

# CNH Industrial Capital

## Privacy Notice

Last modified: December 1, 2023

### 1. INTRODUCTION

CNH Industrial Capital America LLC, CNH Industrial Capital Canada Ltd. and New Holland Credit Company, LLC (collectively, “**Company**,” “**we**,” “**our**,” or “**us**”) respects your privacy and are committed to protecting it through our compliance with this policy.

This Privacy Notice (our “**Privacy Notice**”) describes the types of information we may collect, use, maintain, protect, disclose, or otherwise process about you when you apply for or obtain a financial product or service for your business or any other business for which you are authorized to obtain such financial products (in each case, “**Your Business**”) from the Company, either directly or indirectly through an authorized equipment dealer, including, without limitation, for commercial lending, leasing, insurance, and revolving charge accounts (each, a “**Financial Product or Service**”), or when you access your Financial Product or Service account through, or you visit, <https://myaccount.cnhindustrialcapital.com>, <https://www.cnhindustrialcapital.com> or any other Company-branded or affiliate website that allows you to pre-qualify or apply for a Financial Product or Service from the Company for Your Business (each such website, a “**Website**”) and our practices for collecting, using, maintaining, protecting, disclosing, or otherwise processing that information. Note that our Financial Products and Services are not directed towards individuals for personal, family, or household use.

This policy applies to information we collect:

- on our Websites, when you visit our Websites or access any Financial Product or Service account through our Websites (including to make payments);
- when you apply for (including to pre-qualify for) a Financial Product or Service on behalf of Your Business or when we service such an account;
- from telephone calls, voice messages, written correspondence, email, text, and other electronic messages, between you and us related to the Financial Products and Services you obtain or use for Your Business;
- when you interact with our advertising and applications on third-party websites and services, if those applications or advertising include links to this policy; and
- from certain equipment dealers with whom you transact business on behalf of Your Business.

Except as described in this Privacy Notice, it does not apply to information collected by:

- us through any other means, including on any other website operated by Company or any third-party (including our affiliates and subsidiaries), or for any purpose other than applying for or obtaining a Financial Product or Service for Your Business. For more information about our privacy practices related to information we collect through these channels, please see the appropriate privacy policy for the website or interaction with us;
- us or any of our affiliates related to your use of any product and service that is not a Financial Product or Service offered by Company or our affiliates. Please see the applicable privacy notice for more information about our privacy practices related to you;
- us or any of our affiliates or subsidiaries related to your or any other individual’s employment or potential employment with us. If you are an employee or applicant to the Company, please see your Human Resources representative for information about our privacy practices for this type of information; or
- any third party (including our independent dealers, affiliates, and subsidiaries), including through any application or content (including advertising) that may link to or be accessible from the Website or that you otherwise may provide your Personal Information to. For more information about such third-parties’ privacy practices, please ask the applicable third-party.

For more information about our privacy practices related to personal information collected in relation to Your Business’ participation to the Parts Perks Program (if applicable), please see a separate privacy notice, found [here](#).

Please read this Privacy Notice carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use any Financial Product or Service or our Websites. By accessing or using our Financial Products or Services or our Websites, you agree to this Privacy Notice. This Privacy Notice may change from time to time (see [Changes to Our Privacy Notice](#)). Your continued use of any Financial Product or Service or our or your continued access or visit any of our Websites after we make changes, is deemed to be acceptance of those changes, so please check this Privacy Notice periodically for updates.

### 2. CHILDREN UNDER THE AGE OF 18

Our Financial Products or Services and Website are not intended for children under 18 years of age. No one under age 18 may provide any information in relation to any Financial Product or Service to or on the Websites. We do not knowingly collect Personal Data from children under 18. If you are under 18, do not use any Financial Product or Service or use or provide any information on our Websites or on or through any of its features, including your name, address, telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received

Personal Data from a child under 18 without verification of parental consent, we will delete that information. If you believe we might have any information directly from a child under 18, please contact us through the contact information below.

### **3. INFORMATION WE COLLECT ABOUT YOU AND HOW WE COLLECT IT**

Throughout this Privacy Notice, the term “**Personal Data**” means any information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual or device. However, Personal Data does not include any deidentified or aggregated information.

#### **Generally**

We collect Personal Data from various sources, including:

- directly from you when you provide it to us, including when you fill out forms to obtain a Financial Product or Service for Your Business;
- automatically as you navigate through the Websites;
- information that we create about you when you apply for, obtain, or otherwise use a Financial Product or Service and as you use our Websites; and
- From third parties such as credit reporting agencies and certain equipment dealers with whom you transact business.

