

# MINI Connected - Privacy Policy

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MINI is committed to your privacy. The high standard that you associate with the features of our products and services are the guideline we use in handling your personal information. In doing so, we seek to create and maintain an environment conducive to a trustworthy business relationship with our customers and interested parties. The confidentiality and integrity of your personal information is especially important to us.

## **Who is the authority responsible for data collection and processing?**

This Privacy Policy governs the provision of certain vehicle-based information and assistance services and support such as MINI Digital Services, MINI Assist Services and other services (together, the “MINI Services”) by MINI Canada, a division of BMW Canada Inc., and our affiliates, our related divisions, including MINI Financial Services Canada (“MINI Canada”, “we” or “us”), under the designation “MINI Connected”. Some of the MINI Services are provided with the assistance of service providers acting on our behalf, as further detailed in this Privacy Policy (in particular, please see the “Sharing of Personal Information” section).

This Privacy Policy explains how we collect, use, disclose, transfer and store MINI Connected subscribers’ (“you”, “your”) personal information pursuant to the MINI Connected Subscriber Agreement and the Connected Terms and Conditions of Use (together, the “Connected Agreement”). It also details the rights you have in relation to your personal information. Please review the MINI Privacy Policy located at [www.mini.ca](http://www.mini.ca) for more information. Further information about how we use cookies and interest-based advertising is available in our Cookies Notice available at <https://www.mini.ca/en/about/cookies>.

## **What information may be collected about you and how is it used?**

The MINI Services are designed to be a highly personalized mobility companion. In order to provide the personalized features of the MINI Services, we collect and use personal information as set out below and in compliance with applicable law.

In this Privacy Policy, personal information” generally means any information that can be used, either alone or in combination with other information, to identify an individual. It may also include other types of more technical information, but only when this information can identify you as an individual. Information that is anonymized and cannot be associated with an identifiable individual is not considered to be personal information, if it is, at all times, reasonably foreseeable in the circumstances that this information irreversibly no longer allows the individual to be identified directly or indirectly.

Given the nature of the MINI Services, there may be times when someone other than you is using the Services we provide to you. You are solely responsible for informing such person about this Privacy Policy and the privacy choices you have made. We do not knowingly collect personal information from anyone under 16 years of age. If we become aware due to notification by you, that personal information has been collected from anyone under 16 years of age, we will delete this information from our records. You also have the ability to change your privacy settings in the vehicle.

We describe below the categories of personal information we may collect in relation to the MINI Services and the purposes for which we may use it.

## **A. Concluding the agreement and creating your MINI Login**

We collect the following categories of personal information to conclude the Connected Agreement:

- Contact information (title, last name, first name, preferred language, address, telephone number(s), e-mail address, emergency contact information, etc.);
- Account information (MINI Connected or MINI login account, tokenized credit card number, etc.); and
- Order history, and MINI Assist Call Centre notes.

## MINI Login

To use the MINI Services, you must register in the MINI App / Portal. When you register, you will receive an online customer account that gives you access to other MINI portals and offers. In order to provide you the MINI login service, your data is passed on to the MINI company that acts as a provider of the applications you are using. Storage of the data from your customer account is handled by our affiliates.

## **B. Fulfillment of the contractual obligation for performance of the Connected Agreement**

For the purposes of fulfilling the Connected Agreement, and your use of the MINI Services, and otherwise with your consent, we along with service providers acting on our behalf render a variety of services, which involve the collection and use of personal information, such as MINI Intelligent Emergency Call, information services, Advanced Real-Time Traffic information, TeleServices, etc., where available. Your MINI vehicle may also be equipped with one or more sensing or diagnostic modules capable of automatically retrieving, recording, transmitting, or storing certain vehicle information and/or service requirements.

