

EU, UK, Swiss-U.S. Data Privacy Framework Notice

Last updated on: October 14, 2024

1 SCOPE

This EU, UK, Swiss-U.S. Data Privacy Framework Notice (the “DPF Notice”) applies to CNH Industrial America LLC and other U.S (United States) subsidiaries listed in the [List of CNH Entities](#) (“CNH U.S. Subsidiaries”) and the directors, officers, and employees of such entities as well as those acting for or on behalf of such entities.

This DPF Notice applies to Personal Data transferred from European Economic Area (“EEA”) member countries, the United Kingdom (UK) and Switzerland to CNH U.S. Subsidiaries and is supplemental to our privacy notice to you (the “Privacy Notice”).

2 PARTICIPATION IN THE FRAMEWORK AND ITS PRINCIPLES

CNH U.S. Subsidiaries participate in the EU-U.S. Data Privacy Framework (EU-U.S. DPF), the UK Extension to the EU-U.S. DPF, and the Swiss-U.S. Data Privacy Framework (Swiss-U.S. DPF) as set forth by the U.S. Department of Commerce. CNH U.S. Subsidiaries have certified to the U.S. Department of Commerce that it adheres to the EU-U.S. Data Privacy Framework Principles (EU-U.S. DPF Principles) with regard to the processing of personal data received from the European Union in reliance on the EU-U.S. DPF and from the United Kingdom (and Gibraltar) in reliance on the UK Extension to the EU-U.S. DPF. CNH U.S. Subsidiaries have certified to the U.S. Department of Commerce that it adheres to the Swiss-U.S. Data Privacy Framework Principles (Swiss-U.S. DPF Principles) with regard to the processing of personal data received from Switzerland in reliance on the Swiss-U.S. DPF. Together, the EU-U.S. DPF Principles and the Swiss-US DPF Principles shall collectively be referred herein as the “Principles.”

The Privacy Notice addresses our compliance with such Principles, including but not limited to disclosing: (a) the types of Personal Data collected and CNH U.S. Subsidiaries adhering to the Principles; (b) the purposes for which CNH U.S. Subsidiaries collects and uses Personal Data; (c) the types of third parties to which CNH U.S. Subsidiaries discloses Personal Data, and the purposes for which they do so; and (d) the right of individuals to access their Personal Data and the choices and means the organization offers individuals for limiting the use and disclosure of their Personal Data.

If there is any conflict between the terms in this DPF Notice and the EU-U.S. DPF Principles and/or the Swiss-U.S. DPF Principles, the Principles shall govern. To learn more about the Data Privacy Framework (DPF) program, and to view our certification, please visit <https://www.dataprivacyframework.gov/>.

3 RECOURSE, ENFORCEMENT, AND LIABILITY

CNH U.S. Subsidiaries are subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission (FTC).

CNH U.S. Subsidiaries commit to investigate and, within forty-five (45) days of receipt of notice, attempt to resolve requests, complaints, and disputes regarding use and disclosure of Personal Data in accordance with this DPF Notice. Data Subjects with inquiries or complaints regarding this DPF Notice should first contact the CNH U.S. Subsidiaries at Privacy-NA@cnhind.com.

For any complaints that cannot be resolved in a timely manner, CNH U.S. Subsidiaries further commit to cooperate with applicable EEA Data Protection Authorities (“DPAs”), the UK Information Commissioner’s Office (“ICO”) and the Swiss Federal Data Protection and Information Commissioner (“FDPIC”) to comply with the information and guidance provided by such with regards to human resources and non-human resources data transferred from the EEA, the UK and Switzerland in the context of the employment and business relationships. Please visit <https://www.edoeb.admin.ch/edoeb/en/home/the-fdpic/contact.html> for FDPIC contact information, <https://ico.org.uk/global/contact-us/> for ICO contact information, and https://edpb.europa.eu/about-edpb/about-edpb/members_en for relevant DPA contact information. If we or the FDPIC, the ICO or the DPAs are unable to resolve your complaint, you may choose to engage in binding arbitration through the “DPF Panel” composed of arbitrators designated by the U.S. Department of Commerce, the UK Government, Swiss Administration, and the European Commission.

CNH U.S. Subsidiaries may be required to disclose Personal Data in response to lawful requests received from U.S. public authorities, including to meet national security or law enforcement requirements.

CNH U.S. Subsidiaries commit to periodically review and verify their compliance with the DPF Principles, and to remedy any issues arising out of failure to comply with the DPF Principles. The CNH U.S. Subsidiaries acknowledge that their failure to provide an annual self-certification to the U.S. Department of Commerce will result in their removal from the Department’s list of DPF participants.

Accountability for Onward Transfer: If Personal Data covered by this DPF Notice is transferred to any third party, such third party will be required to (1) enter into an agreement with the applicable CNH U.S. Subsidiaries, (2) provide at least the same level of privacy protection as is required by the DPF Principles, and (3) agree to process Personal Data only for limited and specified purposes. To the extent provided by the DPF Principles, the CNH U.S. Subsidiaries remain responsible and liable under the DPF Principles if the third-party agents that they engage process Personal Data on their behalf in a manner inconsistent with the DPF Principles, unless the CNH U.S. Subsidiaries are able to prove that they are not responsible for the event giving rise to the damage. CNH U.S. Subsidiaries will also comply with the notice principles informing the data subject about the onward transfer and enable such data subjects to either object to it or to provide its consent, where applicable.

4 RESPONSIBILITIES

All employees of CNHI U.S. Subsidiaries that have access in the U.S. to Personal Data covered by this DPF Notice are responsible for conducting themselves in accordance with this DPF Notice. Adherence by CNHI U.S. Subsidiaries to this DPF Notice may be limited to the extent required to meet legal, regulatory, governmental, or national security obligations, but Personal Data covered by this DPF Notice shall not be collected, used, or disclosed in a manner contrary to this DPF Notice without the prior written permission of the CNH Group's Global Compliance Officer. CNHI U.S. Subsidiaries' employees responsible for engaging third parties to which Personal Data covered by this DPF Notice will be transferred are responsible for obtaining appropriate written assurances that such third parties have an obligation to conduct themselves in accordance with the DPF Principles, including any applicable contractual assurances required by DPF. Violation of this DPF Notice may result in disciplinary action up to and including termination of employment.

5 CONTACT INFORMATION FOR INQUIRIES OR COMPLAINTS

Data Subjects can contact the CNH U.S. Subsidiaries with any inquiries or complaints related this DPF Notice by either:

- Sending an email to Privacy-NA@cnhind.com
- Sending a letter to: CNH Industrial America LLC
Attn: North America Data Privacy Manager
711 Jorie Blvd.
Oak Brook, IL 60523