

Effective/Last Updated: June 10, 2020

## BNI® DATA PROTECTION AND PRIVACY POLICY

BNI Worldwide Development Ltd controls your personal data related to BNI's operating management system known as BNI Connect® for and on behalf of BNI Global, LLC, together with its related affiliates BNI Singapore Enterprises Pvt Ltd, BNI India Enterprises Pvt Ltd, BNI Franchising, LLC, BNI Connect Global, LLC, BNI Hong Kong Enterprises Pvt Ltd, BNI Lanka Enterprises Pvt Ltd, BNI Global Holdings LLC, BNI Holdings, LLC, BNI Intermediate Holdings LLC, BNI International Holdings CBT, LLC, BNI Enterprise Business Network (Guangzhou) Co Ltd, BNI Networking & Referral Ireland Holdings Limited, BNI Ultimate Holdings LLC, Business Network France, Chapters France, Corporate Connections Franchising, LLC, Corporate Connections Global, LLC, Corporate Connections Worldwide Development Limited and CorpConnect Enterprises India Private Limited (“**BNI**”, “**our**” or “**we**”).

This Data Protection and Privacy Policy (“Policy”) is intended to explain to you, as a user of BNI or our services, what personal data we collect about you, how we use that data, with whom it may be shared, and your options about such uses and disclosures.

If you have any questions about this Policy or our personal data processing practices, or if you would like to request information about our disclosure of personal data to third parties for their direct marketing purposes, please contact us by email, telephone, or mail as follows:

**BNI Worldwide Development Ltd**  
**Ballinrobe Road**  
**Castlebar**  
**Co. Mayo**  
**F23 FT28**  
**IRELAND**

**Phone: +353 94 902 1553**

**Email: [legal@bni.com](mailto:legal@bni.com)**

BNI's Data Protection Officer can be contacted at the above address or phone number, or by email at [dpo@bni.com](mailto:dpo@bni.com).

We encourage you to read this Policy carefully when using BNIConnect.com, or web-accessed or mobile applications (“Sites”) or services or transacting business with us.

In the event of inconsistency between any terms of this Policy and any translation of this Policy into another language, the English version will control and prevail on any question of interpretation or otherwise.

## Categories of personal data collected about you and others

Personal data refers to any information about an identified or identifiable individual.

A. General. When you engage in certain activities on our Sites, such as registering for an account, purchasing a product, submitting content and/or posting content on any of our blogs, or sending us feedback, we may ask you to provide certain information about yourself. Examples of personal data may include your first and last name, email address, mailing address, telephone numbers, age group, gender and other identifying information. When setting up your profile on our Sites, you may be asked to provide an e-mail address, phone number, and address.

We gather certain information about you based upon where you visit on our Sites, and what other sites may have directed you to us. This information, which is collected in a variety of different ways, is compiled and analyzed on both a personal and an aggregated basis. This technology enables us to determine (i) your IP Address of your computer and its geographic location from installing the applications onto your computer or your mobile device; (ii) your search terms or interactive behavior via the Sites; (iii) your purchasing behavior; (iv) source of the information sought by you during your search; and (v) the age of your results data (collectively, "**Shared Information**").

B. Other Information You Provide. We may also collect and store any personal data you enter on our Sites or provide to us in some other manner, including personal information that may be contained in any comment you post to our Sites. This includes your name, address, e-mail address, and telephone number (if provided and applicable); images (both still and moving).

C. Information About Others. We may also collect and store personal data about other people provided to us by members, including their businesses, contact details including email addresses and/or IP addresses. This data is used in the legitimate interests of members, for the purposes of generating their invitations to non-members to Chapter meetings and other BNI events, and for business-to-business referrals between members for the potential purchase of goods or services from non-members.

D. Automatic Collection of Data. Information concerning your computer hardware and software are automatically collected and may be shared with other BNI or affiliated websites. This information may include: your IP address, browser type and language, domain names, access times, referring website addresses and the content of any undeleted cookies that your browser previously accepted from us (see "**Cookies**" below).