**Personal information we collect when the MINI Services are activated.** When the MINI Services are activated, we may collect and retain an electronic or other record of the following information –which is personal information when associated with you:

- Your vehicle's position and movement information if enabled by you in the vehicle, description, and direction of travel. MINI may be required to locate your vehicle in circumstances where MINI is required to locate the vehicle due to law enforcement requests;
- Software version information, service information such as diagnostic trouble codes, tire pressure, fuel and odometer readings;
- Sensor and incident information, such as information about collisions, the direction from which your car was hit, which air bags have deployed, and safety belt usage; user profile including configured news, e-mail or audio provider, etc.;
- Environmental information including temperature, rain, etc.;
- Dynamic traffic information including traffic jams, obstacles, signs, parking spaces, etc.;
- Information about anyone making a Connected call from your vehicle or under your account; and the date, time and duration of the call, information and recommendations provided to you during the call, and any MINI Assist Call Centre Specialist notes written during a call.

**How we use your personal information.** We may use personal information detailed above for the following purposes:

- To provide the MINI Services;
- To facilitate the provision of software updates;
- We may also record, monitor, or track your vehicle's location or other information when your vehicle is equipped to provide stolen vehicle recovery and you report your vehicle as stolen (requires identity verification and filing of a stolen vehicle report with local authorities);
- To enforce an agreement, when MINI reasonably believes that you are in breach of the Connected Agreement, or are in breach of the vehicle lease/finance agreement with MINI Financial Services Canada, or any other agreement with MINI in which MINI is a beneficiary thereof relating to the vehicle;
- As permitted or required by law or court order.

## **C. Securing product quality and developing new products**

In addition to performance of MINI Services, the information collected under section B is also collected, used and shared with our partners such as MINI Assist, Teleservice Providers, MINI Retailers, and Emergency Services for quality assurance in products and services offered by us and service providers acting on our behalf, and for developing new products and services. This collection, use and disclosure is used to meet the high customer standard placed on existing products and services and to allow us to fulfill the future requests of our customers through analysis, and research

and development of new products and services. In order to protect the privacy of our customers, personal information is processed in a manner that is anonymized and cannot be traced back to the customer/vehicle directly.

#### **D. Fulfillment of the sales, service and administrative processes of MINI Canada and MINI authorized retailers**

**Aggregated and anonymized evaluations and reports.** In order to optimize the customer experience and collaboration with MINI authorized retailers continuously, we create evaluations and reports based on information from agreements and we share these evaluations and reports with the applicable MINI authorized retailers. These evaluations are predominantly used for introducing appropriate measures such as training courses for sales personnel to improve the request and sales process. We create the aforementioned reports only in an aggregated and anonymized form so that it does not identify you directly or indirectly; this means that the recipients of the reports are unable to draw any conclusions about you personally.

**Service processes.** Portions of the vehicle-specific information collected under section B is used for performance of the service processes (e.g. repair, warranty, goodwill) of MINI Canada and MINI authorized retailers. This processing is required to provide our customers with the best possible service process.

#### **E. Customer support**

We, and service providers acting on our behalf such as MINI Assist, our payment solution provider use your personal information for communication as part of concluding contracts (e.g. Purchasing Digital Services) or for responding to your requests for product and service information. We contact you regarding all aspects of concluding a contract or processing a request by e-mail.

For quality assurance, employee training and compliance purposes, calls to the MINI Assist Call Centre may be monitored and/or recorded.

#### **F. Marketing communications and market research**

Your information may be used and shared by MINI Canada with service providers and partners for promotional, marketing or related purposes, contests and/or market research. You may choose to opt-out from promotional electronic and other communications at any time by contacting MINI Customer Service at 50 Ultimate Drive, Richmond Hill, ON L4S 0C8, by telephone at 1-866-378-6464, email us at [customer.service@mini.ca](mailto:customer.service@mini.ca), or by following the unsubscribe instructions found in electronic mail communications from MINI. Please also see the “**How can you view and modify your data privacy settings?**” section below to make choices about telephone, email, text message and other communications. Please note that MINI is not able to process opt-out requests for offers and promotions from third parties including service providers and partners. You must contact the service provider or partner directly to opt-out of such communications. You will continue to receive electronic communications relating to the MINI Services and your MINI Services Account.

