



AUCTION YARD LTD

Λεωφόρος Λεμεσού 12
7647 Μοσφιλωτή
ΛΑΡΝΑΚΑ
Τηλ. 22124511 - Φαξ 22120705

07/08/2019

Auction Yard Privacy Statement

Auction Yard (referred to as 'we', 'us', 'our', or the 'Auction Yard') is committed to protecting your privacy and handling your data in an open and transparent manner. The personal data that we collect and process depends on the product or service requested and agreed in each case.

This privacy statement:

- provides an overview of how Auction Yard collects and processes your personal data and tells you about your rights under the data protection law and the EU General Data Protection Regulation ('GDPR'),
- is directed to natural persons who are either current or potential customers of Auction Yard, or are authorized representatives/agents or beneficial owners of legal entities or of natural persons which/who are current or potential customers of Auction Yard,
- is directed to natural persons who had such a business relationship with Auction Yard in the past,
- is directed to natural persons whose data we receive in the course of our work with other correspondent banks / Financial Institutions /cooperative companies
- contains information about when we share your personal data with other members of the Bank of Cyprus Group and other third parties (for example, our service providers or suppliers).

In this privacy statement, your data is sometimes called "personal data" or "personal information". We may also sometimes collectively refer to handling, collecting, protecting and storing your personal data or any such action as "processing" such personal data.

For the purposes of this statement, personal data shall mean any information relating to you which identifies or may identify you and which includes, for example, your name, address, identification number.



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1. Who we are

Auction Yard Ltd is a registered Company registered in Cyprus as private Company under registration number HE003416, having its registered office and head office at 51 Stassinos Street, Agia Paraskevi, Strovolos, 2002, Nicosia, Cyprus.

If you have any questions, or want more details about how we use your personal information, you can contact our authorized personnel at telephone number 22124511, 51 Stassinos Street, Agia Paraskevi, Strovolos, 2002, Nicosia, Cyprus.

2. What personal data we process and where we collect it from

We collect and process different types of personal data which we receive from our customers (potential and current) in person or via their representative, in the context of our business relationship.

We may also collect and process personal data which we lawfully obtain not only from you but from other entities within the Bank of Cyprus Group, other credit institutions, or other third parties e.g. credit reference agencies such as Artemis Bank Information Systems Limited, public authorities, companies that introduce you to us.

We may also collect and process personal data from publicly available sources (e.g. the Department of Registrar of Companies and Official Receiver, Road Transport Department, the Land Registry, the Bankruptcy Archive, commercial registers, the press, media, the Internet, etc) which we lawfully obtain and we are permitted to process.

If you are a prospective customer, or a non-customer counterparty in a transaction of a customer (e.g. you are authorized to bid in the auction, or to make payments and over-the-counter transactions) or prospective bidder or an authorized representative/agent or beneficial owner of a legal entity or of a natural person which/who is a prospective customer, the relevant personal data which we collect may include:



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Name, address, contact details (telephone, email), identification data, EU basic payment account identification, birth date, place of birth (city and country), marital status, employed/self-employed, if you hold/held a prominent public function (for PEPs), life / Car insurances (life insurance companies, policy numbers, other banking relationship details, tax residence and tax ID, credit reference agency data [e.g. Artemis, Worldcheck], residence or work permit in case of non-EU nationals, employment position [e.g. as per corporate certificates of directors/shareholders], FATCA / CRS info, authentication data [e.g. signature].

Personal data arising from the performance of our contractual obligations, tax information (e.g. VAT payment, country of tax residence, tax registration number), proof of tax returns, statements and transaction history.

3. Whether you have an obligation to provide us with your personal data

In order to be in a position to proceed with a business relationship with you, you must provide your personal data to us, which are necessary for the required commencement and execution of a business relationship and the performance of our contractual obligations. We are furthermore obligated to collect such personal data given the provisions of the money laundering law which require that we verify your identity before we enter into a contract or a business relationship with you or the legal entity for which you are the authorized representative / agent or beneficial owner. You must, therefore, provide us at least with your identity card/passport, your full name, place of birth (city and country), and your residential address so that we may comply with our statutory obligation as mentioned above.

Kindly note that if you do not provide us with the required data, then we will not be allowed to commence or continue our business relationship either to you as an individual or as the authorized representative/agent or beneficial owner of a legal entity.



