

## **Processing of Personal Data (For customers located in the European Economic Area or the United Kingdom)**

This policy intends to inform you of how SBI Art Auction Co., Ltd. (“**SBI Art Auction**”) and SBI Art Port Co., Ltd., a subsidiary of SBI Art Auction (hereinafter collectively referred to as “**We**” or “**SBI**”), processes your personal data that we obtain from you (or through third parties) located in the European Economic Area or the United Kingdom.

Please confirm and agree to the details hereof in connection with the processing of your personal data by SBI.

We process your personal data in accordance with applicable EU and Member State regulations on data protection, including the General Data Protection Regulation No. 2016/679 (the “**GDPR**”). The regulations of the United Kingdom are similar to those under the GDPR and we similarly process the personal data of our customers located in the United Kingdom.

If you have any queries relating to this policy, please contact us at the contact details section (listed at the end of this policy).

For the processing of personal data of customers located outside the European Economic Area and the United Kingdom, please see <https://www.sbiartauction.co.jp/pdf/en/privacy-policy/privacy-policy-en.pdf>.

### **WHAT PERSONAL DATA DO WE PROCESS ABOUT YOU?**

We process the following categories of personal data in the course of our business operations:

- **Identity-related information:** Name, occupation (name of company, department and position), date of birth, gender, type of ID, content of ID card, issuance and expiration date of ID card, users' login ID on the website and passwords.
- **Contact details:** Address, country (region) of residence, e-mail address, telephone number, fax number, and shipping address.
- **Financial information:** Bank account information.
- **Information on artworks and transactions:** Names of purchased artworks, trading history (including the price of the transaction), the price of accepted bids for artworks showcased, the price of accepted bids for artworks purchased.
- **Technical data:** Cookies

## HOW DO WE COLLECT YOUR PERSONAL DATA?

In general, we receive or obtain your personal data from you in the following cases:

- when you provide us with your personal data on our website, via e-mail, telephone, fax, and in the form of manually filled-in forms and written documents, pertaining to art auctions and our catalogues;
- when you contact us to make an enquiry; and
- when we have communications with you in the operation of our business in any other circumstances.

We can collect your personal data through the analytics services of Amazon Web Services (AWS) and Google Analytics when you use our website. We also receive your personal data from Artnet (online resource for the international art market: <http://www.artnet.com/>) in responding to customer opinions and enquiries.

## HOW DO WE USE YOUR PERSONAL DATA?

For the purposes specified in this policy, we process your personal data based on the following legal basis. We ensure that the personal data processed is adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed. If we intend to process your personal data in order to attain other purposes than the original purposes, we will obtain your prior consent. Your personal data is not used for exclusively automated processing, including systematic profiling.

Specific Purpose	Categories of Personal Data	Legal Basis
To trade products dealt with by us	<ul style="list-style-type: none"><li>▪ <b>Identity-related information:</b> Name, occupation (name of company, department and position), date of birth, gender, type of ID, content of ID card, issuance and expiration date of ID card</li><li>▪ <b>Contact details:</b> Address, country (region) of residence, e-mail address, telephone number, fax number and shipping address</li><li>▪ <b>Financial information:</b> Bank account information</li></ul>	<ul style="list-style-type: none"><li>▪ Performance of contracts</li><li>▪ Legitimate interest: For the purpose of selling, purchasing, changing and lending artworks and drawing up written contracts.</li></ul>