#### **Information You Provide to Us**

We may collect the following types of Personal Data directly from you when you apply for, obtain, or otherwise use a Financial Product or Service or otherwise access or use our Website: real name, alias, home and/or business postal address, unique personal identifier (such as a loan number or other account number), home and/or business email address, home, mobile and/or business telephone number, social security number, social insurance number, drivers’ license or other government-issued ID number, insurance information, title, employer name, age, birthdate, records of goods and services purchased, obtained, or considered to be purchased or obtained and any other identifier by which you may be contacted online or offline. We may be required to report certain demographic information to government regulators and may collect certain information about you or Your Business, such as your minority owned business status, women owned business status, LGBTQIA+ owned business status, and your principal owners’ ethnicity, race, and sex, however providing this information is completely optional. In addition, we also collect other types of information that you may provide when you fill out a form or through your correspondence with us.

We collect the Personal Data through:

- information that you provide by filling in forms to obtain a Financial Product or Service or forms on any of our Websites or at one of our dealers. This includes information provided at the time of registering to use any of our Websites;
- if you contact us, records and copies of your correspondence (including email addresses and telephone numbers);
- your responses to surveys that we might ask you to complete for research purposes; and
- details of transactions you carry when you use a Financial Product or Service, including online or at a dealer (for example, when you use our revolving credit account or make a purchase or lease that is the subject of a Financial Product or Service). You may be required to provide financial information before obtaining a Financial Product or Service, including making a payment through our Websites.

#### **Information We Collect Through Automatic Data Collection Technologies**

As you navigate through and interact with our Websites, we may use automatic data collection technologies to collect certain Personal Data about your interaction with our Website, including information about your equipment, browsing actions, and patterns. This includes:

- details of your visits to our Websites. This includes browsing history, search history, traffic data, location data, logs, referring/exit pages, date and time of your visit to our Websites, error information, clickstream data, and other communication data and the resources that you access, use, or otherwise interact with on the Website;
- your general geographic location based off of IP addresses (i.e., town, city, state);
- Information about your computer and internet connection, i.e., your IP address, operating system, and browser type.

The information we collect automatically may include Personal Data or we may maintain it or associate it with Personal Data we collect in other ways or receive from third parties. It helps us to improve our Websites and to deliver a better and more personalized service by enabling us to:

- estimate our audience size and usage patterns;
- store information about your preferences;
- secure our Websites and our customers’ accounts;
- customize our Websites according to your individual interests;

- speed up your searches; and
- recognize you when you return to our Websites.

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. Our Websites may use both session cookies (which expire once you close your browser) and persistent cookies (which stay on your computer until you delete them) to provide you with a more personal and interactive experience on our Websites. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Websites. You may find out more about the specific cookies that we use by clicking on the “Cookies Settings” link at the bottom of our Website and reviewing the information about each category of cookies. You may adjust your settings by clicking on the “Cookies Settings” link at the bottom of our Websites and adjusting the setting for each category of cookie. You can also set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. However, if you do not consent to our use of cookies or select these setting you may be unable to access certain parts of our Websites. You can find more information about cookies at <http://www.allaboutcookies.org> and <http://youronlinechoices.eu>.
- **Session Cookies.** Our use of cookies also includes “session cookies.” Each time you access the Websites, a session cookie containing an encrypted, unique identifier is placed on your browser. These session cookies allow us to uniquely identify you when you use the Websites and track which pages of the Websites you access. Session cookies are required to use the Websites.
- **Web Beacons.** Pages of our Websites and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

#### Third-Party Use of Cookies and Other Tracking Technologies

Some content or applications, including advertisements, on the Websites are served by third-parties, including advertisers, ad networks and servers, content providers, analytics providers, social media companies, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our Websites. The information they collect may be associated with your Personal Data or they may collect information, including Personal Data, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties’ tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see [Choices About How We Use and Disclose Your Information](#).

#### **Information We Create About You**

We may also create certain information about you. When we associate this information with other Personal Data about you, we consider this information to be Personal Data. This information includes: unique identifiers (such as loan and account numbers), records of personal property, products, or services purchased, obtained, or considered by you on behalf of Your Business, or other purchasing or usage histories or tendencies by you on behalf of Your Business, Financial Product or Service balance and payment history.

#### **Information We Collect from Third Parties**

We may collect Personal Data from third parties. When we associate this information with other Personal Data about you, we consider this information to be Personal Data. This information includes: real name, alias, work postal address, unique personal identifier (such as a loan number or other account number), work email address, work telephone number, social security number, drivers’ license or other state-issued ID number, insurance information, title, employer name, age, birthdate, records of goods and services purchased, obtained, or considered to be purchased or obtained, credit history, credit score, other credit check information, and any other identifier by which you may be contacted online or offline.