If you exercise choice regarding certain marketing and promotional communications, your information may still be used for the other purposes described in this Privacy Policy including marketing communications where you have not exercised your choice, or communications we are required or permitted by law to send to you, such as account related messages, recalls, etc.

Some collection and disclosure practices cannot be separated from the MINI Services offered. For example, some of the MINI Digital Services require creation of a Connected account and acceptance of the Terms and Conditions and this Privacy Policy. In such circumstances, you may be required to decline those MINI Services or accept limited functionality if you do not want to share your personal information.

## Cookies and Tracking

When you use the MINI Services on our website, we may use cookies, web beacons, pixels and similar technologies to gather information about your access and use of the MINI Services to help provide our products and services, remember your preferences, maximize the performance of MINI Services, make your experience personal and convenient and display relevant advertising. This information includes Internet Protocol (IP) addresses, browser type and language, Internet service provider (ISP), referring and exit websites and applications, operating system, date/time stamp, and clickstream data.

Please refer to our [Cookies Notice](https://www.mini.ca/en/about/cookies) <https://www.mini.ca/en/about/cookies> for more information on our automatic collection of information on our website, including how the information is used for advertising, or to disable cookies and/or opt-out of interest-based advertising, please see our MINI Canada Website's Cookie Policy. You can also refer to your web browser for instructions to learn more about cookies and other technologies and how to manage their use, and how to disable cookies. If you refuse or delete cookies, some of the functionality of a website may be impaired.

We may use a "click-through URL" linked to content on the MINI Services. When customers click one of these URLs, they pass through a separate web server before arriving at the destination page. We track this click-through data to help us determine interest in particular services and topics and measure the effectiveness of our customer communications. If you prefer not to be tracked in this way, you should not click text or graphic links in the MINI Services and email messages.

## **G. Fulfillment of legal obligations of MINI and Protecting our Business**

We may collect, use and share personal information if there is a legal, regulatory or contractual obligation to do so. For example, we may contact you because your vehicle is subject to a recall or repair request.

We may also use personal information to protect our business, which can include the following:

- To safeguard the operation of IT systems, which includes the following actions:
  - Backup and restoration of data processed in IT systems;
  - Logging and monitoring transactions to check the specific functionality of IT systems;
  - Detecting and defending against unauthorized access to personal information; and
  - Incident and problem management for resolving problems in IT systems.
- For internal compliance management, wherein we review aspects such as whether you have received sufficient advising as part of concluding an agreement and whether MINI authorized retailers have complied with all legal requirements.

## Sharing of Personal Information

We may share your personal information with our affiliated companies, third-party service providers, MINI retailer networks and certain business partners in order to provide the MINI Services, conduct our business activities and protect our rights. For example, we share personal information in the following circumstances:

- **Our service providers.** We may share personal information with our service providers, including our MINI Assist Call Centre, roadside assistance service providers, emergency service dispatchers and providers, concierge services providers, marketing campaign providers, payment solution providers, as well as other service providers required to deliver the MINI Services and enforce contractual or other legal obligations as necessary. All service providers are contractually obligated to keep your information secure and confidential and use the information only as we specify.

- **MINI authorized retailers, members of MINI Canada and MINI divisions.** We may share personal information with MINI authorized retailers, members of MINI Canada and MINI divisions, who may use it to provide you with customized services and enhance your experience.
- **Analysis and research.** We may use the information we collect for analysis and research purposes and will share information as necessary with third parties to accomplish those tasks. This information is anonymized and not identifiable.
- **Partners.** We may share personal information with our approved MINI partners. For further information on how we process your personal data, please refer to the MINI Privacy Policy.
- **Emergency contacts.** We may disclose your personal information to individuals designated by you to be contacted in an emergency.
- **Sale or transfer of our business or other transaction.** We may sell or purchase assets. If another entity acquires us or all or a portion of our assets, data including personal information that we collected from you may be shared with that entity. The data will be shared for the purpose of that entity considering whether to enter into the transaction and also to complete the transaction.
- **Other permitted purposes.** When required, we may release information, including location data, to comply with the law, in legal proceedings, to respond to subpoenas or court orders, in co-operation with law enforcement agencies, and/or to enforce the terms of our agreements, as well as part of legal and reporting requirements.

