



BMW CUSTOMER RACING PLATFORM. LEGAL INFORMATION ON DATA PROTECTION

The high expectation you have on the properties of BMW products and our services is the guideline for handling your data. We endeavor to achieve and maintain the basis for a trusting business relationship with our customers and prospects. The confidentiality and integrity of your personal data is of particular concern to us.

Who is responsible for data processing?

BMW M GmbH (hereafter „BMW M“), Daimlerstr. 19, 85748 Garching-Hochbrück, registered office and registered court: Munich HRB 44621 (hereinafter “BMW M”) is responsible for the processing of your personal data according to the European General Data Protection Regulation (“GDPR”). BMW M is based in Munich; it is a subsidiary of BMW AG.

When does BMW M collect and process personal data?

BMW M collects and processes your personal data in the following cases, among others:

- If you contact us directly, e.g. via website or BMW M Customer Care or if you are interested in our products or services or have any other concerns.
- If you request information about our products and services (e.g. newsletter or brochures).
- When you respond to our direct marketing activities, such as filling out a response card during an event or submitting your information online on one of our websites.
- If your personal data is transmitted to us by BMW M partners or third parties, if and as far as the necessary data protection requirements are met, e.g. you have given your consent or you want your data to be passed on the BMW M for the purpose of vehicle information or customer care (e.g. your recognition when you contact BMW M Customer Service) and your written contact (e.g. receiving newsletters/information) if you have not objected while being aware of your right to object.
- If other BMW Group companies or our business partners legitimately provide us with data about you.

Please help us to keep your information up to date by informing us of any changes to your personal data – in particular to your contact details.



Which data can be collected?

The following categories of personal data may be collected through the numerous contract channels described in this privacy notice:

- **Contact details** ► name, address, telephone number, e-mail address
 - **Racing specific data** ► team name, type of race car, cage number, category of customer (e.g. private customer, dealer employee, technical commissioner)
 - **Contract data** ► contract number, VIN (chassis number), invoice number, order number.
 - **Use of websites and communication** ► Information about how you use the site and whether you open or forward communications from us, including information collected through cookies and other tracking technologies. For more information, please refer to the link below in our BMW M Cookie Policy.
 - **Transaction- und interaction data** ► Information about purchases of products and services, interaction with BMW M Customer Care (your inquiries and complaints).
 - **Driver-/Team information** ► driver and team classification, race results, list of participants, championship ranking, driver history.
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For what purpose do we process your data?

The data collected in connection with the conclusion of contract or of the provision of services are processed for the following purposes:

A. Fulfillment of the contractual agreement for the provision of event services (Article 6 (1) (b) GDPR)

BMW M collects, processes and uses personal data as part of the sales process and for services.

As part of the sales processes and services, personal data are used by BMW and BMW M for purchase contract and to transmit information related to your vehicle purchase and the necessary services.

As part of these activities, the following categories of data are processed:

- **Contact details** (name, address, phone number, e-mail address, language, etc.)
 - **Racing specific data:** team name, type of racing car, cage number, category of customer (private customer, dealer employee, technical commissioner)
 - **Contract details** ► contract number, VIN (chassis number), invoice number, order number, banking details
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As part of the maintenance and repair processes or services, technical data - relevant to the vehicle service - are read out from the installed electronic control units by using special diagnostic devices. This data are processed and used by trained technicians to diagnose and rectify any malfunctions.

This technical data on the vehicle is essentially made up of

- Vehicle master data (e.g. vehicle identification number, type of vehicle, special equipment)
- Data on vehicle condition (measured values, e.g.: mileage, pressure/temperature, history)
- Fault memory entries (e.g. malfunctions)
- Softwarelevel
- Service- und workshop data (e.g. services, installed spare parts, warranty cases, workshop logs)

The above information can be accessed by BMW M in order to enable the BMW M Motorsport support engineers and their commissioned service providers to find solutions on technical and other challenges in the performance of services.

B. Customer service (Article 6 (1)(b, f) GDPR)

BMW, BMW M and BMW partner uses your personal data to contact you in connection with the processing of contracts, see above (e.g. to process a request formulated by you, rescheduling of the pick-up day or pick-up time) or to process a request formulated by you (e.g. inquiries and complaints to BMW customer care).