#### **4. HOW WE USE YOUR INFORMATION**

We use information that we collect about you or that you provide to us, including any Personal Data:

- to provide and personalize our Websites and their content to you;
- to provide you with information about our Financial Products and Services that you request from us;
- to review and make approval decisions about your application for a Financial Product or Service;
- to fund Your Business’s loan or lease (if your application is approved), or other extension of credit, or to otherwise provide Your Business with a Financial Product or Service you request from us (when applicable);
- to service a Financial Product or Service you obtain from us, including to process your transactions and payments and prevent transactional fraud;
- to support, develop, troubleshoot, and debug our Websites and other Financial Products or Services;

- to create, maintain, customize, and secure your Financial Product or Service account with us;
- to provide you with notices about your Financial Product or Service account, including invoices, expiration, and renewal notices;
- to provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses;
- to help maintain the safety, security, and integrity of our Websites, Financial Products or Services, databases and other technology assets, and business;
- for internal testing, research, analysis, and product development, including to develop and improve our Websites and a Financial Products or Services;
- detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity;
- debugging to identify and repair errors that impair existing intended functionality of our Websites;
- to carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection;
- to notify you about changes to our Websites or any Financial Product or Service we offer or provide;
- to allow you to participate in interactive features on our Websites;
- in any other way we may describe when you provide the information;
- to fulfill any other purpose for which you provide it; and
- for any other purpose with your consent.

We may also use your Personal Information to contact you about our own goods and services that may be of interest to you. If you do not want us to use your information in this way, please check the relevant box located on the form on which we collect your data. If you wish to change your choice, you may do so at any time by logging into the Websites and adjusting our user preferences in your account profile by checking or unchecking the relevant boxes or by contacting us through the contact information below. For more information, see [Choices About How We Use and Disclose Your Information](#).

## 5. DISCLOSURE OF YOUR INFORMATION

We do not share, sell, or otherwise disclose your Personal Data for purposes other than those outlined in this Privacy Notice. However, we may disclose aggregated information about our customers and users, and information that does not identify any individual, without restriction.

We may disclose Personal Data that we collect or you provide as described in this Privacy Notice:

- to our subsidiaries and affiliates for account management purposes;
- to authorized equipment dealers with whom you transact business;
- to contractors, service providers, and other third parties we use to support our business. These entities provide IT and infrastructure support services, screening services, identify verification services, credit modeling services, payment processing services, and collection and legal services;
- to a potential or actual buyer or other successor in the event of a planned or actual merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of the Company's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Data held by the Company about our users of our Websites and/or any Financial Product or Service is among the assets transferred;
- to a potential or actual buyer or other successor in the event of a sale, transfer or assignment of your Financial Product or Service account;
- to fulfill the purpose for which you provide it. For example, if you give us insurance information, we will use such information to verify your insurance and to notify your insurance company about any loans on your insured items related to your use of our Financial Products or Services;
- for any other purpose disclosed by us when you provide the information; and
- with your consent.

We may also disclose your Personal Data:

- to comply with any court order, law, or legal process, including to respond to any government or regulatory request;

- to enforce or apply our terms of use for our Websites and the terms and conditions of your use of a Financial Product or Service and other agreements, including for billing and collection purposes; and
- if we believe disclosure is necessary or appropriate to protect the rights, property, or safety of the Company, a dealer, our or their customers, our employees, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

We may also use your Personal Data to contact you, or share your Personal Data with our subsidiaries and affiliates so they may contact you, about our own and third parties' goods and services that may be of interest to you. If you do not want us to use your Personal Data in this way, please contact us at the contact information below and request that we no longer use or share your Personal Data for these purposes. In addition, we will send you a notice describing our disclosure if your Personal Information with our subsidiaries and affiliates for such marketing purposes and which will also provide you more information about how you may opt-out of such disclosures.

## 6. CHOICES ABOUT HOW WE USE AND DISCLOSE YOUR INFORMATION

We do not control the collection and use of your information collected by third parties described above in [Disclosure of Your Information](#). When possible, these organizations are under contractual obligations to use this data only for providing the services to us and to maintain this information strictly confidential. These third parties may, however, aggregate the information they collect with information from their other customers for their own purposes.

In addition, we strive to provide you with choices regarding the Personal Data we have collected about you. We have created mechanisms to provide you with control over your Personal Data:

- **Tracking Technologies and Advertising.** You can opt-out of our use of certain non-essential cookies by clicking the "Cookies Settings" link at the bottom of the Website and adjusting your cookie preferences. You can also set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse some cookies, please note that some parts of our Website may then be inaccessible or not function properly.
- **Promotional Offers from the Company.** If you do not want us to use your contact information to promote our own products and services and/or do not want us to disclose your Personal Information to our affiliates and subsidiaries for them to promote their products and services, you can opt-out at any time by contacting us through the contact information below and stating your request. If we have sent you a promotional email, you may click the unsubscribe link in the body of that email to be omitted from future email distributions. This opt-out does not apply to information provided to Company as a result of a product purchase, warranty registration, product service experience or other transactions, including any use to process your application for, provide you with, or service any Financial Product or Service.

