

Important Information

What is a small or medium sized enterprise?

A small or medium sized enterprise must meet the following criteria:

- Has an address in the UK
- Carries out commercial activity as its principal activity
- Has an annual turnover of less than £25 million
- Is not part of a group which as a whole has an annual turnover equal to or greater than £25 million
- Does not carry out any regulated activities as its principal activity
- Is not owned or controlled by a public authority

We will have written to you because we believe that you meet these criteria. If that is not the case, you must write to us and inform us that you disagree, stating why you disagree.

What credit reference agencies have been designated?

HM Treasury has power to designate credit reference agencies under the Regulations. The Treasury will maintain a publicly accessible record of the agencies that they have designated. At this stage, the following entities have been designated:

- Experian
- Equifax
- Credit Safe

What information will you share with the designated credit reference agencies and how often will that information be updated?

If you have a sterling current account we will share the following information, which will be updated every month:

- (a) start date of the facility
- (b) the date the facility closed (if applicable)
- (c) current balance
- (d) minimum balance
- (e) maximum balance
- (f) average balance
- (g) overdraft limit
- (h) total value of all payments into the account
- (i) total value of debits withdrawn from the account
- (j) number of days in month where the customer has exceeded its approved limit
- (k) number of cheques or direct debts that have not been paid due to insufficient funds

If you have a sterling loan (which includes asset finance facilities), we will share the following information, which will be updated every month:

- (a) start date of loan agreement
- (b) the date the loan is due to be fully repaid, has been fully repaid or enters default
- (c) amount of loan outstanding
- (d) repayment period
- (e) repayment frequency
- (f) repayment amount
- (g) number of missed payments
- (h) details of any defaults and associated satisfactions

In addition, for both sterling loans and current accounts we will share the following information, which will be updated monthly:

- (a) business type indicator (such as limited liability company or non-limited business)
- (b) business name and address
- (c) company registration number (if applicable)
- (d) telephone number
- (e) VAT number (if applicable)

What will the credit reference agency do with my information?

The credit reference agency can use the information that we provide to them in the following ways

- To comply with their obligations under the Small and Medium Sized Business (Credit Information) Regulations 2015 ("the Act");
- To develop and sell products and services to help other Finance Providers (designated as such under the Act) to assess whether to offer a business any kind of finance. This will include identity verification, anti-money laundering and fraud detection and generally assessing credit worthiness; and
- To develop and sell Scores (i.e. a score provided by a credit reference agency that uses the credit data without revealing that data in raw or aggregated form) to Trade Credit Providers (i.e. a business that provides credit only by providing goods and services before payment or part payment is made) but only where the business customer to which the data relates has given that Trade Credit Provider specific consent.

Do you already share information about with me with credit reference agencies?

If you have a loan or other credit facility, you will already have given your consent to share your information with the credit reference agency that we use - Experian. That information will continue to be provided and you cannot withdraw your consent to that information being shared.

Whilst the information that we will provide under the new legislation is very similar to the information we already provide to Experian (if you have an existing loan or other credit facility with us), there are some differences. Under the new legislation, we also have to share your data with all of the designated credit reference agencies and not just Experian.

How can I tell you that I do not consent?

You must complete the enclosed slip and return it to us in the prepaid envelope

Can I withdraw my consent at some stage in the future?

No, unless you tell us that you do not consent before 29 March 2017, we will start to share the data with the credit reference agencies without referring back to you. After that date, we will update the data every month until you either cease to be a small or medium sized enterprise or you cease to be a Danske Bank customer.

What happens if I open a new loan or current account with you at some stage in the future – can I refuse consent to you sharing my information with credit reference agencies?

If you ask us to open a new loan or current account in the future we will automatically start to share information about that account, and any other loan or current accounts you already hold with us, with the designated credit reference agencies - even if you have completed the opt-out notice enclosed with this letter. It will be a term and condition of the loan or account that we can share that information. If you do not agree then we will not be able to provide the loan or current account to you.

Does this apply to all banks?

Under the Regulations, the Government has designated Danske Bank and the following banks - Allied Irish Bank, Bank of Ireland, Barclays, Clydesdale & Yorkshire Bank, HSBC, Lloyds, Royal Bank of Scotland (which includes Ulster Bank) and Santander. This means that each of these banks must comply with the Regulations.

Who will monitor and enforce the Regulations?

The Financial Conduct Authority will monitor and enforce the Regulations.

The activities of designated credit reference agencies and banks under the Regulations are within the scope of the Financial Ombudsman Service.