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4. Why we process your personal data and on what legal basis

We are committed to protecting your privacy and handling your data in an open and transparent manner and as such we process your personal data in accordance with the GDPR and the local data protection law for one or more of the following reasons:

A. For the performance of a contract

We process personal data in order to perform banking transactions and offer financial services based on contracts with our customer but also to be able to complete our acceptance procedure so as to enter into a contract with prospective customers.

The purpose of processing personal data depends on the requirements for each product or service and the contract terms and conditions provide more details of the relevant purposes.

B. For compliance with a legal obligation

There are a number of legal obligations emanating from the relevant laws, to which we are subject as well as statutory requirements, e.g. the Cyprus banking law, the Money Laundering Law, Tax laws, Payments Law, Motor vehicle and road traffic law. There are also various supervisory authorities whose laws and regulations we are subject to e.g. the European Central Bank, the European Banking Supervisory Authority, the Central Bank of Cyprus, the Cyprus and Securities Exchange Commission which may issue Directives such as the CBC Directive on Governance and Management Arrangements in Credit Institutions, the CBC Directive for the prevention of money laundering and terrorist financing etc. Such obligations and requirements impose on us necessary personal data processing activities for credit checks, identity verification, compliance with court orders, tax law or other reporting obligations and anti-money laundering controls.

C. For the purposes of safeguarding legitimate interests

We process personal data so as to safeguard the legitimate interests pursued by us or by a third party. A legitimate interest is when we have a business or commercial reason to use your information. But even then, it must not unfairly go against what is right and best for you. Examples of such processing activities include:



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- Initiating legal claims and preparing our defence in litigation procedures,
- Means and processes we undertake to provide IT and Auction Yard system security, preventing potential crime, asset security, admittance controls and anti-trespassing measures,
- Setting up CCTV systems, e.g. at Auction Premises that monetary transactions take place, for the prevention of crime or fraud,
- Sharing your personal data within the Bank of Cyprus Group for the purpose of updating/verifying your personal data in accordance with the relevant anti-money laundering compliance framework,

D. You have provided your consent
Provided that you have given us your specific consent for processing (other than for the reasons set out hereinabove) then the lawfulness of such processing is based on that consent. You have the right to revoke consent at any time. However, any processing of personal data prior to the receipt of your revocation will not be affected.

5. Who receives your personal data

In the course of the performance of our contractual and statutory obligations your personal data may be provided to various departments within the Bank but also to other companies of the Bank of Cyprus Group. Various service providers and suppliers may also receive your personal data so that we may perform our obligations. Such service providers and suppliers enter into contractual agreements with Auction Yard by which they observe confidentiality and data protection according to the data protection law and GDPR.

It must be noted that we may disclose data about you for any of the reasons set out hereinabove, or if we are legally required to do so, or if we are authorized under our contractual and statutory obligations or if you have given your consent. All data processors appointed by us to process personal data on our behalf are bound by contract to comply with the GDPR provisions.



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Under the circumstances referred to above, **recipients of personal data may be**, for example:

- Supervisory and other regulatory and public authorities, inasmuch as a statutory obligation exists. For example, there are cases where personal data is transferred to the Road Transport Department, the Cyprus Police, the Central Bank of Cyprus, etc.
- Credit and financial institutions such as correspondent banks. In some cases, new purchasers' personal data: Name, address, contact details (telephone, email, fax number), identification data must be provided to the correspondent banks. Those as previous legal owners of the vehicles must proceed with the transfer of ownership procedure at the Road Transport Department.
- Cooperative suppliers of items sold at the auction. Those as previous legal owners of the goods sold must proceed with the transfer of ownership procedure and with the issue of a sale invoice (where applicable).
- In accordance with the law there are cases where the new purchaser - bidder is provided with legal documents containing personal data of the previous owner (e.g. vehicle ownership title, court decision, etc.) in order for the re-registration of the vehicle to take place.
- Valuators and surveyors,
- Non-performing loan management companies,
- Debt collection agencies,
- For our anti-money laundering process, such as credit reference agencies,
- External legal consultants,
- Auditors and accountants,
- Companies which help us to provide you with debit, credit, pre-paid or charge cards such as Visa and Mastercard,
- Card payment processing companies, such as JCC Payment Systems Ltd,
- Fraud prevention agencies,
- File storage companies, archiving and/or records management companies, cloud storage companies,
- Companies who assist us with the effective provision of our services to you by offering technological expertise, solutions and support and facilitating payments,
- Purchasing and procurement and website and advertising agencies.