We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can learn more about interest-based advertisements and your opt-out rights and options from members of the Network Advertising Initiative ("NAI") on its website ([www.networkadvertising.org](http://www.networkadvertising.org)) and from members of the Digital Advertising Alliance on its website ([www.aboutads.info](http://www.aboutads.info)).

California residents may have additional personal information rights and choices. Please see [Jurisdiction-Specific Privacy Rights](#) for more information.

## 7. ACCESSING, CORRECTING, AND DELETING YOUR PERSONAL DATA

You can review and change some of your Personal Data by logging into <https://myaccount.cnhindustrialcapital.com> and visiting your account profile page to adjust this Personal Data. Note that not all Personal Data may be updated in this way for security and/or legal compliance purposes.

You may also contact us at the contact information below or shown on any invoice related to your Financial Products or Services account to request access to, correct or delete any Personal Data that you have provided to us. We cannot delete all of your Personal Data except by also deleting your user account when there is no current balance. We may not accommodate a request to change or delete your Personal Data if we believe the change or deletion would violate any law or legal requirement or cause the information to be incorrect or impede our ability to service or collect on any account you currently have or guarantee.

The jurisdiction in which you are a resident or are located may provide you with additional rights and choices regarding your Personal Data. Please see [Jurisdiction-Specific Privacy Rights](#) for more information.

## 8. JURISDICTION-SPECIFIC PRIVACY RIGHTS

The law in some jurisdictions may provide you with additional rights regarding our use of Personal Data. To learn more about any additional rights that may be applicable to you as a resident of one of these jurisdictions, please see the privacy addendum for your state that is attached to this Privacy Notice.

- **[Your Canada Privacy Rights](#).** If you are a resident of Canada, you have the additional rights described in the [Canada Privacy Addendum](#).

## 9. DO NOT TRACK SIGNALS

We may use automated data collection technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking). Some web browsers permit you to broadcast a signal to websites and online services indicating a preference that they “do not track” your online activities. At this time, we do not honor such signals and we do not modify what information we collect or how we use that information based upon whether such a signal is broadcast or received by us.

## **10. DATA SECURITY**

We have implemented measures designed to secure your Personal Data from accidental loss and from unauthorized access, use, alteration, and disclosure.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Websites or to use a Financial Product or Service, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your Personal Data, we cannot guarantee the security of your Personal Data transmitted to our Websites. Any transmission of Personal Data is at your own risk. We are not responsible for circumvention of any privacy settings or security measures deployed on the Websites.

## **11. CONSENT TO PROCESSING OF PERSONAL DATA IN THE UNITED STATES**

In order to provide our Websites and Financial Products or Services to you, we may send and store your Personal Data outside of the country where you reside or are located, including to countries that may not or do not provide an equivalent level of protection for your Personal Data. Your Personal Data may be processed and stored in the United States and federal, state, and local governments, courts, or law enforcement or regulatory agencies in the United States may be able to obtain disclosure of your information through the laws of the United States. By using our Websites or a Financial Product or Service, you represent that you have read and understood the above and hereby consent to the storage and processing of Personal Data outside the country where you reside or are located, including in the United States.

Your Personal Data is transferred by the Company to another country only if it is required or permitted under applicable data protection law and provided that there are appropriate safeguards in place to protect your Personal Data. To ensure your Personal Data is treated in accordance with this Privacy Notice when we transfer it to a third party, Company uses Data Protection Agreements between Company and all other recipients of your Personal Data when required by applicable law.

## **12. CHANGES TO OUR PRIVACY NOTICE**

We may change this Privacy Notice at any time. It is our policy to post any changes we make to our Privacy Notice on this page with a notice that the Privacy Notice has been updated on the Websites’ home page or in an invoice. If we make material changes to how we treat our users’ Personal Data, we will notify you by email to the email address specified in your account, through a notice on the Websites’ home page, or as an insert in an invoice. The date this Privacy Notice was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Websites and this Privacy Notice to check for any changes.

