

## **SAFE HARBOR PRIVACY STATEMENT**

Ford Motor Company recognizes and respects the privacy rights of individuals with regard to personal data that the Company obtains about them. In furtherance of this commitment, and as part of its compliance with European privacy laws, Ford Motor Company U.S. (Ford) has certified to the Safe Harbor Framework with respect to certain personal data transferred from the European Union and Switzerland (EU) to the United States (Personal Data).

### **I. WHAT IS SAFE HARBOR?**

European law imposes strict requirements on the transfer of Personal Data from the EU to any country that does not accord the same legal protections as the EU provides for Personal Data. The United States has been deemed to lack adequate protection for Personal Data.

The U.S. Department of Commerce in consultation with the EU developed the Safe Harbor Framework as a means of ensuring adequate protection for Personal Data.

Ford's certification to the Safe Harbor Framework requires Ford to comply with the Safe Harbor Principles and allows Ford to receive the described Personal Data in compliance with EU data privacy laws. Ford will adhere to the Principles and Framework with respect to the Personal Data described in this Privacy Statement.

Failure to meet our Safe Harbor obligations puts us in jeopardy of violating not only our Safe Harbor commitments, but EU law as well. Such failure also may open us up to an investigation by the Federal Trade Commission and to individual complaints.

### **II. APPLICABILITY**

This Privacy Statement applies to Personal Data transferred to Ford as described in both Ford's Safe Harbor certification and in Section IV of this Privacy Statement.

Ford personnel globally who store, access, or process Personal Data subject to Ford's Safe Harbor certification, including onward transfer recipients, must comply with this Privacy Statement with respect to such Personal Data.

### **III. DEFINITIONS**

**Personal Data:** Personal Data has the same meaning as its definition under EU law. Specifically, for the purposes of this Privacy Statement, it shall mean any information about an identified or identifiable EU individual in any medium or format that is subject to Ford's Safe Harbor certification. It includes any information that can be associated with a unique individual or that can be used to identify, locate, or contact a unique individual. An identifiable individual is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity. Personal Data does not include any data that is not attributable to an individual.

**Sensitive Personal Data:** Sensitive Personal Data is Personal Data that is entitled to special protection under EU data protection laws and includes any data that reveals, directly or indirectly, racial or ethnic origin, political opinions, religious or philosophical beliefs or opinions, trade-union membership, health or sex life, and data relating to offenses, criminal convictions, and criminal sentences/penalties.

**Data Controller:** A Data Controller is an entity that alone (or jointly with another Data Controller) determines the purposes and means (i.e., the “why” and “how”) of processing Personal Data. For example, a company functions as a Data Controller when it decides the purposes for which Personal Data will be processed. A Data Controller may, in certain circumstances, delegate the determination of the means of processing to another entity.

**Data Processor:** A Data Processor is a separate legal entity from the Data Controller and processes Personal Data on the Data Controller’s behalf. A Data Processor is responsible for abiding by the Data Controller’s instructions with regard to the purposes and essential means of processing.

**Data Subprocessor:** A Data Subprocessor is an agent of the Data Processor that acts under the instructions of, and solely for the benefit of, Ford. Data Subprocessors may be external third parties or affiliates of Ford and are subject to the onward transfer obligations in the Appendix.

#### **IV. ROLE-BASED SAFE HARBOR REQUIREMENTS**

For some Personal Data covered by this Privacy Statement, Ford acts as a Data Controller. For other Personal Data, Ford is a Data Processor. Affiliates of Ford or external third parties may act as Data Processors or Subprocessors. The tables below define Ford’s relationship to the Personal Data.

##### **A. Ford as a Data Controller**

###### **1. Overview**

Where Ford acts as a Data Controller for Personal Data, Ford handles such information in compliance with the seven Safe Harbor Principles (Notice, Choice, Onward Transfer, Security, Data Integrity, Access, and Enforcement). These Principles are described in the Appendix. For the full text of the Principles, visit the U.S. Department of Commerce’s Safe Harbor website: <http://www.export.gov/safeharbor/>.

## 2. Scope

<b>Ford acts as a Data Controller for the following types of Personal Data</b>
<b>Personal Data of Personnel for the purposes of:</b>
Business travel booking, expense reporting, and reimbursement of travel expenses
Global Personal Identifier (GPID)
Providing access to marketing materials
Maintaining the quality of IP telephony network and apportioning of internal billings to cost centers within Europe
<b>Personal Data of Suppliers for the purposes of:</b>
Providing access to marketing materials
Global Personal Identifier (GPID)
<b>Safe Harbor Principles applicable to Ford as a Data Controller:</b>
<a href="#">Notice</a> , <a href="#">Choice</a> , <a href="#">Onward Transfer</a> , <a href="#">Security</a> , <a href="#">Data Integrity</a> , <a href="#">Access</a> , and <a href="#">Enforcement</a>

## B. Ford as a Data Processor

### 1. Overview

Where Ford acts as a Data Processor for Personal Data, Ford handles such information in compliance with the Safe Harbor Principles and in accordance with the instructions provided by the Data Controller. These Principles are described in the Appendix. For the full text of the Principles, visit the U.S. Department of Commerce's Safe Harbor website: <http://www.export.gov/safeharbor/>.

