

## PRIVACY NOTICE FOR CARD APPLICATIONS

Information about the privacy policy for the processing of personal data pursuant to Articles 13 and 14 GDPR

This Notice informs you about the processing of your personal data by Mercedes ServiceCard GmbH & Co. KG and your rights associated with such processing.

### CONTROLLER FOR THE PROCESSING

Mercedes ServiceCard GmbH & Co. KG  
Mainparkstr. 2 | 63801 Kleinostheim | GERMANY  
T: +49 6027 509-567  
Email: [info@mercedesservicecard.com](mailto:info@mercedesservicecard.com)  
Website: [www.mercedesservicecard.com](http://www.mercedesservicecard.com)

Representative of the controller:  
Christian Velleuer

### CONTACT DETAILS OF THE DATA PROTECTION OFFICER

Daimler Truck AG/Group Data protection officer  
HPC DTF2B  
70745 Leinfelden-Echterdingen  
GERMANY  
Email: [dataprivacy@daimlertruck.com](mailto:dataprivacy@daimlertruck.com)

### PURPOSES AND LEGAL BASES OF PROCESSING

We process your personal data in compliance with the EU General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG) as well as industry-specific regulations (special laws) which have relevant data protection provisions.

#### a. To perform contractual obligations (Article 6(1)(b) GDPR)

If you apply to enter into a customer relationship Mercedes ServiceCard GmbH & Co. KG, we will process the information you provide in order to conclude the contract.

##### ▪ Data processing within the context of a business relationship

If a contract is concluded with Mercedes ServiceCard GmbH & Co. KG, we will process your data for the performance of the contractual relationship. The personal data processed while doing this includes master data (e.g. company-/trading name, address), information about primary contact persons, as well as all data we require from you for billing purposes (e.g. VAT ID, bank account information) within the scope of the contractual relationship. This also includes processing that takes place associated with sending out cards/card data.

Without the processing of your personal data, it is not possible to enter into or perform the contractual relationship.

All processing of your personal data in the aforementioned processing procedures for pre-contractual or contractual purposes is based on Article 6(1)(b) GDPR.

#### b. Based on consent (Article 6(1)(a) GDPR)

If you have given us your consent to the processing of your personal data for specific purposes (see details below), the lawfulness of this processing is based on your consent. Consent given may be revoked at any time. This also applies to the

revocation of consent which may have been given to us before the GDPR came into force, i.e. before 25 May 2018. Please note that a revocation of consent has future effect only. Processing that took place before revocation is unaffected.

If you wish to exercise your right of revocation you can send your revocation either by email to [info@mercedesservicecard.com](mailto:info@mercedesservicecard.com) or by post.

#### c. Based on a legitimate interest of Mercedes ServiceCard GmbH & Co. KG (Article 6(1)(f) GDPR)

We also process your data beyond the actual performance of the contract in order to protect our legitimate interests and those of third parties. These processing operations are carried out on the basis of Article 6(1)(f) GDPR. These processing operations are:

##### ▪ Using data in the event of a delay in payment

In the event of a delay in payment, we may assign claims to third parties or invoke the help of third parties in the collection process. All the required data is sent to the third party involved (e.g. debt collection company) to the extent necessary for the purpose of processing the debt collection.

Mercedes ServiceCard GmbH & Co. KG currently uses the following service provider to carry out debt collection:

coface Debitorenmanagement GmbH, Isaac-Fulda-Allee 1, 55124 Mainz.

In the event of a delay in payment, we may contact the responsible national subsidiary and/or responsible home dealer as part of the dunning and collection process and ask them for support in clearing up the issue with the payment delay. For this purpose, all the required data is sent to the responsible national subsidiary and/or the responsible home dealer.

If the dunning/collection process ends fruitlessly for MSC, customer data are put onto the Daimler Truck AG "blacklist". This means it will no longer be possible to use further services in the Daimler Truck AG service network using the Mercedes ServiceCard.

##### ▪ Credit management

When issuing a credit note, we share all the relevant information about the redemption of this credit note with the company who issues it (e.g. Daimler Truck AG). This is done to be able to inform you about offers during the credit note's period of validity.

##### ▪ Assessment of economic risk (assessment of creditworthiness)

At the end of the initiation process and for monitoring an existing customer relationship- in particular when there is a delay in payment- an assessment of the payment default risk is carried out using a scientifically-proven mathematical procedure (**credit check**). The personal data required to perform the credit check (surname, first name, address, email address, telephone number, bank details) are sent to a credit agency. During this credit check, the credit agency determines a statistical probability of a payment default (**profiling**), which is manifested in a 'credit score'. The outcome will be reviewed by us in person by an employee of Mercedes ServiceCard GmbH & Co. KG and

assessed in terms of the potential impact on the business relationship. If, according to the score, the statistical probability of a payment default is too high, we may choose not to enter into a contractual relationship with you.

Mercedes ServiceCard GmbH & Co. KG currently uses the following credit agencies to carry out this credit check:

coface Rating GmbH, Isaac-Fulda-Allee 1, 55124 Mainz and/or SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden, Germany.

If you have any questions, please contact our customer service at [info@mercedesservicecard.com](mailto:info@mercedesservicecard.com).

A fully-automated rating does not take place.

- **Business management measures and further development of our products and services**

Internal monitoring for managing the existing business relationship.

**d. For the fulfilment of legal obligations in conjunction with Article 6(1)(c) GDPR**

To the extent that we require your personal data to fulfil our legal obligations (e.g. data storage) we are permitted to do so under Article 6 (1)(c) GDPR.