**YOUR CONTINUED USE OF OUR WEBSITES OR OUR FINANCIAL PRODUCTS OR SERVICES FOLLOWING THE POSTING OF CHANGES CONSTITUTES YOUR ACCEPTANCE TO SUCH CHANGES.**

## **13. CONTACT INFORMATION**

If you have any questions, concerns, complaints, or suggestions regarding our Privacy Notice or the ways in which we collect and use your Personal Data described in this Privacy Notice, have any requests related to your Personal Data pursuant to applicable laws, or otherwise need to contact us, you may contact us at the contact information below or through the “Contact” page on our Websites.

### **North America Data Privacy Manager**

Email: [Privacy-NA@cnhind.com](mailto:Privacy-NA@cnhind.com)

Postal Address: CNH Industrial America LLC

Attn: Legal

6900 Veterans Blvd

Burr Ridge, IL 60527

**CNH Industrial America LLC**

**Privacy Addendum for Residents of Canada**

**Effective Date:** December 1, 2023

CNH Industrial Capital Canada Ltd. and New Holland Credit Company, LLC (collectively, “**Company**,” “**we**,” “**our**,” or “**us**”) adopts this Canada Privacy Addendum (the “**Canada Privacy Addendum**”) to comply with the *Personal Information Protection and Electronic Documents Act* (the “**PIPEDA**”)

and applicable Canadian provincial privacy acts (each, a “PIPA”), as they may be amended or superseded from time to time. This Canada Privacy Notice Addendum supplements the information contained in the Privacy Notice for CNH Industrial Capital America LLC, CNH Industrial Capital Canada Ltd. and New Holland Credit Company, LLC and applies solely to customers and others who reside in Canada (“you”). Any terms defined in the PIPEDA or a PIPA have the same meaning when used in this Canada Privacy Addendum. In the event of a conflict between the provisions of the Privacy Notice and the provisions of this Canada Privacy Addendum, the provisions of this Canada Privacy Addendum shall govern and control. Only CNH Industrial Capital Canada Ltd. offers Financial Products and Services to businesses in Canada, but some of your Personal Information may be processed by its other subsidiaries and affiliates within the Company to provide you with its Financial Products and Services.

## 1. SCOPE OF THIS CANADA PRIVACY ADDENDUM

This Canada Privacy Addendum applies to information that we collect when you apply for or obtain a financial product or service for your business or any other business for which you are authorized to obtain such financial products (in each case, “Your Business”) from the Company, either directly or indirectly through an authorized equipment dealer, including for commercial lending, leasing, insurance, and revolving charge accounts (each, a “Financial Product or Service”), or when you access your Financial Product or Service account through, or you visit, <https://myaccount.cnhindustrialcapital.com>, <https://www.cnhindustrialcapital.com> or any other Company-branded or affiliate website that allows you to pre-qualify or apply for a Financial Product or Service from the Company for Your Business (each such website, a “Website”) that relates to you and allows you to be identified, directly or indirectly, and includes any factual or subjective information, recorded or not, about an identifiable individual (“Personal Information”).

This Canada Privacy Addendum does not apply to Personal Information collected in the employment or similar context from our Canada-based employees, job applicants, contractors, or similar individuals. Please contact your local human resources department if you are a member of our Canada Personnel and would like additional information about how we process your Personal Information.

This Canada Privacy Addendum also does not apply to certain Personal Information that is excluded from the Scope of PIPEDA, like Personal Information covered by certain sector-specific privacy laws, including the *Bank Act* and [Provincial laws governing credit unions](#), and other information like journalistic, historical, or genealogical material that is collected, held, used, or communicated for the legitimate information of the public, or certain information related to your business duties, including certain business contact information. We may collect this type of Personal Information when you apply for our credit cards or apply for a loan from us, and our collection and use of such Personal Information are governed by our obligations under the applicable law.

## 2. CONSENT

WE WILL ONLY COLLECT, USE OR DISCLOSE YOUR PERSONAL INFORMATION WITH YOUR CONSENT, EXCEPT IN LIMITED CIRCUMSTANCES. BY YOUR RECEIPT OF OUR PRIVACY NOTICE AND THIS CANADA PRIVACY ADDENDUM, WE WILL ASSUME, UNLESS WE HEAR FROM YOU OTHERWISE, THAT YOU CONSENT TO THE COLLECTION, USE AND DISCLOSURE OF YOUR PERSONAL INFORMATION BY OUR COMPANY IN ACCORDANCE WITH THE TYPES OF INFORMATION, COLLECTION METHODS AND PURPOSES OF USE AND DISCLOSURE DESCRIBED IN THE INFORMATION WE COLLECT ABOUT YOU AND HOW WE COLLECT IT AND HOW WE USE YOUR INFORMATION SECTIONS OF OUR PRIVACY NOTICE AND THIS CANADA ADDENDUM.

