

**Annex 6a**

**DATA PROTECTION AND DISCLOSURE DECLARATION – APPLICANT / BORROWER**

“I/We,

Insert full name of individual/s completing the form

acknowledge in relation to the application of

(the “**Borrower**”)

Name of Borrower

to the Growth Guarantee Scheme (“**GGS**”, the “**GG Scheme**” or the “**Scheme**”) that information provided about me and/or the Borrower (including any personal data) in connection with the GG Scheme, and if a scheme facility is made available, any information in respect of that scheme facility may be used in the following ways:

- (1) being communicated to each of:
    - (i) the Secretary of State for Business and Trade (the “**Guarantor**”) and any of the Guarantor’s auditors and agents (including the British Business Bank plc or any of its affiliates and their auditors and agents), together with any officers, directors, employees, affiliates, advisers, agents or contractors of such auditors or agents (including, without limitation, any advisers, consultants, and auditors carrying out due diligence);
    - (ii) processing agents, fund managers, delivery partners and companies providing services to the British Business Bank plc and its affiliates;
    - (iii) UK Parliament (including any Committee of the House of Commons or the House of Lords);
    - (iv) all UK Government departments and Devolved Administrations (including but not limited to the National Audit Office, the office for National Statistics, HM Treasury, the Cabinet Office, the Public Accounts Committee, the Government Internal Audit Agency (GIAA) and the Department for Business and Trade) and other politicians or government members (i.e. ministers);
    - (v) all UK agencies and authorities including without limitation the Bank of England (including the Prudential Regulation Authority), the Financial Conduct Authority, the Financial Policy Committee, the Insolvency Service, Companies House, or any other governmental, banking, taxation or regulatory agency or authority;
    - (vi) the National Crime Agency the National Investigation Service, Cifas, the UK Financial Intelligence Unit, Action Fraud or any other UK agency, service or organisation involved in the detection of criminal behaviour or fraud prevention;
    - (vii) the Financial Ombudsman Service; and
    - (viii) the European Commission,
- (together, 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 a GGS facility);
  - (ii) for the prevention or detection of crime or the apprehension or prosecution of offenders, fraud prevention purposes or in response to police or law enforcement requests and investigations;
  - (iii) for reporting purposes to the UK Government or any other state, supranational or public body including the European Commission including publication of information under transparency obligations;
  - (iv) in order to meet any reporting requirements or as required whether under law or regulation or otherwise;
  - (v) to contact me in connection with the GG Scheme;
  - (vi) to make enquiries about the GGS application of;

Name of Borrower

- (vii) to take up references about me and the business;
  - (viii) 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 GG Scheme; and
  - (ix) to evaluate the effectiveness of the GG Scheme;
- (3) if a scheme facility is made available to

Name of Borrower

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,

- (4) being disclosed by the Guarantor (or any Guarantor Relevant Party) or Lender where such entity is requested or required to disclose any information to any regulatory body (including, without limitation, the European Commission) and/or to any UK Government departments or Devolved Administration for the purposes of ensuring compliance with any State aid transparency requirements and/or transparency obligations under UK Subsidy Control Requirements including publication of information on the relevant transparency public databases; and
- (5) being processed in accordance with the British Business Bank privacy notice found at <https://www.british-business-bank.co.uk/privacy-notice/> and the Guarantor's privacy notices found at <https://www.gov.uk/government/organisations/department-for-business-and-trade/about/personal-information-charter#dbtprivacy-notices> (each as updated from time to time).

The Guarantor or Lender may also disclose information to the extent required to comply with any request made under or pursuant to the provisions of the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

I acknowledge that I have the right to request that any personal data held by or on behalf of the Guarantor or the British Business Bank, 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 GG 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:

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

Email: [DataProtection@british-business-bank.co.uk](mailto:DataProtection@british-business-bank.co.uk).

I acknowledge that each of the Guarantor, the British Business Bank and the Lender are acting as independent Controllers (as defined in the Data Protection Act 2018) in respect of the personal data that they process in connection with the GG Scheme and that I may lodge a complaint with the Information Commissioner if I consider that my rights under the UK GDPR (more specifically the General Data Protection Regulation (2016/679) as it forms part of the domestic law of the United Kingdom by virtue of the European Union (Withdrawal) Act 2018, and as supplemented by the Data Protection Act 2018) have been infringed as a result of the processing of personal data by the Guarantor or the British Business Bank or the Lender.

I acknowledge that the Lender's ability to provide the Borrower with a GG Scheme facility is dependent upon a guarantee that the Lender obtains from the UK Government under the GG Scheme. The assistance provided through the GG Scheme, like many Government-backed business support activities, is regarded as a subsidy (or State aid in respect of transactions within scope of Article 10 of the Northern Ireland Protocol<sup>1</sup>) and is deemed to benefit the Borrower as it enables the Lender to provide the Borrower with a facility which would not otherwise have been possible. Provision of such subsidy is governed by the UK Subsidy Control Regime (or in the case of State aid, by regulations made by the European Commission).

*[only to be included where the declaration is signed on behalf of a limited company, limited partnership or partnership]*

I confirm that I have authority to enter into this declaration on behalf of

\_\_\_\_\_ Name of Borrower

and have provided notice of data processing details set out in this Data Protection and Disclosure Declaration to relevant individuals.

Signature

<sup>1</sup> Northern Ireland Protocol to the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (2019/C 384 I/01)

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 in respect of this GGS application



*“The Growth Guarantee Scheme is managed by the British Business Bank on behalf of, and with the financial backing of, the Secretary of State for Business, and Trade”*