### 2. Scope

<b>Ford acts as a Data Processor for the following types of Personal Data</b>
<b>Personal Data of Customers and Prospective Customers for the purposes of:</b>
Storing and managing customer/prospect information for marketing
Ordering, manufacturing, sale, servicing, and invoicing of vehicles
Reporting sales for corporate reporting requirements
Financing and servicing of vehicle purchases and leases
Licensing, registration, and collection of taxes for sold vehicles (France and UK only)
Managing marketing incentive payments (Germany only)

Analyzing market sales
Managing automobile-related insurance contracts and tariffs (Germany only)
Executing marketing campaigns
Managing vehicle sales leads
Marketing products and services
Reconciliation and billing Original Equipment Manufacturer for subvention payments
<b>Personal Data of Personnel for the purposes of:</b>
Ordering, manufacturing, sale, and invoicing of vehicles
Tracking training registration and completion
Calculating the taxable benefit for management lease vehicles
Calculating the taxable benefit of the use of corporate fuel cards (Germany only)
Processing payroll and timekeeping (UK, Germany, and Spain only)
Reporting and tracking occupational health and safety matters (UK only)
Project-related timekeeping
Verifying telephone carrier bills (UK only) and apportioning internal billings to cost centers within Europe
Calculating manufacturing-related labor costs
Parts packaging, planning, and recalls; performing maintenance and logistics functions related to vehicle operations
Workflow management
Hosting the personnel master file (Spain only)
Managing marketing incentive payments (Germany only)
Ordering and tracking management lease vehicles and vehicle purchases, related payroll deductions, and the management of company vehicle operations (UK only)
<b>Personal Data of Dealers for the purposes of:</b>
Managing dealer relationships and compliance with corporate standards
Training dealer personnel on new products
Processing and accounting of dealer part orders and returns
Letter printing, document management, and image archiving for the financing and servicing of vehicle purchases and leases
Storing and managing customer/prospect information for marketing
Ordering, manufacturing, servicing, sale, and invoicing of vehicles
Licensing, registration, and collection of taxes for sold vehicles (France and UK only)
Managing vehicle sales leads
Tracking training registration and completion for dealer personnel
Analyzing dealer part sales data and calculating commissions
Associating warranty repairs with dealer technicians
Managing marketing incentive payments (Germany only)
Reporting sales for corporate reporting requirements
Evaluation and analysis of dealer credit ratings
<b>Personal Data of Suppliers for the purposes of:</b>
Associating suppliers to parts, bills of material, material flows, and parts packaging information in connection with delivery of parts to plants

Tracking vehicle loans to media entities for press evaluations
Maintaining supplier contact information for purchasing, accounts payable, supplier technical assistance, and material planning
<b>Safe Harbor Principles applicable to Ford as a Data Processor:</b>
<p><a href="#">Onward Transfer</a>, <a href="#">Security</a>, <a href="#">Data Integrity</a>, <a href="#">Access</a>, and <a href="#">Enforcement</a>  <a href="#">Notice</a> and <a href="#">Choice</a> as instructed by the Data Controller and in accordance with the Safe Harbor Principles</p>

**C. External Third Parties and Ford Affiliates Acting As Data Processors/Subprocessors**

If Ford, acting as a Data Controller, receives Personal Data and then provides access to that Personal Data to a Data Processor for processing, Ford will verify that the Data Processor complies with the Safe Harbor Principles or can provide assurance of adequate protections before transferring the Personal Data.

If Ford, acting as a Data Processor, receives Personal Data and then provides access to that Personal Data to a Data Subprocessor for processing, Ford will verify that the Data Subprocessor complies with the Safe Harbor Principles or can provide assurance of adequate protections before transferring the Personal Data.

<b>Safe Harbor Principles applicable to External Third Parties and Ford Affiliates acting as Data Processors or Data Subprocessors</b>
<p><a href="#">Onward Transfer</a>, <a href="#">Security</a>, <a href="#">Data Integrity</a>, <a href="#">Access</a>, and <a href="#">Enforcement</a>  <a href="#">Notice</a> and <a href="#">Choice</a> as instructed by the Data Controller and in accordance with the Safe Harbor Principles</p>

**V. QUESTIONS**

Individuals with questions or concerns about Ford’s handling of their Personal Data may contact [safeharb@ford.com](mailto:safeharb@ford.com).

**VI. CHANGES TO THIS STATEMENT**

This Privacy Statement may be amended from time to time consistent with the requirements of the Safe Harbor Principles. The revision date in Section VIII of this document will reflect the date of the most recent update.

**VII. EFFECTIVE DATE**

The effective date of this Privacy Statement is April 20, 2010.