WE WILL NOT USE OR DISCLOSE YOUR PERSONAL INFORMATION AT ANY TIME, SUBJECT TO ANY LEGAL OR CONTRACTUAL RESTRICTION AND REASONABLE NOTICE. WE WILL NOT USE YOUR PERSONAL INFORMATION WITHOUT YOUR CONSENT EXCEPT IN THE FOLLOWING CIRCUMSTANCES:

- When required by law or law enforcement purposes
- For an emergency that threatens life, health or security
- For the purpose of collecting on a debt owed to our Company
- If the information is publicly available

## 3. RESPONSIBLE PERSON FOR PROTECTING PERSONAL INFORMATION

CNH Industrial Capital Canada Ltd. is primarily responsible for processing your Personal Information, but may use the other subsidiaries and affiliates within the Company to provide you with the Financial Products and Services. Company has appointed the North America Data Privacy Manager to be responsible for protecting Personal Information in Company’s possession in compliance with PIPEDA and/or the applicable PIPAs. Company and/or this responsible person may be contacted in any manner set forth below in the “Contact Information” Section of this Canada Privacy Addendum.

## 4. COLLECTION OF PERSONAL INFORMATION

The type of Personal Information we collect may vary depending on your relationship with us. We may collect the following categories of Personal Information about you:

A real name; signature, alias; postal address; unique personal identifier; online identifier; Internet Protocol address; email address; account name; Social Security number; driver’s license number or state identification card number; passport number; telephone number; insurance policy number; employment; bank account number; credit card number, debit card number, or any other financial information; age (via your birthdate); race; color; ancestry; national origin; citizenship; religion or creed; marital status; sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions); sexual orientation; veteran or military status; genetic information (including familial genetic information); records of personal property, products, or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies; browsing history; search history; information on a Consumer’s interaction with a website, application, or advertisement; IP based physical location or movements that may identify your general geographic location to

town, city, and state and precise geolocation of your equipment that is the subject of a Financial Product or Service; current or past employment and job history; complete account access credentials (user name and password or similar information); and other similar identifiers.

The Company will not collect other types of Personal Information without providing you notice at or before the time the information is collected.

## 5. SOURCES OF PERSONAL INFORMATION

We collect Personal Information listed above from the same categories of sources described in the [Information We Collect About You and How We Collect It](#) sections of our Privacy Notice.

## 6. USE OF PERSONAL INFORMATION

We use the Personal Information we collect for one or more of the business or commercial purposes listed in the [How We Use Your Information](#) section of our Privacy Notice.

We will not use the Personal Information we collected for additional purposes without providing you notice.

## 7. THIRD PARTIES TO WHOM WE DISCLOSE YOUR PERSONAL INFORMATION

The Company may disclose your Personal Information to service providers (including subsidiaries and affiliates of the Company) and other third-parties for one or more of the following business purposes:

- Helping to ensure security and integrity of our Websites and Financial Products or Services to the extent the use of the Personal Information is reasonably necessary and proportionate for these purposes.
- Debugging to identify and repair errors that impair existing intended functionality.
- Performing services on behalf of us, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services on behalf of us.
- Providing advertising and marketing services, except for cross-context behavioral advertising, to individuals.
- Undertaking internal research for technological development and demonstration.
- Undertaking activities to verify or maintain the quality or safety of a service or device that is owned, manufactured, manufactured for, or controlled by us (including our Websites and Financial Products or Services), and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufactured for, or controlled by us.

In addition to the above, we may disclose any or all categories of Personal Information to any third-party (including government entities and/or law enforcement entities) as necessary to:

- comply with federal, state, or local laws, or to comply with a court order or subpoena to provide information;
- comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, or local authorities;
- cooperate with law enforcement agencies concerning conduct or activities that we (or one of our service providers') believe may violate federal, state, or local law;
- comply with certain government agency requests for emergency access to your Personal Information if you are at risk or danger of death or serious physical injury; or
- exercise or defend legal claims.

When we disclose Personal Information to non-affiliated third parties for business purposes, we enter into a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except for performing under the contract or to otherwise comply with the requirements of the PIPEDA.

## 8. YOUR RIGHTS AND CHOICES

The PIPEDA and the PIPA's provides you with specific rights regarding your Personal Information. This section describes your PIPEDA rights and explains how to exercise those rights.

If you are a resident of Canada, you have the following rights regarding your Personal Information: (1) the right to request access to the Personal Information we hold about you; (2) the right to challenge the accuracy and completeness of such information; (3) the right to have such information deleted and (4) right to withdraw your consent of processing.

- **Right to Know.** You have the right to request that the Company disclose certain information to you about our collection and use of your Personal Information (a "**Right to Know**" Privacy Request). This includes details about: (a) the collected Personal Information; (b) the categories of people within the organization with access. The amount of time that we will retain your Personal Information and the contact information for the person within the Company who is responsible for protecting Personal Information are each described below.