For all aspects of processing of contracts or requests, we will contact you without obtaining separate consent, e.g. in writing, by telephone, messenger services, or email, depending on the contact details you specified.

C. Advertising communication based on consent (Article 6 (1) (a) GDPR)

With your acceptance on the privacy policy we can use your personal data, e.g. for information on new products. Details on this can be found in the respective declaration of consent, which can be revoked at any time.

D. Fulfillment of legal obligations imposed on BMW M (Article 13 (1) (c) / (6) (1) (c) GDPR)

BMW M processes personal data, if there is a legal obligation. E.g. your vehicle is affected by a recall or a technical action. Collected data are also processed to ensure the operation of IT systems.



Ensuring this operations following activities are necessary, among others:

- Backup and recovery of data processed in IT systems
 - Logging and monitoring of transactions to check the correct functioning of IT systems
 - Detection and prevention of unauthorized access to personal data
 - Incident and problem management to rectify faults in IT systems
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BMW M is subject to a variety of further legal obligations. In order to fulfill these obligations, we process your data to the required extent and, if necessary, pass it on to the responsible authorities in accordance with legal reporting requirements.

E. Data transfer from/to selected third parties

Data are passed on (or are obtained from) to the following companies, among others, if the necessary data protection requirements are met:

- To BMW partner (e.g. to fulfill your request for a test drive or a service and to be able to make concrete offers). Your inquiries will be forwarded with priority to your BMW partner of choice the BMW partner from whom you have purchased products or services, respectively the partner with whom you are in contact. If you do not yet have contact with a BMW partner that we know, we will forward your request to a BMW partner in your region.
 - To BMW partner, for data update: e.g. your contact details. This update information are forwarded to all BMW partners who have it in their address database.
 - To carefully selected and verified service providers and business partners with whom we work in order to be able to offer you products and services. We only do this for BMW M
 - Within the framework of the strict requirements of data processing.
 - On behalf of or based on your express consent.
 - If we sell one or more business areas of BMW AG to a company to which we transfer our rights, in compliance with any existing agreement we have with you.
 - To other third parties (e.g. public legal offices) provided we are legally obliged.
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How do we protect your personal data?

We store your data based on the state of the art. For example, the following safeguards are used to protect your personal information from misuse or any other unauthorized processing.

- Access to personal data is restricted to a limited number of authorized persons for the stated purposes only.
 - The data collected will only be transmitted in encrypted form.
 - Sensitive data is stored only in encrypted form.
 - The IT systems for processing the data are technically isolated from other systems to prevent unauthorized access, e.g. through hacking.
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- In addition, access to these IT systems is continuously monitored to detect and ward off misuse at any early stage.

How long we store your data?

We store your personal data only for as long as the relevant purpose requires it. If data is processed for multiple purposes, the data will be automatically deleted or stored in a form that cannot directly be traced back to you, as soon as the last specified purpose has been fulfilled.

To ensure that all your data is deleted in line with the principle of data minimization and to article 17 DSGVO, BMW has developed an internal deletion concept. The basic principles according to which this deletion concept provides for the deletion of your personal data are set out below.

Use for the performance of a contract

In order to fulfil contractual obligations, data collected by you may be retained for as long as the contract is in force, depending on the nature and scope of the contract, for 6 or 10 years beyond that period in order to comply with statutory retention obligations and to clarify any requests or claims after the contract has expired.

In addition, there are contracts for the supply of products and services that require longer retention periods, see also below "Use for the weighing of claims".

Use for the examination of claims

Data that, in our sole discretion, will be necessary to investigate, defend against or initiate criminal proceedings against you, us or third parties or to make claims against you, us or third parties may be retained by us for as long as appropriate proceedings may be initiated.

Use for customer service and marketing purposes

For customer service purposes, the data collected by you may be stored 3 to 10 years after the collection, unless you wish the deletion of this data and there are no contractual or statutory retention obligations to prevent such deletion.

To whom do we share your data and how do we protect it?

