BANK-NOW LTD. DATA PROTECTION DECLARATION

The following statements apply to lessees and borrowers (hereinafter referred to as "lessee").

I. SCOPE AND PURPOSE

This data protection declaration ("data protection declaration") applies to lease agreements that the lessee has concluded with BANK-now Ltd. (including all its group companies) ("bank") and to contracts that explicitly refer to this data protection agreement. This data protection declaration governs the obligations of the bank with regard to data protection and the rights of the lessee with regard to their personal data in accordance with the Swiss Data Protection Act (Datenschutzgesetz – "DSG") and the European General Data Protection Basic Regulation ("GDPR") in its currently applicable version (Data Protection Act and GDPR collectively "data protection legislation".) The data protection legislation defines "personal data" as all information with which an identified or identifiable natural person or legal entity can be identified – whether directly or indirectly – in particular by reference to an identifier such as a name, address, IP address, location details, AHV number or one or more factors specific to the person's identity. This data protection declaration sets out the principles to be observed when handling personal data. The procedures and policies set out herein must be followed by the bank at all times. Where this data protection declaration makes reference to the rights of the lessee, this includes the rights of natural persons working for the lessee (as a legal entity) or acting as a contact person for the lessee.

II. RESPONSIBLE PERSON AND CONTACT DETAILS

Should you have any questions about this data protection declaration or the personal data processed, you can contact the bank via email at datenschutz@bank-now.ch or by post at BANK-now Ltd., Neugasse 18, CH-8810 Horgen, Switzerland.

III. LEGAL BASIS FOR DATA PROCESSING

The bank processes personal data in order to fulfill the obligations arising from its legal or contractual relationship with the lessee, for the purpose of other legitimate interests, or in order to fulfill a legal obligation imposed on the bank in connection with the relevant applicable law. Under certain circumstances, including those described in this data protection declaration, the Bank will also process personal data on the basis of the lessee's consent (where applicable).

IV. PERSONAL DATA PROCESSED BY THE BANK

The bank collects, stores and processes personal data that the lessee provides to the Bank in connection with the initiation and conclusion of a lease agreement. This relates to the following personal data (not an exhaustive list):

(a) Master data of the lessee, in particular their name, date of birth, place of birth

(b) Nationality, family or marital status, gender, other household information

(c) Contact details of the lessee, in particular their current address, telephone numbers and email addresses

(d) Where authorized representatives have been appointed: Their master data, in particular their name, date of birth, current address

(e) Contractual data such as the commencement and expiration of the agreement, date of delivery, lease payments, and repayment terms

(f) Vehicle data, in particular initial registration, vehicle identification number, registration number, mileage

(g) Bank account details, e.g. IBAN number, BIC, bank details

(h) Earning capacity and financial circumstances in the form of the bank references and selfcertification, in particular proof of income, income disclosures, additional incomes, installment payment obligations, household expenses, savings, securities, life insurance value, value of real estate ownership

(i) Data contained in the identity card or other forms of identification presented (including data from residence permit)

(j) Any other data related to the fulfillment of the respective business relationship

(k) All other data from written correspondence and communication (whether by post, electronically or by telephone).

Furthermore, the bank processes personal data permissibly obtained by the bank from affiliates of the bank, UBS Group, and from other third parties (e.g. data from credit reporting agencies), insofar as this is necessary for the initiation and/or fulfillment of the lease agreement or if the lessee has provided their consent. The bank processes personal data from sources accessible to the public (e.g. public authorities, internet) only insofar as this is legally permissible; for example, where this is necessary for the provision of services or where the lessee has provided their consent.

V. FORM OF PERSONAL DATA COLLECTION

In principle, the bank may collect personal data if the lessee performs one of the following actions:

(a) The lessee submits forms or applications to the bank.

(b) The lessee submits inquiries/requests to the bank.

(c) The lessee uses the bank's services and in so doing provides personal data.

(d) The lessee asks to be included in an email or added to a mailing list.

(e) The lessee responds to a request from the bank.

(f) The lessee provides personal data to the bank for other reasons.

VI. DATA PROTECTION PRINCIPLES

The purpose of this data protection declaration is to ensure compliance with data protection legislation. Data protection legislation sets out the principles to be observed by anyone who comes into contact with personal data. In accordance with these principles, all personal data must meet the following criteria:

(a) It must be processed legally and fairly and in a manner that is transparent to the lessee.

(b) It must be collected for specific, explicit and lawful purposes and not further processed in a manner that is incompatible with those purposes.