## CATEGORIES OF RECIPIENTS OF PERSONAL DATA

Contractually bound service providers and vicarious agents may also come into contact with your data. As part of order processing, these partners are contractually obliged by us to comply with legal data protection-related instructions and to support Mercedes ServiceCard GmbH & Co. KG in performing the business relationship with you.

In special situations, we process your personal data together with cooperation partners. Here each party processes your data exclusively for the specific purpose(s) and within the scope of shared responsibility. This contractual situation exists within the context of:

- sales partnerships;
- activities between intra-Group companies or affiliated companies;
- billing services.

## EXTERNAL SERVICE PROVIDERS

We sometimes use external service providers for the fulfilment of some contractual obligations. We use these for the following services: credit reports, logistics services, refunds, collection procedures, settlement of benefits in cost-reimbursement procedures, online authorisations, breakdown services.

We also use external service providers to provide billing and IT services. We currently use the services of Arvato Supply Chain Solutions DE, Reinhard-Mohn-Str. 22, 33333 Gütersloh (Germany) to guarantee these contractual obligations.

In all of the above cases, we ensure that third parties only have access to the personal data that is necessary to perform individual tasks.

## OTHER RECIPIENTS

In addition, we may send your data to other recipients, such as the authorities, to comply with statutory notification obligations. For instance, social security agencies, tax authorities, or law enforcement authorities.

Important: Mercedes ServiceCard GmbH & Co. KG will not sell your data to third parties under any circumstances.

## PROCESSING EMPLOYEE DATA

As a customer, you ensure that Mercedes ServiceCard GmbH & Co. KG may collect, process and use all the data of your employees or third parties received on the basis of this contract, as well as the individual contracts and required for the fulfilment of the contract for the purpose of contract processing and, if necessary, obtain the consent of the data subjects.

## DATA COMMUNICATION TO A THIRD COUNTRY

If we have your data processed by a service provider outside the EU/EEA region, the processing will only take place if the third country has been confirmed by the EU Commission as having an adequate level of data protection or other appropriate data protection guarantees are in place.

## DURATION OF DATA STORAGE

Your data will be deleted as soon as it is no longer required for the processing according to the above-mentioned purposes. Your data may be retained for the duration in which claims can be asserted against our company (statutory limitation period- normally 3 years), etc. We also store your data if we are legally obliged to do so. These obligations are derived from the German Commercial Code (HGB) and the German Tax Code (AO) and others.

## RIGHTS OF DATA SUBJECTS

You have the following rights in connection with the processing of your personal data, which may be limited under applicable national data protection law:

- According to Art. 15 GDPR, the right to **access** the personal data stored by Mercedes ServiceCard GmbH & Co. KG. This means that you have the right to obtain confirmation from us as to whether or not personal data concerning you is being processed and, if this is the case, the right to access such personal data. The right to access includes, but is not limited to, the purposes of the processing, the categories of personal data being processed, and the recipients or categories of recipients to whom the personal data has been or will be disclosed. However, this right is not an unlimited one, as the rights of others may limit your right of access.

You may have **the right to receive a copy of the personal data that we process**. For any additional copies requested by you, we may charge a reasonable fee based on the administrative costs.

The right of access may be restricted by Section 34 of the German Federal Data Protection Act ("BDSG").

- According to Art. 16 GDPR, you have the right to have **inaccurate data rectified**. This means that you can ask that we rectify incorrect personal data concerning you. Taking into account the purposes of the processing, you have the right to ask for incomplete personal data to be completed, including by means of providing a supplementary statement.
- According to Art. 17 GDPR, you have the right to erasure of **personal data concerning you**. This means that, subject to certain prerequisites, you have the right to request that we erase personal data concerning you and that we have the obligation to erase your personal data. The right to erasure may be exercised in accordance with Section 35 BDSG.

- According to Art. 18 GDPR, **you have the right to ask for the restriction of the processing of your personal data.** This means that in this case, the appropriate data will be identified and will only be processed by us for certain purposes (e.g. with your consent or in order to exercise or defend legal claims).
- According to Art. 20 GDPR, subject to certain prerequisites, you have the right to receive the personal data concerning you, which you provided to us, in a structured, commonly used and machine-readable format and have the right to transmit this data to another controller without hindrance from us.
- If you have given Mercedes ServiceCard GmbH & Co. KG your consent to data processing, you can revoke your consent at any time with future effect. Such a revocation shall not affect the lawfulness of the processing carried out on the basis of the consent before the revocation. You can allow us to change your consent setting at any time:  
Contact us at [info@mercedesservicecard.com](mailto:info@mercedesservicecard.com).
- You also have the right to contact the competent data protection supervisory authority, in particular in the EU member state where you are a normal resident, or where there has been an alleged violation of GDPR.

▪ **Subject to certain prerequisites, you have the right to object at any time to our processing of your personal data for reasons relating to your particular situation or where personal data will be used for direct marketing purposes, and we may be required to halt the processing of your personal data.**

**Please also note: If personal data is processed for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for the purpose of such marketing. This also applies to profiling, insofar as it is related to such direct marketing. In this case, we will no longer process your personal data for these purposes.**

**To exercise your right to object, please send us an email to:**  
**[info@mercedesservicecard.com](mailto:info@mercedesservicecard.com)**

To exercise the aforementioned rights, please email us at [info@mercedesservicecard.com](mailto:info@mercedesservicecard.com) or via:

Mercedes ServiceCard GmbH & Co. KG  
Mainparkstr. 2 | 63801 Kleinostheim | GERMANY  
T: +49 6027 509-567  
Email: [info@mercedesservicecard.com](mailto:info@mercedesservicecard.com)

## CHANGES TO THE PRIVACY POLICY

From time to time an update of this privacy policy may become necessary – e.g. following the introduction of new technologies or services. We reserve the right to amend or add to this privacy policy at any time.