- **Access to Specific Pieces of Information.** You have the right to request that the Company confirm that we have collected Personal Information concerning you and provide you with a copy of the specific pieces of such Personal Information that we have collected (a “**Data Portability**” Privacy Request). You may also request that we provide you a copy of this Personal Information in a structured, commonly used, and machine-readable format. We may not comply with a Data Portability Privacy Request when the disclosure would be likely to reveal personal information about a third person (unless the third person consents or in the case of emergency that threatens the life, health, or safety of the person concerned).
- **Correction.** You have the right to request that we correct any incorrect Personal Information about you to ensure that it is complete, accurate, and as current as possible. You may review and correct some Personal Information about yourself by logging into the Websites and visiting your “Account” page. You may also request that we correct the Personal Information we have about you as described below under [Exercising Your Canadian Privacy Laws Privacy Rights](#). In some cases, we may require you to provide reasonable documentation to show that the Personal Information we have about you is incorrect and what the correct Personal Information may be. We may also not be able to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect or if the Personal Information is subject to another exception under the Canadian Privacy Laws.
- **Deletion.** You have the right to request that the Company delete any of your Personal Information that we collected from you and retained, subject to certain exceptions. This includes the right to request that we stop disseminating your Personal Information or de-index any hyperlink attached to your name that gives access to your Personal Information if such dissemination causes you harm or contravenes the law or a court order. Once we receive and confirm your Privacy Request (see [Exercising Your Canadian Privacy Laws Privacy Rights](#)), we will delete (and direct our service providers to delete) your Personal Information from our records, unless an exception applies pursuant to PIPEDA or an applicable PIPA. However, we cannot delete all of your Personal Data except by also deleting your user account when there is no current balance. We may not accommodate a request to change or delete your Personal Data if we believe the change or deletion would violate any law or legal requirement or cause the information to be incorrect or impede our ability to service or collect on any account you currently have or guarantee. In addition, we cannot completely delete your Personal Information as some data may rest in previous backups. These will be retained for the periods set forth in our disaster recovery policies.
- **Withdrawal of Consent.** To the extent that our processing of your Personal Information is based on your consent, you may withdraw your consent at any time by closing your account. Withdrawing your consent will not, however, affect the lawfulness of the processing based on your consent before its withdrawal, and will not affect the lawfulness of our continued processing that is based on any other lawful basis for processing your Personal Information.

#### **Exercising Your Canada Privacy Rights**

To access, delete, update or correct inaccuracies in your Personal Information or if you have a question or complaint about the manner in which we treat your Personal Information, please submit a Privacy Request (a “**Privacy Request**”) to us by:

- Filling the online form available [here](#); or
- Writing an email to [Privacy-NA@cnhind.com](mailto:Privacy-NA@cnhind.com).

If you fail to make your submission in accordance with the ways described above, we may either treat your request as if it had been submitted with our methods described above or provide you with information on how to submit the request or remedy any deficiencies with your request.

Only you, or your representative, heir, successor, liquidator of your estate, or a beneficiary of your life insurance or death benefit may make a Privacy Request related to your Personal Information. We may request additional information so we may confirm any Privacy Request related to your Personal Information.

Your Privacy Request must:

- Provide sufficient information that allows us to reasonably verify that you are the person about whom we collected Personal Information.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We are unable to fulfill your request or provide you with Personal Information if we cannot verify your identity or authority to make such request and confirm the Personal Information relates to you. Making a Privacy Request does not require you to create an account with us. We will only use Personal Information provided in a Privacy Request to verify the requester’s identity or authority to make the request.

#### **Verifying Your Identity**

Before completing your request to exercise your rights, we will verify that the request came from you by comparing the identifying information provided by you in your request with any Personal Information we maintain about you at that time. For all requests, we will need the Consumer’s (i) name; (ii) postal address, and (iii) telephone number.

To protect the privacy and security of your Personal Information, we may also request additional information from you to help us verify your identity and process your request. This information may include your driver’s license or other government-issued identification number. We may also contact you to ask you for further information in relation to your request to speed up our response. We may also ask you to complete and provide a signed declaration under penalty of perjury that you are the Consumer who is the subject of the request in certain circumstances. We will only use Personal Information provided in a Privacy Request to verify the requester’s identity or authority to make the request.

#### **Response Timing and Format**

We will respond to a Privacy Request within thirty (30) days of its receipt.

We do not charge fees to process or respond to your Privacy Request.