	<ul style="list-style-type: none"> <li>▪ <b>Information on artworks and transactions:</b> Name and price of artworks purchased</li> </ul>	
To hold and run auctions of artworks for sale	<ul style="list-style-type: none"> <li>▪ <b>Identity-related information:</b> Name, occupation (name of company, department and position), date of birth, gender, type of ID, content of ID card, issuance and expiration date of ID card, user's login ID on the website and passwords</li> <li>▪ <b>Contact details:</b> Address, country (region) of residence, e-mail address, telephone number, fax number and shipping address</li> <li>▪ <b>Financial information:</b> Bank account information</li> <li>▪ <b>Information on artworks and transactions:</b> Names and prices of artworks showcased or purchased</li> </ul>	<ul style="list-style-type: none"> <li>▪ Performance of contracts</li> <li>▪ Legitimate interest: For the purpose of holding and running auctions of artworks for sale, including the series of operations from preparation to shipping of artworks.</li> </ul>
To assess artworks	<ul style="list-style-type: none"> <li>▪ <b>Identity-related information:</b> Name, occupation (name of company, department and position), date of birth, user's login ID on the website and passwords</li> <li>▪ <b>Contact details:</b> Address, e-mail address, telephone number</li> <li>▪ <b>Information on artworks and transactions:</b> Artworks owned</li> </ul>	<ul style="list-style-type: none"> <li>▪ Performance of contracts</li> <li>▪ Legitimate interests: For the purpose of prior assessment of artworks</li> </ul>
To run a contracting business	<ul style="list-style-type: none"> <li>▪ <b>Identity-related information:</b> Name, occupation (name of company, department and position), date of birth, gender, type of ID, content of ID card, issuance and expiration date of ID card</li> <li>▪ <b>Contact details:</b> Address, country (region) of residence, e-mail address, telephone number, fax number and shipping address</li> <li>▪ <b>Financial information:</b> Bank account information</li> <li>▪ <b>Information on artworks and</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ Performance of contracts</li> <li>▪ Legitimate interests: For the purpose of tasks entrusted by customers, including brokerage and appraisal of sales and purchases at</li> </ul>

	<b>transactions:</b> Artworks related to contracting business	auctions.
Customer management on new and consecutive transactions, including credit services for customers	<ul style="list-style-type: none"> <li>▪ <b>Identity-related information:</b> Name, occupation (name of company, department and position), date of birth, gender, type of ID, content of ID card, issuance and expiration date of ID card, user's login ID on the website and passwords</li> <li>▪ <b>Contact details:</b> Address, country (region) of residence, e-mail address, telephone number, fax number</li> <li>▪ <b>Financial information:</b> Bank account information</li> <li>▪ <b>Information on artworks and transactions:</b> Artworks being traded</li> </ul>	<ul style="list-style-type: none"> <li>▪ Legitimate interests: For the purpose of customer management of transactions (including customer credit services, enquiries, communication with customers and confirmation as to transaction-related matters.)</li> </ul>
To distribute and send our magazines and catalogues etc. via e-mail or post	<ul style="list-style-type: none"> <li>▪ <b>Identity-related information:</b> Name</li> <li>▪ <b>Contact details:</b> Address, e-mail address</li> </ul>	<ul style="list-style-type: none"> <li>▪ Consent</li> <li>▪ Legitimate interests: For the purpose of providing our customers with information on our recent services by e-mail and in writing</li> </ul>
To distribute and send information on our services, products, company, etc. via e-mail and post	<ul style="list-style-type: none"> <li>▪ <b>Identity-related information:</b> Name</li> <li>▪ <b>Contact details:</b> Address, e-mail address</li> </ul>	<ul style="list-style-type: none"> <li>▪ Consent</li> <li>▪ Legitimate interests: For the purpose of providing our customers with information on our recent services,</li> </ul>

		products, etc. by e-mail and in writing
To respond to customer opinions, enquiries, etc.	<ul style="list-style-type: none"> <li>▪ <b>Identity-related information:</b> Name</li> <li>▪ <b>Contact details:</b> Address, e-mail address, telephone number</li> </ul>	<ul style="list-style-type: none"> <li>▪ Legitimate interests: For the purpose of responding to customer enquiries efficiently and without delay</li> </ul>
Development of services and improvement of malfunctions based on customer trends and order history on products dealt with by us	<ul style="list-style-type: none"> <li>▪ <b>Identity-related information:</b> Name, occupation (name of company, department and position), age</li> <li>▪ <b>Contact details:</b> Address, e-mail address, telephone number</li> <li>▪ <b>Information on artworks and transactions:</b> Trading history (including the transaction price), the price of accepted bids for artworks showcased, the price of accepted bids for artwork purchased.</li> <li>▪ <b>Technical Data:</b> Cookies</li> </ul>	<ul style="list-style-type: none"> <li>▪ Consent</li> </ul>
To improve the convenience of web services	<ul style="list-style-type: none"> <li>▪ <b>Technical Data:</b> Cookies</li> </ul>	<ul style="list-style-type: none"> <li>▪ Consent</li> </ul>

\*For activities based on legitimate interests, we will provide more detailed information about our assessments in response to your inquiries.

