

Subway® Group Franchise Owner and Business Development Agent ('BDA') Privacy Notice

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Last Revised: May 29, 2020

The Subway® Group ("we" or "us" or "our") cares about our franchisees' and Business Development Agents' and applicant Franchisees' ("you" or "your") privacy. This privacy notice explains our privacy practices regarding your personal information, including:

- The types of personal information we may obtain about you;
- How we may use your personal information and with whom we may share it;
- What we do to safeguard the personal information we collect;
- Your rights regarding your personal information; and
- How to contact us.

This Privacy Notice does not apply to the Subway® Group's prospective and current employees, Subway® restaurant employee applicants or employees, DA employees, consumers, or other personal information we collect for other purposes. All franchisees and DAs must be at least the minimum age to enter into a contract under applicable law and therefore, this privacy notice also does not apply to any individual under the age of eighteen.

Personal Information We Collect

Following are some of the types of personal information we may collect:

- Your Name
- Date of Birth
- Personal/Work Email
- Physical Home Address
- Personal Phone Number(s)
- Government Issued Id,(Passport, Driver's License #, SSN)

- Photographs & Videos
 - Marital Status
 - Educational Background
 - Voice Recordings
 - Financial & Banking
 - Litigation History
 - Criminal & Credit History
-
- Job title
 - Job Qualifications
 - Employment History
 - Tax Records
 - Electronic Signature
 - Military Veteran Status

Some of the personal information that you provide may be considered “Sensitive Personal Information” under the privacy laws of some countries. Sensitive Personal information may include:

- Racial or Ethnic Origin
- Health Information
- Citizenship
- Other Categories Allowed by Law

Please note all information, including personal information submitted by you as part of the application process, may become part of your franchise and/or DA file.

How We Collect Your Personal Information

Generally, we collect your personal information directly from you (for example, during the franchisee or DA application process, or registering for training). In some instances, the personal information we collect has been inferred about you based on other information you provided us, either through your interactions with us, or from third parties. When we collect your personal information from third parties it is either because you have given us express consent to do so, your consent was implied by your actions, or because you

provided explicit or implicit consent to the third party to provide the personal information to us.

Where permitted or required by applicable law, we may collect personal information about you without your knowledge or consent. This may include, but is not limited to, when the collection is necessary for:

- The performance of a contract to which you are or will be a party;
- Compliance with a legal obligation to which we are subject;
- The purpose of a legitimate interest we are pursuing.

We also reserve the right to monitor the use of our premises, equipment, devices, computers, network, applications, software, and similar assets and resources. In the event such monitoring occurs, it may result in the collection of personal information about you. This monitoring may include the use of CCTV cameras in and around our premises.

How We Use Your Personal Information

We may use the information we collect to:

- Respond to requests about Subway® Group franchising and DA opportunities.
- Respond to requests about Subway® Group franchising and DA opportunities.
- Conduct criminal & credit background checks (e.g. OFAC searches) as permitted or required by law.
- Establish and manage your accounts (e.g. extranet access, financial accounts, etc.).
- Verify your identity, such as on service calls, login credentials, convention registration, etc.
- Provide products and services to assist with your operations, such as training and marketing.
- Perform data analyses (including market research, trend analysis and financial analysis).
- Operate, evaluate and improve our business (including developing new products and services, managing our communications, determining the effectiveness of our sales, marketing and advertising; analyzing and enhancing our products, services and Sites; and performing accounting, auditing, billing, reconciliation and collection activities).
- Prevent fraud and other criminal activity, claims and other liabilities.
- Enforce our contracts with you and seek indemnity from you under those contracts.

- Comply with applicable legal requirements, (including franchise disclosure laws) and our policies (e.g. national security, tax purposes, etc.).
- For Franchisee Applications submitted for Franchise sales in Malaysia, Japan, Thailand, South Korea Taiwan, Hong Kong, and Japan, your personal data is processed by with the website host, GoDaddy.com, LLC. Please see Go Daddy's privacy statement [here](#).

Additionally, we may process sensitive information (such as race or nationality) if it is needed for business objectives or if it is required to comply with applicable law. For example, we may process information related to race for diversity reporting. Sensitive information will not be collected, processed or transferred, except where adequate privacy protection mechanisms are in place and is permitted by law.