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6. Transfer of your personal data to a third country or to an international organization

Your personal data may be transferred to third countries [i.e. countries outside of the European Economic Area] in such cases as e.g. the auctioning of an auction item by a supplier with a registered office abroad or if this data transfer is required by law [e.g. reporting obligation under Tax law] or you have given us your consent to do so. Processors in third countries are obligated to comply with the European data protection standards and to provide appropriate safeguards in relation to the transfer of your data in accordance with GDPR Article 46.

7. To what extent there is automated decision-making and whether profiling takes place

In establishing and carrying out a business relationship, we generally do not use any automated decision-making. We may process some of your data automatically, with the goal of assessing certain personal aspects (profiling), in order to enter into or perform a contract with you, e.g. in the cases of Data assessments (including on payment transactions) are carried out in the context of combating money laundering and fraud. An account may be detected as being used in a way that is unusual for you or your business. These measures may also serve to protect you.

8. How we treat your personal data for marketing activities and whether profiling is used for such activities

We may process your personal data to tell you about products, services and offers that may be of interest to you or your business.

The personal data that we process for this purpose consists of information you provide to us and data we collect and/or infer when you use our services.

We can only use your personal data to promote our products and services to you if we have your explicit consent to do so or, in certain cases, if we consider that it is in our legitimate interest to do so.



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You have the right to object at any time to the processing of your personal data for marketing purposes, which includes profiling, by contacting at any time with authorized personnel of Auction Yard either in person or in writing.

9. How long we keep your personal information for

We will keep your personal data for as long as we have a business relationship with you [as an individual or in respect of our dealings with a legal entity you are authorized to represent or are beneficial owner].

Once our business relationship with you has ended, we may keep your data for up to ten (10) years.

We may keep your data for longer than 10 years if we cannot delete it for legal, regulatory or technical reasons.

10. Your data protection rights

You have the following rights in terms of your personal data we hold about you:

- **Receive access to your personal data.** This enables you to e.g. receive a copy of the personal data we hold about you and to check that we are lawfully processing it. In order to receive such a copy you can contact with the authorized personnel of Auction Yard Ltd.
- **Request correction [rectification]** of the personal data we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected.
- **Request erasure of your personal information.** This enables you to ask us to erase your personal data [known as the 'right to be forgotten'] where there is no good reason for us continuing to process it.



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- **Object to processing of your personal data** where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground. If you lodge an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms. You also have the right to object where we are processing your personal data, for direct marketing purposes. This also includes profiling inasmuch as it is related to direct marketing. If you object to processing for direct marketing purposes, then we shall stop the processing of your personal data for such purposes.

- **Request the restriction of processing** of your personal data. This enables you to ask us to restrict the processing of your personal data, i.e. use it only for certain things, if:
 - it is not accurate,
 - it has been used unlawfully but you do not wish for us to delete it,
 - it is not relevant any more, but you want us to keep it for use in possible legal claims,
 - you have already asked us to stop using your personal data but you are waiting us to confirm if we have legitimate grounds to use your data.

- **Request to receive a copy** of the personal data concerning you in a format that is structured and commonly used and transmit such data to other organisations. You also have the right to have your personal data transmitted directly by ourselves to other organisations you will name [known as the right to data portability].

- **Withdraw the consent that you gave us** with regard to the processing of your personal data at any time. Note that any withdrawal of consent shall not affect the lawfulness of processing based on consent before it was withdrawn or revoked by you.

To exercise any of your rights, or if you have any other questions about our use of your personal data, please contact our Auction Yard authorized personnel at telephone number 22124511, 51 Stassinou Street, Agia Paraskevi, Strovolos, 2002, Nicosia, Cyprus, email: info@auctionyardcy.com.

We endeavour to address all of your requests promptly.



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Right to lodge a complaint

If you have exercised any or all of your data protection rights and still feel that your concerns about how we use your personal data have not been adequately addressed by us, you have the right to complain to Auction Yard Ltd. You also have the right to complain to the **Office of the Commissioner for Personal Data Protection**. Find out on their website how to submit a complaint (<http://www.dataprotection.gov.cy>).

11. Changes to this privacy statement

We may modify or amend this privacy statement from time to time.

We will notify you appropriately when we make changes to this privacy statement and we will amend the revision date at the top of this page. We do however encourage you to review this statement periodically so as to be always informed about how we are processing and protecting your personal information.

Note:

The General Data Protection Regulation (EU) 2016/679 is applicable from 25 May 2018. Before then, the Processing of Personal Data (Protection of Individuals) Laws 2001 till 2012 remained in force.