## HOW LONG DO WE KEEP YOUR PERSONAL DATA?

We are required to process your personal data for as long as our contractual or business relationship with you continues. Unless we are obliged by law to retain your data, we will retain your information only for as long as it is necessary to process your personal data for the purposes described above. In addition, we may retain your personal data for a certain period of time after the termination of the relevant relationship, in accordance with the practices of the art trade industry.

<b>Specific Purpose</b>	<b>Storage Period</b>
To trade products dealt with by us	Period required for the purpose of processing
To hold and run auctions of artworks for sale	Period required for the purpose of processing
To assess artworks	Period required for the purpose of processing
To run a contracting business	Period required for the purpose of processing
Customer management on new and consecutive transactions, including credit services for customers	Period required for the purpose of processing
To distribute and send our magazines and catalogues etc. via e-mail or post	Period during which a valid consent exists
To distribute and send information on our services, products, company, etc. via e-mail and post	Period during which a valid consent exists
To respond to customer opinions, enquiries, etc.	Periods during which the processing of personal data is necessary for business relationships and communications
Development of services and improvement of malfunctions based on customer trends and order history on products dealt with by us	Period during which a valid consent exists
To improve the convenience of web services	Period during which a valid consent exists

## **HOW DO WE SHARE YOUR PERSONAL DATA?**

We may share your personal data with the following processors in order to ensure efficient business operations.

We limit your personal data that we share to the minimum extent necessary for the purpose of processing, enter into agreements with the processors who receive your personal data that limit the scope of their use and stipulate the processing of the personal data in

accordance with applicable laws on data protection (including the GDPR), and properly exercise supervision over such processors:

- **Amazon Web Services (AWS) (USA):** Cloud hosting services offered by SBI group companies
- **Benchmark USA Inc. (USA):** Providing a simultaneous delivery service of e-mail to SBI's registered mailing list
- **Google Inc. (USA):** Data analysis with Google Analytics Services
- **Service Providers (Japan):** IT-related service providers such as Internet service providers and cloud service providers
- **Subcontractors (Japan):** Subcontractors for the installation and maintenance of information equipment, development, maintenance, observation and support of information systems, sending of information on our product services, etc., delivery of artworks, storage of business materials and other services

In the case where we transfer your personal data outside the European Economic Area, we ensure the appropriate legal framework through the establishment of the Standard Contractual Clauses as defined by European Commission decisions 2004/915/EC ("SCC Controller - Controller") and 2010/87/EU ("SCC Controller - Processor") pursuant to Article 46(2)(c) of the GDPR. You may obtain a non-confidential copy of the above-mentioned safeguards of transfers we carry out by contacting us at the contact details section provided below.

As part of the measures against money laundering and terrorism financing, we may provide information about transactions and data subjects to the banks in Japan which we have accounts in and which the data subjects have transferred money to, if such banks are requested by supervisory authorities or deem it necessary to investigate.

We may disclose your personal data to the relevant authorities or courts in the context of investigations or legal proceedings, and we may be obliged to do so on the instructions of the relevant authorities or courts.

We may also disclose your personal data if we determine in good faith that the disclosure is reasonably necessary to protect our rights and pursue available remedies.

## **INFORMATION SECURITY**

In the operation of our website, we take the following security measures, and take the necessary and appropriate organizational and technical measures to prevent unauthorized

access to, leakage of, or falsification, etc. of personal data:

- External access to the server is allowed only via the minimum protocols necessary to provide services.
- We use virus detection systems and other measures to protect against unauthorized access.
- Communication is protected by SSL encryption protocol.