(c) It must be appropriate and significant with respect to its purpose and limited to the extent necessary for the purposes of processing.

(d) It must be factually accurate and, where necessary, kept up to date; all appropriate measures must be taken to ensure that personal data that is inaccurate with respect to the purposes of processing is immediately erased or rectified.

(e) It must be stored in a form that does not require identification of the lessee for longer than is necessary to fulfill the purposes for which the personal data is being processed. Personal data may be stored for longer periods of time if the personal data is processed solely for archiving purposes undertaken in the public interest, for scientific or historical research purposes, or for statistical purposes, and provided that the appropriate technical and organizational measures, as provided for in the data protection legislation, are taken in order to safeguard the rights and freedoms of the lessee (natural persons).

(f) It must be processed in such a way that ensures adequate security of personal data – including protection against unauthorized or unlawful processing and against accidental loss, destruction, or damage – through the implementation of appropriate technical or organizational measures.

VII. DATA PROTECTION IMPACT ASSESSMENT

The bank will carry out a data protection impact assessment if and insofar as this is required by data protection legislation.

VIII. PROFILING

The lessee acknowledges and agrees that the Bank may use automated processing methods in order to make decisions (including profiling).

IX. RIGHTS OF THE LESSEE

The lessee has the following rights under data protection legislation:

(a) Right of access: The right to be informed about how personal data is collected and used by the bank.

(b) Right to rectification of incorrect data: The right to rectification if personal data held by the Bank in relation to the lessee is incorrect or incomplete.

(c) Right to erasure: The right to request that the bank erase all personal data held by the bank in relation to the lessee.

(d) Right to restrict processing: The right to restrict processing of personal data.

(e) Right to data portability: The right to receive a copy of the personal data for further use by another controller. (f) Right to object: The right to object to the processing of personal data by the bank.

(g) Automated processing: Rights related to automated decision-making and profiling.

X. TECHNICAL AND ORGANIZATIONAL MEASURES RELATING TO DATA PROTECTION

The bank will ensure that appropriate measures – be they technical (e.g. use of passwords, encryption of sensitive personal data, regular backups, utilization of secure networks, etc.) or organizational (e.g. access only as required; signing of privacy statements by individuals, etc.) – are applied and implemented by all of its employees, representatives, contractors, and other persons processing personal data on behalf of the bank.

XI. FORWARDING OF PERSONAL DATA TO THIRD PARTIES

The bank may share the lessee's personal data with third parties if the lessee has provided their consent to this, if the bank is authorized or obligated to carry out said data transfer on the basis of legal provisions and/or official or court orders, or if said data transfer is necessary for the settlement of the lease agreement or otherwise lies within the scope of legitimate interests of the bank or a contracting party of the bank. In this regard, the Bank draws attention to the following data transfers:

Data transfer to UBS Group companies

The bank may transfer the lessee's personal data to Group companies of UBS for the purposes of processing, settlement and execution of the lease agreement.

The bank may transfer personal data to UBS Group companies in order to obtain services from them.

Data transfer to service providers that process order data

The bank may use service providers that process order data (e.g. IT service providers, accountants, etc.) in order to provide its services. Personal data is transferred to these service providers in compliance with the requirements of data protection legislation. Service providers commissioned by the bank to process order data, who are permitted to process the personal data only for the bank and not for their own purposes, are obligated to comply with the strict standards of the bank.

Data transfer to suppliers and/or logistics companies

The bank may transfer personal data, in particular first and last name, address, lessee number, agreement number (if applicable), purchase price of the vehicle, vehicle identification number, and the lease agreement number, to suppliers and/or logistics companies, upon manufacture or delivery of the agreed equipment and/or vehicle. The suppliers use the personal data primarily for the identification and allocation of equipment ordered for the vehicle.

Data transfer to UBS Group companies and/or third parties for securitization transactions and other financial products

The bank may transfer personal data to UBS Group companies and/or any other third party (including any special purpose vehicles (SPVs), trustees, bondholder representatives, corporate servicers, account banks, cash managers, rating agencies, etc.) in Switzerland and in any country which is a member of the European Union, Liechtenstein, Norway or in the United Kingdom or any other country where the Bank has subsidiaries involved in and for the purposes of securitization transactions, other financial products, sale of receivables portfolios, or similar transactions.

Data transfer to importers, manufacturers, traders/suppliers or branches

Upon conclusion of the lease agreement, the bank will send a notification regarding the conclusion of the lease agreement, including information about the vehicle and the lessee to the importer, Mazda Suisse SA ("Mazda") or a Mazda group company (if applicable). The bank also sends this data to an authorized trader or to one of the branches where the vehicle is available for collection.