E. Cookies. When you visit our Sites, we may use one or more "Cookies" to make our Sites easier for you to use and to personalize your online experience. Through the use of a cookie, we also may automatically collect information about your online activity on our Sites, such as the web pages you visit, the links you click, and the amount of time you spend on the Sites. You can remove or block cookies using your settings in most browsers, but if you choose to decline cookies, you may not be able to sign in or use some of the features offered on our Sites.

F. Other Technologies. We may use the ever-evolving Internet technology, such as web beacons and other similar technologies, to track your use of our Sites. We also may include web beacons in company e-mail messages, newsletters, or notifications to determine

whether messages have been opened and/or acted upon. This enables us to customize the services we offer our Sites visitors to deliver targeted advertisements and to measure the overall effectiveness of our online advertising, content, programming or other activities.

G. Information From Other Sources. We sometimes supplement the information that we receive that has been outlined in this Policy with information from other sources and companies. Such outside information includes updated delivery and address information from carriers or third parties, which enables us to correct our records and deliver, for example, future communications more easily; account information, purchase or redemption information, and page-view information from some merchants with which we operate co-branded businesses or for which we provide technical, fulfilment, advertising, or other services; search term and search result information from some searches conducted through the Web search features; search results and links, including paid listings (such as Sponsored Links from Google); and credit history information from credit bureaus, which we use to help prevent and detect fraud and to offer certain credit or financial services to some customers.

## How your personal data is used and the legal basis for its processing

We primarily use your personal data to fulfil our contract to provide support or service offerings to you.

A. Contractual Necessity. On the basis of contractual necessity, we process the personal data of members and membership applicants to:

- manage your account and provide you with customer support;
- manage our business;
- enable and leverage the Sites to provide user functionality;
- process payment for any purchases, subscriptions or sales made on our Site, and to protect you and ourselves against, or identify, possible fraudulent transactions, and otherwise as needed to manage our business.

B. Legitimate Interest. In our legitimate interests in the maintenance and development of our business, we may process your data to:

- perform research and analysis about your use of , or interest in, our products, services, or content, or products, services or content offered by others; this information may be used, by way of example only, to help us understand the demographics of our members, identify chapters with openings for certain professions, inform future marketing campaigns, and judge the success of members and identify coaching strategies.
- cross market your services/products with our services and our affiliates' services
- verify your eligibility and deliver online and/or offline in connection with contests and sweepstakes;
- protect and defend the rights or property of BNI or one of BNI's referral networks.

C. Consent. You may consent to us:

- providing your email address and other information to our business partners for offers to you of products, services, promotions, contests and/or sweepstakes;
- sending you email notifications and/or newsletters.

You have the right to withdraw your consent at any time by emailing us at [legal@bni.com](mailto:legal@bni.com).

- D. Legal Necessity. When legally necessary, we may also process your personal data:
- to establish or exercise our legal rights, or to defend against legal claims;
  - in the vital interests of staff, members and users of BNI, or the public, to protect their personal safety.

## Data retention

Your data will only be retained for as long as necessary to fulfil the purposes for which it was obtained and/or meet any applicable legal obligations. Please see our Data Retention Policy, accessible at <http://bnitos.com/retention.html> for more information.

## How your personal data is disclosed

We may share personal data with:

A. Authorized Service Providers. Authorized service providers performing services on our behalf, e.g., processing credit card payments, delivering products and services, providing customer service and marketing assistance, performing business and sales analysis, supporting our Sites' functionality, and supporting other features and promotions offered through our Sites.

B. Business partners. From time to time, we may offer products, services, promotions, contests and/or sweepstakes on our Sites and share personal data with the businesses with which we partner to provide these offers. of

C. Franchisees. If you are a BNI member or a non-member, we may share your personal data with BNI Master Franchisees or (Sub)franchisees of BNI, who are joint controllers of data ("Data Controller") with our affiliate BNI Worldwide Development Limited. As joint Data Controllers, Master Franchisees and (Sub)franchisees have separate obligations for implementing appropriate technical and organizational measures to ensure and to demonstrate that their processing activities are compliant with the requirements of the European Union's General Data Protection Regulation ("GDPR" or the "Regulation").