## **YOUR RIGHTS**

You have the following rights regarding your personal data processed by us:

- Information regarding your data processing: You have the right to obtain from us all the requisite information regarding our data processing activities of your personal data.
- Access to personal data: You have the right to obtain from us confirmation as to whether or not personal data concerning you is being processed, and, where that is the case, access to the personal data and certain related information.
- Rectification or erasure of personal data: You have the right to obtain from us the rectification of inaccurate personal data concerning you without undue delay, and to complete any incomplete personal data. You may also have the right to obtain from us the erasure of personal data concerning you without undue delay, when certain conditions apply.
- Restriction on processing of personal data: You have the right to obtain from us the restriction of processing of your personal data, when certain conditions apply.
- Object to processing of personal data: You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you, when certain conditions apply. For instance, if you would not like to receive any marketing communications from us, please let us know.
- Data portability of personal data: You have the right to receive your personal data in a structured, commonly-used and machine-readable format, and have the right to transmit this data to another controller without our hindrance, when certain conditions apply.
- Withdrawal of your consent: You can withdraw your consent at any time without affecting the lawfulness of processing based on your consent before withdrawal thereof. To withdraw your consent, please let us know. Once we have received notification that you have withdrawn your consent, we will no longer process your data for the purpose or purposes you originally agreed to.

If you intend to exercise such rights, please refer to the contact details section below.

If you are not satisfied with the way in which we have proceeded with any request, or if you have any complaint regarding the way in which we process your personal data, you may lodge a complaint with the competent Supervisory Authority ([https://edpb.europa.eu/about-edpb/about-edpb/members\\_en](https://edpb.europa.eu/about-edpb/about-edpb/members_en)), regarding an infringement of the GDPR in the Member State of your habitual residence. If you are located in the United Kingdom, please contact the Supervisory Authority here (<https://ico.org.uk/>).

### **Voluntariness of Information Provision**

We are able to provide appropriate services by obtaining personal information from our customers to the extent and for the purposes necessary to carry out our business, so if we are unable to obtain the customer's personal information which we request to be provided, we may not be able to provide a level of service which satisfies such customer, or conduct transactions or provide services to such customer.

### **Regarding the Use of Cookie Technology**

We use cookies on our website for the purpose of user authentication, verification of login status and improvement of convenience. For the purpose of improving the usability of the website for customers, the website may record an access log of the customer's IP address, access date and time, link source, accessed files and used browser, etc., and may use logs automatically saved on the server and a technology called "Web Beacon" for such records. While we do not use such technical information in relation to specific customers, you may disable cookies by changing the settings on your browser; however, please note that if you do so, your ability to use some of the services on the website may be limited.

We also use the Google Analytics service provided by Google, Inc. to help us understand how often our customers visit our website. By using Google Analytics, Google, Inc. collects and records information about your visits to our website based on the cookies we issue. We receive such results from Google, Inc. to analyze and understand your visit to our website. While the information collected and recorded by Google Analytics does not contain any information that identifies you as a specific individual, you may stop the collection of such information by disabling Google Analytics in your browser settings.

## **UPDATES TO POLICY**

We may revise or update this policy from time to time. Any changes to this policy will become effective upon the revised policy being posted via our website.

## **CONTACT**

For any questions or requests relating to this policy, you can contact us at:

### **SBI Art Auction Co., Ltd.**

TFT Building East Wing, 3-6-11 Ariake, Koto-ku, Tokyo, 135-0063 JAPAN

Tel: +81-3-3527-6692

E-mail: [artauction@sbigroup.co.jp](mailto:artauction@sbigroup.co.jp)

Telephone calls are received Monday through Friday from 10:00 a.m. to 5:00 p.m. (JST)

We are closed on weekends, public holidays, and during the year-end and new-year holidays.

Date of Enactment: October 2, 2023

Date of Revision: December 15, 2023