

For the purpose of this example, John Smith is the director of the company providing the guarantee, Smith Ltd are providing the guarantee & Grimster Ltd is the customer

DATA PROTECTION AND DISCLOSURE DECLARATION

"I, _____¹,

acknowledge in relation to [my EFG application²]

_____³

that personal data shall be used in the following ways:

- (1) being communicated to each of:
 - i. the Secretary of State for Business, Energy and Industrial Strategy its agents and auditors (the "**Guarantor**");
 - ii. the British Business Bank plc, any affiliate of the British Business Bank plc and any of their advisers, agents or contractors including professional advisers and consultants, auditors and advisers carrying out due diligence;
 - iii. processing agents, fund managers, delivery partners and companies providing services to the British Business Bank and its affiliates; and
 - iv. Government departments and Devolved Administrations (including but not limited to the National Audit Office, Office for National Statistics, HM Treasury and the Department for Business, Energy and Industrial Strategy) and other politicians or government members (i.e. ministers).

(the "**Guarantor Relevant Parties**");

- (2) being used by the Guarantor and any Guarantor Relevant Parties:
 - (i) for analytical and administrative purposes (including to keep a record of the types of borrowers and/or applicants applying for an Enterprise Finance Guarantee ("**EFG**") Scheme facility);
 - (ii) to contact me in connection with the EFG Scheme;
 - (iii) to make enquiries about [my EFG application⁴]

¹ If this declaration is being signed by the individual (e.g. sole trader) who is making the application for an EFG Facility in their own name, insert own name / If this declaration is being signed by an individual who is providing a personal guarantee for an EFG applicant, insert own name / If this declaration is being signed on behalf of a corporate or other entity, insert the name of the person authorised to sign on behalf of that entity.

² To be used if this declaration is being signed by an individual (e.g. sole trader) who is making the application for an EFG Facility in their own name.

³ If this declaration is being signed by an individual who is providing a personal guarantee for an EFG applicant, insert the name of the person or entity that is applying for the EFG Facility / If the declaration is being signed on behalf of a corporate or other entity, insert the name of the corporate or other entity that is applying for the EFG Facility.

⁴ To be used if this declaration is being signed by an individual (e.g. sole trader) who is making the application for an EFG Facility in their own name.

[the personal guarantee provided by me in respect of the EFG application of _____⁵]

[the EFG application of _____⁶];

- (iv) to take up references about me and the business;
 - (v) to give information about me and the business to any other party referred to in paragraph (1) above or to any official involved in running or monitoring the EFG Scheme; and
 - (vi) to evaluate the effectiveness of the EFG Scheme; and
- (3) (if a scheme facility is made available to [me] ⁷

_____ ⁸

by the Lender) being retained by the relevant recipient for a minimum of ten (10) years after the initial drawdown date of such scheme facility:

and otherwise being used in accordance with the British Business Bank Privacy Notice found at <https://www.british-business-bank.co.uk/privacy-notice/>.

I acknowledge that I have the right to request that any personal data held by or on behalf of any of the parties referred to in paragraph (1) above, be verified, amended, deleted or otherwise modified. I acknowledge whilst I have the right to make such requests, the personal data may continue to be used as necessary to administer the Enterprise Finance Guarantee Scheme. I acknowledge that any such requests made by me should be addressed to the British Business Financial Services Limited acting as Agent for the Guarantor at the following address, or such other address as may be notified to me by the Lender from time to time:

The British Business Bank
Steel City House
West Street
Sheffield
S1 2GQ

Email: DataProtection@british-business-bank.co.uk.

I acknowledge that I may lodge a complaint with the Information Commissioner if I consider that my rights under (i) the Data Protection Act 2018, (ii) the Privacy and Electronic

⁵ To be used if this declaration is being signed by an individual who is providing a personal guarantee for an EFG applicant, insert the name of the person or corporate entity that is applying for the EFG Facility.

⁶ To be used if the declaration is being signed on behalf of a corporate or other entity, insert the name of the corporate or other entity that is applying for the EFG Facility.

⁷ To be used if this declaration is being signed by the individual (e.g. sole trader) who is making the EFG application for an EFG Facility in their own name.

⁸ To be used if this declaration is being signed by an individual who is providing a personal guarantee for an EFG applicant, insert the name of the person or corporate entity that is applying for the EFG Facility or if the declaration is being signed on behalf of a corporate or other entity, insert the name of the entity that is applying for the EFG Facility.

Communications (EC Directive) Regulations 2003 (SI 2003/2426), (iii) any other United Kingdom or European Union laws (with direct effect) relating to processing of personal data and privacy or (iv) any laws or guidance that replaces them (including the European Union's General Data Protection Regulation (Regulation (EU) 2016/679)) have been infringed as a result of the processing of Personal Data by the parties referred to in paragraph (1) above.

[to be included where the declaration is signed on behalf of a corporate or other entity]

I confirm that I have authority to enter into this declaration on behalf of _____⁹ and have provided notice of data processing details to relevant individuals.

Signature

Signed	Signed
Print Name	Print name
Position	Position
Date	Date

Signed	Signed
Print Name	Print name
Position	Position
Date	Date

To be signed by each person who is required to sign the [Lender's Scheme Facility Letter] [the personal guarantee provided in respect of the EFG application of _____¹⁰]



"The Enterprise Finance Guarantee programme is managed by the British Business Bank on behalf of, and with the financial backing of, the Secretary of State for Business, Energy and Industrial Strategy"

⁹ If this declaration is being signed on behalf of a corporate or other entity, insert the name of the corporate or other entity that is applying for the EFG Facility.

¹⁰ If this declaration is being signed by an individual who is providing a personal guarantee for an EFG applicant, insert the name of the person or corporate entity that is applying for the EFG Facility.