like to see a copy of the specific safeguards applied to the export of your information.

HOW TO CHANGE YOUR PRIVACY PREFERENCES.

You can change your marketing privacy preferences, or withdraw your consent in relation to how BMW NL or BMW AG use your personal information in one of the following ways:

- You are also able to request information about your data stored at BMW NL as well as request the correction, deletion or restriction of your personal data for analytics and/or marketing use.
- By contacting the Customer Interaction Centre on (+31)(0)800 - 0992234 (calls are free of charge plus your phone company's access charge)
- or sending an email to uwprivacy@bmw.nl or uwprivacy@mini.nl
- or by writing to us at:
BMW Customer Interaction Centre
Einsteinlaan 5, 2289 CC te Rijswijk

CONTACTING BMW GROUP NL ABOUT THIS PRIVACY POLICY.

If you have any questions in relation to our use of your information you should first contact the BMW Customer Information Centre in one of the following ways:

- By contacting the Customer Interaction Centre on (+31)(0)800 - 0992234 (calls are free of charge plus your phone company's access charge)
- or sending an email to uwprivacy@bmw.nl or uwprivacy@mini.nl
- or by writing to us at:
BMW Customer Interaction Centre
Einsteinlaan 5, 2289 CC te Rijswijk

In addition you may contact the responsible data privacy officer listed. Click [here](#) for their contact details.

Under certain conditions you have the right to require us to:

- Provide you with further detail on the use we make of your information
- Provide you with a copy of your information
- Update any inaccuracies in the information we hold about you
- Delete any information about you that we no longer have a lawful ground to use
- Remove you from any direct marketing lists when you object or withdraw your consent
- Provide you with your personal information in a usable electronic format and transmit it to a third party (right to data portability)
- Restrict our use of your personal information
- Cease carrying out certain processing activities based on the legitimate interests ground unless our reasons for undertaking that processing outweigh any prejudice to your data protection rights (click [here](#) for more information).

Your exercise of these rights is subject to certain exemptions to safeguard the public interest (e.g. the prevention or detection of crime), our interests (e.g. the maintenance of legal privilege) and the rights of third parties.

If you are dissatisfied with our use of your information or our response to any exercise of these rights you have the right to complain to the Autoriteit Persoonsgegevens which regulates the processing of personal data in the Netherlands (click [here](#) for more information).