The bank may provide Mazda and the trader (supplier) with all personal data in the bank's receipt in relation to the lessee and will, in particular, provide Mazda with information about the leased asset (such as the vehicle identification number, mileage, model, and trader through which it was supplied) and the financing plan entered into by the lessee (such as the date of payment, the commencement and expiration of the agreement, any PPI, and the sale price) so that Mazda can verify and reconcile the payment amounts as well as monitor and manage the relationship with the bank. Mazda processes personal data for these purposes based on its legitimate interests.

If a lessee has provided their consent, the bank will transfer personal data relating to the lessee such as their name, contact details, date of birth, and marital status, along with information about the leased asset (such as vehicle identification number, mileage, model, and the trader through which the vehicle was supplied) and the financial plan entered into by the lessee (such as the date of payment, commencement and expiration of the agreement, and the sale price) to Mazda and the trader (supplier) through which the vehicle was supplied. This personal data will be used by Mazda and the trader for the purpose of marketing products and services offered by Mazda and its group companies; this includes, but is not limited to, loyalty and renewal campaigns, as well as marketing analytics and low level profiling conducted before and after a campaign. Where personal data is provided to Mazda, Mazda will treat it in accordance with its Privacy Policy, which is available on the Mazda website, (URL: https://fr.mazda.ch/protection-des-donnees/ and https://de.mazda.ch/datenschutzbestimmungen/) and may share it with third parties, including group companies, professional consultants (e.g. auditors), and suppliers. Some of these recipients will be located outside Switzerland or the European Economic Area ("EEA") and India.

Where Mazda transfers personal data outside the EEA, i.e. India, it will take reasonable precautions, in accordance with its legal obligations, to ensure that the personal data is adequately protected, regardless of the country to which it is transferred. Said precautions may include the instruments referred to in paragraph XII below.

Mazda processes the personal data received from the bank as an independent controller. Further information about how Mazda processes personal data can be found in Mazda’s privacy notice, available at https://de.mazda.ch/datenschutzbestimmungen/

XII. TRANSFER OF PERSONAL DATA TO A COUNTRY OUTSIDE THE EEA

As a rule, the lessee's personal data is processed and stored within Switzerland or the EEA. Personal data will only be transferred to a country outside the EEA and India, if contractual clauses (e.g. EU standard contractual clauses, the Swiss Transborder Data Flow Agreement, and other guarantees that comply with data protection legislation) are in place. If the lessee would like to know more about how their personal data is protected in the event of transfer outside of the EEA, please contact the bank at datenschutz@bank-now.ch. The lessee acknowledges that third parties may also transfer personal data to a country outside the EEA and process the data in said country in accordance with section XI above.

XIII. NOTIFICATION OF DATA BREACHES

The lessee must be notified of any violation of personal data protection provisions, in writing or via email to an email address provided by the lessee. If a breach of data protection occurs and said breach is likely to pose a high risk to the personal rights and freedoms of the lessee (e.g. economic loss, discrimination, loss of reputation, or other social or economic loss), the bank must ensure that the Swiss Federal Data Protection Commissioner("SDPC") and, where appropriate, the competent supervisory authority in the EU are notified immediately; in any event, within 72 hours of becoming aware of the breach. The SDPC must be notified immediately in the event of a breach of data security provisions. Where a data breach is likely to pose a high risk to the personal rights and freedoms of the lessee, the bank must ensure that the lessee is notified of the breach directly and without undue delay.

XIV. WITHDRAWAL OF CONSENT

If the processing of personal data is based on consent, the lessee has the right to withdraw said consent at any time by notifying the Bank in writing or sending an email to datenschutz@bank-now.ch. If the lessee no longer wishes their personal data to be shared with Mazda or its traders for marketing purposes, the lessee may withdraw their consent by contacting datenschutz@bank-now.ch.

XV. RIGHT TO FILE A COMPLAINT WITH THE SUPERVISORY AUTHORITY

If the lessee considers that the bank has breached data protection legislation by processing the lessee's personal data, the lessee has the right to file a complaint with the competent data protection authority. In Switzerland, this is the Swiss Federal Data Protection Commissioner (SDPC): https://www.edoeb.admin.ch/edoeb/en/home/the-fdpic/contact.html

XVI. ALTERATIONS TO THIS DATA PROTECTION DECLARATION

The bank may amend this data protection declaration at any time. The most recent version of the data protection declaration applies. If any significant alterations are made, the bank will notify the lessee via email.