BMW M is a company with an international presence. Personal data is preferably processed within the EU, both by us and by contracted service providers.

If data is processed in countries outside the EU, EU-standard agreements, including the appropriate technical and organizational measures ensure that your personal data is processed in accordance with European data protection standards.

If you would like to see the specific safeguards for the transfer of data to other countries, please contact us using the communication channels listed below. For certain countries outside the EU, such as Canada and Switzerland, the EU has already determined a



comparable level of data protection. Given the comparable level of data protection, data transmission to these countries does not require any special approval or agreement.

Contact details to us, your privacy rights, and your right to complain to a supervisory authority

If you have any questions about the use of your personal data by us, please contact BMW M customer service, either by email at customer.service@bmw-m.com or by calling 0049 89 1250 160 16.

You can also contact the responsible BMW M data protection officer:

BMW AG
Data Security Officer
Petuelring 130
80788 München, Germany
datenschutz@bmw.de

As an individual whose data is subject to processing, you may assert certain rights against us in accordance with the GDPR and other relevant data protection regulations. The following section contains explanations of your rights under the GDPR.

Rights of affected persons

In accordance with the GDPR and in relation to BMW M, you, as an affected person, are entitled to the following rights in particular:

Right of access by the data subject (Art. 15 GDPR):

You may request information about the data we hold about you at any time. This information includes, but is not limited to, the categories of data we have processed, the purposes for which we have processed this data, the origin of the data if we did not collect it from you directly, and, if applicable, the recipients to whom we have transferred your data. You can request a copy of your data free of charge. If you are interested in obtaining additional copies, we reserve the right to charge you accordingly.

Right of rectification (Art. 16 GDPR):

You can ask us to rectify your data. We will take reasonable measures to keep the information we hold and process about you accurate, complete, and up to date, based on the most current information available to us.

Right to erasure (Art. 17 GDPR):

You can request the deletion of your data, provided there are legal requirements in place to support this. This may be the case under Art. 17 GDPR if:

- The data is no longer required for the purposes for which it was collected or otherwise processed;
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- Your consent, which is the basis of data processing, is revoked and there is no other legal basis for the processing;
 - You object to the processing of your data and there are no overriding legitimate grounds for processing, or you object to the processing of data for direct marketing purposes;
 - The data was processed unlawfully, unless processing is necessary, to ensure compliance with a legal obligation that requires us to process your data;
 - Particularly with regard to legal retention periods;
 - To enforce, exercise, or defend legal claims.
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Right to restriction of processing (Art. 18 GDPR):

You may require us to restrict the processing of your data if

- You dispute the accuracy of the data for the period of time that we need to verify the accuracy of the data;
 - The processing is unlawful but you refuse the deletion of your data and instead demand a restriction of use;
 - We no longer need your information but you need it to enforce, exercise, or defend legal claims;
 - You have lodged an objection against processing as long as it is not clear whether your justified reasons outweigh yours.
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Right to data portability (Art. 20 GDPR):

At your request, we can transfer your data to another person in charge as far as technically possible. However, you are entitled to this right only if the data processing is based on your consent or is necessary to execute a contract. Rather than receive a copy of your data, you may also ask us to transfer the data directly to another person in charge specified by you.

Right to object (Art. 21 GDPR):

You may object to the processing of your data at any time for reasons that arise from your particular situation, if the data processing is based on your consent or on our legitimate interests or those of a third party. In this case, we will no longer process your data. The latter does not apply if we can provide compelling legitimate reasons for the processing that outweigh your interests or we need your data to enforce, exercise, or defend legal claims.

Limits for fulfillment of subject rights:

We make every effort to comply with all requests within 30 days. However, this period may be extended for reasons relating to the specific right of the affected person or complexity of your request.



M Motorsport

Restriction of information in the fulfillment of subject rights:

In certain situations, we may be unable to provide you with information about all your data owing to legal requirements. If we have to refuse your request for information in such cases, we will inform you at the time of the reasons for the refusal.

Complaints to supervisory authorities:

BMW M takes your rights and concerns very seriously. However, if you believe that we have not adequately addressed your complaint or concerns, you are entitled to file a complaint with a competent data protection authority.