Sharing Your Personal Information

We may disclose your personal information, including to our affiliates, subsidiaries, and other third parties, as follows:

- When you request us or provide your consent to do so.
- As necessary to complete any transaction or provide any product or service you request or authorize.
- Among our affiliates and subsidiaries, which may involve transferring personal information from one country to another.
- To DAs to facilitate franchise sales, site location assistance, training, and operational assistance in their territories.
- With our customers when addressing their comments and/or complaints about their experience at your store.
- To our contractors and third party service providers who need to know in order to carry out the uses of personal information (see **How We Use Your Personal Information**). For example, we provide updated franchisee contact information to search engine and social networking service providers to improve store and location information available on their sites.
- Where the personal information is public.
- To professional advisors (e.g. bankers, lawyers, accountants).
- As part of a corporate transaction such as a merger or sale of assets.
- When we have a good faith belief that doing so is necessary to-
- Comply with applicable law or respond to valid legal process, including from law enforcement or other government agencies;
- Protect our customers from substantial harm or to prevent loss of life or serious injury;

- Operate and maintain the security of our computer systems and networks; or
- Protect the rights or property of the Subway® Group.

The Subway Group remains responsible for the personal information that we share with third parties for processing on our behalf in connection with the operation of our business, and we remain liable under this privacy statement if our third parties process your personal information in a manner inconsistent with the Privacy Shield Principles, unless the Subway Group proves that it is not responsible for the matter giving rise to the damage.

Cross-Border Transfers & Privacy Shield

Your personal information may be kept in hard copy or electronic format within Headquarters, Regional Offices, or in the cloud which may be located in the United States or other countries where Subway® affiliates, agents, or contractors conduct business.

We may transfer personal information from the European Economic Area and Switzerland to other countries, some of which have not been determined by the European Commission to have an adequate level of data protection. When we do, we use a variety of legal mechanisms, including contracts, to help ensure your rights and protections travel with your information.

Franchise World Headquarters, LLC (“FWH”), on its own behalf and on behalf of the U.S. members of the Subway® Group: Doctor’s Associates LLC, Franchisee Shipping Center Co., LLC, FWH Technologies, LLC, Subway Franchisee Advertising Fund Trust, Ltd., Subway IP, Inc., Subway MyWay, LLC, Subway Realty, LLC, Subway Real Estate, LLC, complies with the EU-US and Swiss-US Privacy Shield Frameworks as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States. FWH, on its own behalf and on behalf of the U.S. members of the Subway® Group, has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If third-party agents process personal information on our behalf in a manner inconsistent with the principles of either Privacy Shield Framework, we remain liable unless we prove we are not responsible for the event giving rise to the damage.

If there is any conflict between the terms in this Privacy Notice and the Privacy Shield Principles, the Privacy Shield Principles will govern. To learn more about the Privacy Shield Program, and to view our certification page, visit <https://www.privacyshield.gov>

If you have a question or complaint related to FWH or other U.S. members of the Subway® Group’s participation in the EU-U.S. or Swiss-U.S. Privacy Shield, we encourage you to contact the Subway® Group’s Privacy Officer (see Contact Information below).

For any complaints related to Privacy Shield frameworks that cannot be resolved with the Subway® Group directly, You may submit Privacy Shield-related complaints to the attention of your Data Protection Authority: http://ec.europa.eu/justice/data-protection/article-29/structure/data-protection-authorities/index_en.htm, which will establish a panel to investigate and resolve complaints brought under the Privacy Shield. We will fully comply with the advice given by the DPAs and take necessary steps to remediate any non-compliance with the Privacy Shield Principles. Such independent dispute resolution mechanisms are available to EU and Swiss citizens free of charge. Additionally, you may have a right to invoke binding arbitration under the Privacy Shield. FWH on its own behalf and on behalf of the U.S. Members of the Subway® Group are subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission (FTC).

Retention of Your Personal Information

Except as otherwise permitted or required by applicable law, we may retain your personal information only for as long as we believe it is necessary to fulfill the purposes for which it was collected or for the other essential purposes such as complying with our legal obligations, resolving disputes, and enforcing our agreements.

You may request that we delete the personal information about you that we hold. There are instances where applicable law or regulatory requirements allow or require us to refuse to delete this personal information. In the event we cannot delete your personal information, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

Security

Although “guaranteed security” does not exist, we are committed to protecting the security of the personal information we collect about you, and we take reasonable physical, electronic, and administrative safeguards (including all steps required by law) to help protect your personal information from unauthorized or inappropriate access, use, loss or modification.

Accessing Your Personal Information

You may reasonably access your personal information by contacting the Subway® Group's Privacy Officer regarding the accuracy of your personal information.

Please note that we may request specific information from you to enable us to confirm your identity and right to access, as well as to search for and provide you with the personal information we have about you.

Your right to access the personal information that we hold about you is not absolute. There are instances where applicable law or regulatory requirements allow or require us to refuse to provide some or all of the personal information we hold about you. In addition, the personal information may have been destroyed, erased or made anonymous. If we cannot provide you with access to your personal information, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

Modifying or Updating Your Personal Information

We endeavor to ensure that personal information in our possession is accurate, current and complete. If you believe that the personal information about you is incorrect, incomplete or outdated, you may request the revision or correction of that information. We will use reasonable efforts to revise it and, if necessary, to use reasonable efforts to inform agents, service providers or other third parties, which were provided with inaccurate information, so records in their possession may also be corrected or updated. However, we reserve the right not to change any personal information we consider accurate.