D. Members. We and our authorized third-party agents may share your personal data and member performance data with other members, chapters, and the entire BNI System. This includes (a) displaying your personal information as a way of marketing your business on BNI Connect®, and (b) sharing your performance data via BNI Connect®, BNI® University, and any other web platforms or techniques we may, separately or through authorized third-party agents, choose to utilize or develop in the future related to the core business of networking and passing referrals.

- E. Other Situations. We may also disclose your information:
- under a legal obligation, including but not limited to, a subpoena or court order;

- under legal authority to respond to
- to prevent illegal activity, to prevent imminent bodily harm, or to protect ourselves and you from people violating our Terms of Service, accessible at [http://bnitos.com/tos\\_google.html](http://bnitos.com/tos_google.html). This may include sharing personal data with, for example, other companies, lawyers, courts or other government entities where applicable;
- in connection with a substantial corporate transaction, such as the sale of our business, a merger, divestiture, consolidation, or asset sale, though in any event, any acquiring entity or other third-party assignee will be bound by the provisions of this Policy.
- to protect and defend the rights or property of BNI or one of BNI’s referral networks; and, act under exigent circumstances to protect the personal safety of members and users of BNI, its Sites, or the public. This may include sharing personal data with, for example, other BNI members, visitors, government health agencies, or other government entities.

Any third parties to whom we may disclose personal data may have their own data protection and privacy notices/policies, which we encourage you to view on the websites of those third parties.

## Third-Party Websites

There are a number of places on our Sites or through our services where you may click on a link to access other websites that do not operate under this Policy. For example, if you click on an advertisement or a search result on our Sites, you may be taken to a website that we do not control. These third-party websites may independently solicit and collect personal data, from you and, in some instances, provide us with information about your activities on those websites. We recommend that you consult the data protection and privacy notices/policies of all third-party websites you visit.

## How you’re your Data Protection Rights

Under GDPR, you have the following rights:

- You have the right to be provided on request with a copy of your personal data.
- You have the right to rectification of inaccurate data we may have recorded about you.
- You have the right to the erasure of your data (“Right to be Forgotten”) which we no longer have justification for recording.
- You have the right to object to processing of your data which is being done on the basis of our legitimate interests.
- You have the right to refuse to be contacted for direct marketing purposes.
- You have the right to restrict the processing of your personal data when:
  - the basis for its processing is in dispute;
  - its accuracy is in dispute;

- we cannot establish a lawful basis for its processing, but you do not wish it to be erased;
- we no longer need your data, but you need it for the establishment, exercise, or defense of legal claims;
- you object, where applicable, to our processing your data on the basis of our legitimate interests, pending verification of whether our interests override.
- You have the right to be provided in a structured, commonly used and machine-readable format with a copy of your data which we process on the basis of your consent or contractual necessity, or to have it transferred directly to another data controller (“Data Portability”).

If you have an online account with us, you have the ability to review and update your personal information online by logging into your account. You can also review and update your personal information and exercise your other rights by contacting us. More information about how to contact us is provided below.

If you have an online account with us, you also may choose to close your account at any time by emailing us at [legal@bni.com](mailto:legal@bni.com). If you close your account, we may still retain certain information associated with your account for analytical purposes and record keeping requirements per our Data Retention section above as well as to prevent fraud, collect any fees owed, enforce our Terms of Service, or take other actions otherwise permitted by law. In addition, if certain information has already been provided to third parties as described in this Privacy Policy, retention of that information will be subject to those third parties' policies.

If you are not satisfied with our response or are otherwise concerned with how we process your personal data, you also have the right to make a complaint to our supervisory authority, Ireland’s Data Protection Commission ([www.dataprotection.ie](http://www.dataprotection.ie)).

