



Date: 22nd May 2018

Subject: Important GDPR Information

GL Number:	09-2018
Relevant To:	All Sales Staff, Dealer Principals, Business Managers
Objective:	Inform about important GDPR information
Action Required:	Cascade to your teams
Timing:	Effective 25th May 2018

Introduction:

You will be aware that Data Protection laws are changing and being strengthened by the GDPR which imposes new obligations, rights and penalties in relation to data protection.

A key requirement of GDPR is to ensure that there are contracts in place with all our Dealer partners where there is customer data processing. In order to assist in your GDPR compliance and fulfil your obligations with regards to the GDPR, we have created a GDPR Contract Addendum to our 2013 General Terms and Conditions (“Dealer Terms and Conditions of Business”) to ensure that we both have contracts in place, so that we can continue to share customer data in a compliant fashion.

For the purposes of our GDPR readiness this GDPR Contract Addendum only relates to where RCI share personal customer data with the Dealer. Dealers shall remain responsible under the applicable Data Protection Legislation in relation to Personal Data separately collected and processed by the Dealer, for example, any personal customer data collected and processed by the Dealer at point of a finance proposal is not covered by this addendum, whilst any customer data issued by RCI into the E-master FISC system to a Dealer is covered.

It’s in this context that RCI is the data controller and the Dealer is the data processor. You will already be familiar with the fact that any failure to comply with the GDPR requirements could result in our not being able to share customer data and serious consequences for data controllers and processors have been set out by the ICO.

Main Content:

As part of GDPR compliance, we have reviewed our Contracts as:

1. We intend to ensure that we and our Dealer partners remain compliant with all laws and regulations including, without limitation, GDPR.
2. We wish to protect our reputation and also to ensure customer data remains protected and treated in accordance with the enhanced provisions required by GDPR.

The GDPR makes written contracts between all data controllers and data processors a general requirement, rather than just a way of demonstrating compliance under the DPA. These contracts must now include certain specific terms as a minimum. These terms are designed to ensure that processing carried out by a processor meets all the requirements of the GDPR (not just those related to keeping personal data secure).



The GDPR Contract Addendum together with the Dealer Terms and Conditions of Business form the terms of business between RCI and its Dealer Partners. Each time you submit business to us and/or we share or process customer personal data, the Contract Addendum and Dealer Terms and Conditions of Business shall apply and govern the relationship between us.

Action Required:

In the next few days, before the 25th May 2018, RCI will be issuing to all Dealers via email, a copy of the GDPR Contract Addendum and 2013 Dealer Terms and Conditions of Business. Please fully brief your relevant teams in relation to GDPR and ensure that the Contract Addendum is printed and stored in addition to our other contractual documentation to ensure that you can demonstrate your compliance with GDPR by having a contract in place in relation to the processing of personal customer data.

You are not required to sign nor return the Contract Addendum. As mentioned above, by proposing business to us and/or receiving customer personal data from us, you agree to be legally bound by the attached Contract Addendum together with the Dealer Terms and Conditions of Business and you acknowledge that those terms and conditions shall apply.

Contact Information:

Please contact your Nissan Finance Account Manager should you need any further information.

Yours Sincerely

Lee Wheeler
Sales Director
Nissan Finance