MINI authorized retailers and partners acting on our behalf operate as separate and distinct legal entities from MINI Canada. Each such entity has its own privacy practices and policies. When communicating with a MINI authorized retailer or partner, we encourage you to review their privacy policy and practices to understand how they collect, use and disclose your personal information.

Our concierge service provider may use other service providers to provide the products and services that you request when you use the concierge services. Personal information necessary to provide any products and services you request may be given to such third-party service providers and the MINI Connected Privacy Policy and Terms and Conditions of Use will not govern those providers. We recommend that you carefully review the user terms and privacy policies of each third-party service or application prior to registering, signing up, downloading or using them.

#### **How long do we retain your data?**

We will retain your personal information for as long as necessary to fulfill the purpose of providing our products and services, to operate our business, to comply with applicable laws, to enable us to communicate with you, for record-keeping, for our safety, research, evaluation of use, troubleshooting purposes, or to meet legal and contractual obligations. Where necessary, we anonymize or delete information we collect when we no longer need it for the uses described in this Privacy Policy.

#### **How is your data stored?**

We may process and store information including personal information in electronic format on servers located outside of Canada and maintained by various MINI divisions. We may use service providers who process or store information outside of Canada. In certain circumstances your information may be accessible by law enforcement, government, regulatory bodies or other authorities in accordance with the laws of the foreign jurisdictions. You may contact us, as set out below, to obtain information about our policies and practices with respect to service providers outside of Canada.

#### **How do we protect personal information?**

We are committed to protecting the personal information in our possession. We use administrative and technical controls, and require our service providers to take such measures, to help to maintain the security of your personal information. We have implemented security measures which include but are not limited to the use of: internal security policies and procedures; defined internal segregation of

duties; and electronic access controls such as passwords and encryption technology. However, no system of protection can guarantee the protection of your information.

We encourage you to observe safe computing practices. It is your responsibility to keep confidential any user-IDs and passwords that you use to register with us and not share them with anyone.

In providing the MINI Services, voice and data are transmitted between the MINI Assist Call Centre and your vehicle over the cellular telephone network. This network is complex and not necessarily secure. Therefore, the privacy and security of conversations or data transmitted to and from the vehicle cannot be guaranteed.

#### **How can you view and modify your privacy settings?**

We strive to keep the personal information in our possession or control accurate, complete, current and up-to-date as is necessary for the specified purpose, based on the most recent information available to us.

You can view, modify, correct or update the accuracy of any personal information we collect at any time on the MINI Portal at <https://www.mini-connected.ca>. If you are unable to locate the information you require access to, you may contact us at 1-866-378-6464; or send an email message to [privacy@mini.ca](mailto:privacy@mini.ca). You may be requested to provide satisfactory identification and proof of entitlement to access your personal information. We will provide you with access to your personal information that is in our possession, subject to certain exceptions. For example, we may not provide you with your personal information where the information is subject to solicitor-client privilege or consists of references to other persons or proprietary information that cannot be severed from the record. There may be reasonable costs associated with your request.

If you have any questions about our privacy practices, or would like to request a copy of our Privacy Policy, please contact our Privacy Officer by email at [privacy@mini.ca](mailto:privacy@mini.ca); by telephone at 1-866-378-6464; or by mail MINI Canada at 50 Ultimate Drive, Richmond Hill, ON L4S 0C8. You may request access to or a copy of your personal information by writing to us at 50 Ultimate Drive, Richmond Hill, ON L4S 0C8.

Our Privacy Policy may change from time to time. When we change the policy in a material way, a notice will be posted on the MINI Portal along with the updated Privacy Policy. Please check back frequently for updates.