## Communities and Forums Offered on our Sites

We may provide areas on our Sites where you can post information about yourself, including your name and email address, communicate with others; upload content; and post comments. Such postings are governed by our Terms of Service. Also, whenever you voluntarily disclose personal data on our Sites, that data will be available and can be collected and used by others who have authorized access to your content.

We encourage you to exercise discretion and caution with respect to your personal data. Once you have posted data, you may not be able to edit or delete such data.

Any personal data that you disclose through our Sites, or other online forums hosted on our Sites, may be collected and used by others. We recommend caution when giving out personal data to others in these online forums.

## Children’s Privacy

Our Site is a general audience site not intended for use by children, and we do not knowingly collect personal data from children. You may access our Sites only if you are of legal age to lawfully form a binding contract.

## How your Transfers of Personal Data Outside of Europe

The global extent of BNI's business necessitates the transfers of personal data to its franchisees, members, and business partners and service providers on a worldwide basis. When personal data is transferred from the European Economic Area (EEA), at least one of the following safeguards to protect your personal data to a similar level as within the EEA will be applied:

- Our franchisees, business partners or service providers are located in countries which have been designated by the European Commission as having an adequate national standard of data protection; or
- For transfers from the EEA or Switzerland to the United States of America, our franchisees, business partners or service providers may be registered under and have self-certified to adhere to the Privacy Shield Framework; or
- We will require our franchisees, business partners or service providers to adopt the data protection standard contractual clauses (“SCC”) pre-approved by the European Commission.

## Privacy Shield

For transfers out of the EU and Switzerland and to the United States of America, BNI Global, LLC has self-certified that it complies with the EU-US and Swiss-US Privacy Shield Framework as prescribed by the US Department of Commerce regarding the retention, use, collection, and notice principles. BNI additionally adheres to the Privacy Shield Framework recommendations pertaining to the transfer of information to third parties, access, security, data integrity and purpose limitation and enforcement. Additional information on the Privacy Shield Program can be viewed at <https://www.privacyshield.gov>. The Federal Trade Commission (FTC) has jurisdiction over BNI's compliance with the Privacy Shield. BNI will annually renew its Privacy Shield certification to help ensure the treatment of all personal data continues to be accurate and processed in accordance with the Privacy Shield Framework and applicable Principles. In cases of onward transfer to third parties of EU and Swiss Personal Data received pursuant to the EU-US and Swiss-US Privacy Shield Framework, BNI is potentially liable. All questions or complaints regarding the processing and use of personal data should be directed to [legal@bni.com](mailto:legal@bni.com).

BNI has elected JAMS as its independent dispute resolution mechanism in accordance with requirements set forth by Privacy Shield. If questions or complaints are not resolved satisfactorily through contacting BNI, users can file a complaint with JAMS at <https://www.jamsadr.com/file-an-eu-us-privacy-shield-or-safe-harbor-claim>.

You may have the option to select binding arbitration for the resolution of your complaint under certain circumstances, provided you have taken the following steps: (1) raised your complaint directly with BNI and provided us the opportunity to resolve the issue; (2) made use of the independent dispute resolution mechanism identified above; and (3) raised the

issue through the relevant data protection authority (DPA) and allowed the US Department of Commerce an opportunity to resolve the complaint at no cost to you. For more information on binding arbitration, see US Department of Commerce's Privacy Shield Framework: Annex I (Binding Arbitration).

## Changes to this Policy

We will occasionally update this Policy to reflect changes in our practices and services. When we post changes, we will revise the "Last Updated" date at the top of the Policy. If we make any material changes in the way we collect, use, and/or share your personal data, we will notify you email to the email address you most recently provided us in your account, profile or registration if we have such an email address, and/or by prominently posting notice of the changes on our Sites. We recommend that you check our Sites from time to time to inform yourself of any changes in this Policy.

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