Inquiries, Complaints and Objections

If you have concerns about how we process your personal information or sensitive information, please contact the Subway® Group's Privacy Officer. We will try to find a reasonable way to address your concerns. However, we must process personal information where required by law. In other cases, if we cannot process your personal information, you may be denied certain benefits.

If you believe that your personal information is not handled in accordance with applicable law or our Privacy Statement, you may submit a complaint to the Subway® Group's Privacy Officer. We will investigate the complaint.

Inquiries, Complaints and Objections

Subway® Group's Privacy Officer
c/o Franchise World Headquarters, LLC
325 Sub Way
Milford, CT 06461 USA
Telephone Number: (203) 877-4281 or Toll Free: 1-800-888-4848
Facsimile: (203) 783-7479
Email Address: privacy@subway.com

Changes to this Privacy Notice

We may change this Privacy Notice at any time. The effective date of each version of this Privacy Notice is identified below as the "Last Revised" date and will take effect immediately after being posted.

OUR GROUP COMPANIES

Here is a list of our entities that may be involved in processing your personal information:

Doctor's Associates LLC
Franchise World Headquarters, LLC
FWH Technologies, LLC
Sandwich and Salad Franchises of South Africa (Proprietary) Ltd.
Subway Brand Management & Consultant (Shanghai) Co., Ltd.
Subway Franchise Systems of Canada, ULC
Subway Franchisee Advertising Fund Trust B.V. Sucursal Argentina
Subway Franchisee Advertising Fund of Australia Pty. Ltd.
Subway Franchisee Advertising Fund Trust B.V.
Subway Franchisee Advertising Fund Trust Ltd.
Subway Franchisee Canadian Advertising Trust
Subway International B.V. - Ecuador
Subway International B.V. - South Korea Branch
Subway International B.V. - Taiwan Branch
Subway International B.V.
Subway International de Mexico, S. de R.L. de C.V.
Subway IP LLC
Subway Japan G.K.
Subway MyWay of Canada, ULC
Subway MyWay, LLC
Subway Partners Colombia C.V.

Subway Realty e Desenvolvimento de Software do Brasil Ltda.
Subway Realty Limited
Subway Realty of France EURL
Subway Realty of Italy S.r.l.
Subway Realty of Spain, S.L.U.
Subway Realty of the Netherlands B.V. Merkezi Hollanda Istanbul Merkezi Şubesi
Subway Subs of Canada, ULC
Subway Systems Australia Pty. Ltd.
Subway Systems do Brasil Ltda.
Subway Systems India Private Limited
Subway Systems Middle East FZ-LLC
Subway Systems Singapore Pte. Ltd.
Subway Vermietungs-und Servicegesellschaft mbH
Subway Vermietungs-und Servicegesellschaft G.m.b.H. -organizachi slozka (Czech Republic)
Subway Realty, LLC
Subway Real Estate, LLC
Subway Restaurants, LLC
Subway Sandwich Shops, LLC
Subway Franchise Restaurants of Canada, ULC
Subway Realty Pty. Ltd.
Subway Realty e Desenvolvimento de Software do Brasil Ltda.
Subway of Ireland Limited
Subway Realty of the Netherlands B.V.
Subway International Equipment Leasing B.V.
Subway Realty of New Zealand
Subway Realty of South Africa Pty. Ltd.
Subway Realty of Spain, S.L.U.
Subway Subs of Sweden AB
Subway Realty Limited
Subway International B.V. Sucursal Argentina
Subway International B.V. Bangladesh Branch
Subway Vermietungs-und Servicegesellschaft m.b.H. -organizacni slozka
Subway International B.V. Sucursal Bolivia
Subway International B.V. Agencia En Chile
Subway International B.V. Dominican Republic Branch
Subway International B.V. Sucursal El Salvador
Subway Realty of the Netherlands B.V. Hong Kong Branch
Subway International B.V. Japan Branch
Subway International B.V. Mexico Branch

Subway International B.V. Morocco Branch
Subway International B.V. Pakistan Branch
Subway International B.V. Sucursal del Peru
Subway Systems Singapore Pte Ltd. South Korea Branch
Subway International B.V. Merkezi Hollanda İstanbul
Subway International B.V. Sucursal Uruguay

Thank you for reading our Privacy Statement. If you have any questions about this Statement or about how we process personal information, please contact us by using the contact details provided under “How to Contact Us”, which is located at the top of this document.

If we are unable to resolve your concerns, you have the right to contact a data privacy supervisory authority in the country where you live or work, or where you consider that the data protection rules have been breached or seek a remedy through the courts.