**VIII. LAST REVISION DATE**

This section will reflect the date of the last revision to this Privacy Statement.  
Date of last revision: April 20, 2010

## **APPENDIX: SAFE HARBOR PRINCIPLES**

The obligations of personnel to comply with the Safe Harbor Principles for Personal Data are reflected in and reinforced by applicable corporate policies, directives, and procedures. Ford personnel can identify applicable corporate policies, directives, and procedures at Ford's Safe Harbor site.

Ford's adherence to the Safe Harbor Principles may be limited to the extent required to meet legal, government, or national security obligations.

For the full text of the Principles, visit the U.S. Department of Commerce's Safe Harbor website: <http://www.export.gov/safeharbor/>.

### **1. Notice**

As a Data Controller, Ford notifies individuals about the purposes for which it collects and uses Personal Data about them, how individuals can contact Ford with any inquiries or complaints, the types of third parties to which Ford discloses the Personal Data, and the choices and means Ford offers individuals for limiting the use and disclosure of the Personal Data. Ford requires a data subject's specific consent to process Sensitive Personal Data.

When Ford acts as a Data Processor, it provides notice as instructed by the Data Controller and in accordance with the Safe Harbor Principles.

### **2. Choice**

As a Data Controller, Ford provides individuals with the opportunity to choose (opt out) of whether (a) their Personal Data will be disclosed to a third party (other than disclosure to a Data Processor or Data Subprocessor acting solely on Ford's behalf), or (b) their Personal Data will be used for a purpose other than for the purpose for which it was originally collected or subsequently authorized by the individual.

For any Sensitive Personal Data, Ford will give individuals the opportunity to affirmatively or explicitly consent (opt-in) to (a) the disclosure of such Sensitive Personal Data to a third party (other than disclosure to a Data Processor or Data Subprocessor acting solely on Ford's behalf) or (b) the use of the Sensitive Personal Data for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual.

When Ford acts as a Data Processor, it provides choice as instructed by the Data Controller and in accordance with the Safe Harbor Principles.

### **3. Onward Transfer**

Onward transfers occur when Ford either acting as a Data Controller or Data Processor receives Personal Data and then provides access to that Personal Data to another entity. Ford will onward transfer Personal Data to a Subprocessor only where that Subprocessor is processing the data on Ford's behalf. Ford ensures that Subprocessors subscribe to the Safe Harbor principles, are subject to another adequacy finding, or enter

into a written agreement between Ford and the Subprocessor to provide at least the same level of privacy protection of the Personal Data as is required by Ford's certification and the Safe Harbor principles.

To the extent Ford transfers Personal Data to any other third party (e.g., Data Processors acting at the direction of Ford as a Data Controller), it will do so only when the third party has provided assurances that it will provide at least the same level of privacy protection as is required by Ford's Safe Harbor certification and the Safe Harbor Principles.

When Ford has knowledge that a third party is using or sharing Personal Data in a way contrary to this Policy, it will take reasonable steps to prevent or stop such processing or use.

#### **4. Security**

Ford takes reasonable administrative, technical, and physical precautions to safeguard Personal Data against reasonably foreseeable risks of theft, loss, misuse, and unauthorized access, disclosure, alteration, and destruction.

#### **5. Data Integrity**

Ford limits its collection and use of Personal Data to that which is relevant for the intended purposes for which the Personal Data was collected or subsequently authorized by the individual. Ford takes reasonable steps to ensure that Personal Data is reliable for its intended use, accurate, complete, and current.

#### **6. Access**

Ford provides individuals reasonable access to Personal Data about them and individuals may request that Ford correct, amend, or delete Personal Data where it is unreliable for its intended use, inaccurate, incomplete, or out-of-date, except where the burden or expense of providing access would be disproportionate to the risks to the individual's privacy, or where the rights of persons other than the individual would be violated.

#### **7. Enforcement**

Ford has adopted a self-regulatory compliance program that includes mechanisms to verify ongoing compliance with the Safe Harbor Principles and this Privacy Statement. Ford will periodically review and verify its compliance with the Safe Harbor Principles and will rectify any issues of noncompliance. Personnel who are in violation of the Safe Harbor Principles or this Privacy Statement may be subject to disciplinary action, up to and including termination or release.

Ford acknowledges that its failure to provide an annual self-certification to the Department of Commerce will remove it from the Department's list of participants and that thereafter the transfers of Personal Data described in this Policy will not be allowed unless Ford otherwise complies with the EU Data Protection Directive.



Individuals with questions or complaints regarding the use or disclosure of Personal Data in accordance with the Principles may seek resolution of such questions or complaints. They should first contact Ford at [safeharb@ford.com](mailto:safeharb@ford.com).

Ford commits to cooperate with the European Data Protection Authorities for the purpose of handling any unresolved complaints regarding Personal Data collected in support of our human resources operations.

For other unresolved complaints, Ford will use the services of the American Arbitration Association (AAA) in the investigation and resolution of individual complaints that arise under the Safe Harbor Principles and comply with the AAA's advice.