## **9. STORAGE OF YOUR PERSONAL INFORMATION; CONSENT TO PROCESSING OF PERSONAL INFORMATION IN OTHER COUNTRIES OUTSIDE OF CANADA**

We may store your Personal Information on servers and computing systems that are under our possession, custody, or control, or that we otherwise license (such as through Amazon AWS® or Microsoft Azure®).

In order to provide our Financial Products and Services to you, we may send and store your Personal Information outside of Canada, including to the United States. Accordingly, your Personal Information may be transferred outside Canada and the province where you reside or are located, including to countries that may not or do not provide an equivalent level of protection for your Personal Information. Your information may be processed and stored in the United States and United States federal, state, and local governments, courts, or law enforcement or regulatory agencies may be able to obtain disclosure of your information through the laws of the United States. By using our Financial Products and Services, you represent that you have read and understood the above and hereby consent to the storage and processing of Personal Information outside the country where you reside or are located, including in the United States.

Your Personal Information is transferred by the Company to another country only after we have completed a Privacy Impact Assessment (“PIA”), and only if such PIA shows that the Personal Information can be adequately protected in compliance with generally accepted data protection principles, our Privacy Notice, and this Canada Privacy Addendum. To ensure your Personal Information is treated in accordance with our Privacy Notice and this Canada Privacy Addendum when we transfer your Personal Information to a third-party, Company uses written data protection agreements between Company and all other recipients of your data in other countries to mitigate the risks identified in the PIA.

The purposes for which we have authorized the third-party service providers outside of Canada to collect, use, or disclose your Personal Information on our behalf are:

- Helping to ensure security and integrity of our Websites and Financial Products or Services (together with their related IT infrastructure);
- Debugging to identify and repair errors that impair existing intended functionality.
- Performing services on behalf of us, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services on behalf of us.
- Providing advertising and marketing services, except for cross-context behavioral advertising, to individuals.
- Undertaking internal research for technological development and demonstration.
- Undertaking activities to verify or maintain the quality of services (including our Websites and Financial Products or Services) that are provided or controlled by us, and to improve, upgrade, or enhance such services.

In addition to the above, we may disclose any or all categories of Personal Information to any third-party outside of Canada (including government entities and/or law enforcement entities) as necessary to:

- comply with federal, state, or local laws, or to comply with a court order or subpoena to provide information;
- comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, or local authorities;
- cooperate with law enforcement agencies concerning conduct or activities that we (or one of our service providers’) believe may violate federal, state, or local law;
- comply with certain government agency requests for emergency access to your Personal Information if you are at risk or danger of death or serious physical injury; or
- exercise or defend legal claims.

When we disclose Personal Information to non-affiliated third parties for business purposes, we enter into a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except for performing under the contract or to otherwise comply with the requirements of the PIPEDA and applicable PIPAs.

## **10. PERSONAL INFORMATION RETENTION PERIODS**

We retain all categories of your Personal Information for as long as necessary to pursue the purposes described in this Privacy Notice. However, we may also retain any or all categories of Personal Information when your information is subject to one of the following exceptions:

- When stored in our backup and disaster recovery systems. Your Personal Information will be deleted when the backup media your Personal Information is stored on expires or when our disaster recovery systems are updated.
- When necessary for us to exercise or defend legal claims.

- When necessary to comply with a legal obligation.
- When necessary to help ensure the security and integrity of our Website and IT systems.

Your Personal Information will be deleted when we no longer require your Personal Information for any of the above purposes.

## **11. CHANGES TO OUR CANADA ADDENDUM**

We reserve the right to amend this Canada Addendum from time to time. When we make material changes to this Canada Addendum, we will notify you by email to the email address we have on file for you. The date this Canada Addendum was last revised is identified at the top of this Canada Addendum. You are responsible for ensuring that we have an up-to-date active and deliverable email address for you.

## **12. CONTACT INFORMATION**

If you have any questions or comments about this Canada Addendum, the ways in which the Company collects and uses your information described in this Canada Addendum or Company's Offline Privacy Notice, your choices and rights regarding such use, or wish to exercise your rights under the laws of Canada, please do not hesitate to contact us at:

### **To Contact the Company**

CNH Industrial America LLC  
Attn: North America Data Privacy Manager  
6900 Veterans Blvd  
Burr Ridge, IL 60187  
+1 (800) 501-5711  
[Privacy-NA@cnhind.com](mailto:Privacy-NA@cnhind.com)

### **To Contact the Person Responsible for our Privacy Program**

CNH Industrial America LLC  
Attn: North America Data Privacy Manager  
6900 Veterans Blvd  
Burr Ridge, IL 60187  
+1 (800) 501-5711  
[Privacy-NA@cnhind.com](mailto:Privacy-NA@cnhind.com)