

Data Protection Notice

This Data Protection Notice was reviewed and updated in April 2018 and it is committed to protecting your personal data and respects your privacy.

To the extent that the European General Data Protection Regulation applies, in accordance with applicable law, this Data Protection Notice provides you with detailed information relating to the protection of your personal data by BPER Bank Luxembourg SA as fully detailed below ("**we**").

We are responsible, as a controller, for collecting and processing your personal data in relation to our activities. The purpose of this Data Protection Notice is to let you know which personal data we collect about you, the reasons why we use and share such data, how long we keep it, what your rights are and how you can exercise them. There may be other notices or policies detailing how we process your personal data applicable in certain territories outside of the EEA. In the event that the provisions of such notices or policies conflict with those within this Data Protection Notice, the former notices or policies shall take precedence.

Further information may be provided where necessary when you apply for a specific product or service.

1. Which personal data do we use about you?

We collect and use your personal data to the extent necessary in the framework of our activities and to achieve a high standard of personalized products and services.

We may collect various types of personal data about you, including:

- **identification information** (e.g. name, ID card and passport numbers, nationality, place and date of birth, gender, photograph, IP address);
- **contact information** (e.g. postal address and e-mail address, phone number);
- **family situation** (e.g. marital status, number of children);
- **tax status** (e.g. tax ID, tax status);
- **education and employment information** (e.g. level of education, employment, employer's name, remuneration);
- **banking, financial and transactional data** (e.g. bank account details, credit card number, money transfers, assets, declared investor profile, credit history, debts and expenses);
- **data relating to your habits and preferences:**
 - data which relates to your use of our products and services including banking, financial and transactional data;
 - data from your interactions with us: our internet websites, our apps, our social media pages, meetings, calls, chats, emails, interviews, phone conversations;

We never ask for personal data related to your racial or ethnic origins, political opinions, religious or philosophical beliefs, trade union membership, genetic data, data concerning your sexual orientation or data relating to criminal convictions and offences ("**Criminal Record Data**") unless it is required through a legal obligation.

The data we use about you may be directly provided by you or obtained from other sources in order to verify or enrich our databases, such as:

- publications/databases made available by official authorities (e.g. the official journal);
- our corporate clients or service providers;
- third parties such as credit reference agencies and fraud prevention agencies or data brokers in conformity with the data protection legislation;
- websites/social media pages containing information made public by you (e.g. your own website or social media); and
- databases made publicly available by third parties.

2. Specific cases of personal data collection, including indirect collection

In certain circumstances, we may collect and use personal data of individuals with whom we have, could have, or previously had, a direct relationship such as:

- visitors to our websites;
- prospective or existing clients; or
- attendees of our events.

We may also collect information about you where you do not have a direct relationship with us. This may happen, for instance, when your employer provides us with information about you or

your contact details are provided by one of our clients if you are, for example:

- Family members;
- Co-borrowers / guarantors;
- Legal representatives (power of attorney);
- Beneficiaries of payment transactions made by our clients;
- Beneficiaries of insurance policies and trusts;
- Landlords;
- Ultimate beneficial owners;
- Clients' debtors (e.g. in case of bankruptcy);
- Company shareholders;
- Representatives of a legal entity (which may be a client or a vendor); and
- Staff of service provider and commercial partners.

3. Why and on which basis do we use your personal data?

a. To comply with our legal and regulatory obligations

We use your personal data to comply with various legal and regulatory obligations, including:

- banking and financial regulations in compliance with which we:
 - set up security measures in order to prevent abuse and fraud;
 - detect transactions which deviate from normal patterns;
 - define your credit risk score and your reimbursement capacity;
 - monitor and report risks that institutions could incur;
 - record, when necessary, phone calls, chats, email; and
 - reply to an official request from a duly authorised public or judicial authority.
- prevention of money-laundering and financing of terrorism;
- compliance with legislation relating to sanctions and embargoes; and
- fight against tax fraud and fulfilment of tax control and notification obligations.

b. To perform a contract with you or to take steps at your request before entering into a contract

We use your personal data to enter into and perform our contracts, including to:

- provide you with information regarding our products and services;
- assist you and answer your requests;
- evaluate if we can offer you a product or service and under which conditions; and

- provide products or services to our corporate clients of whom you are a member of staff, a shareholder, a beneficial owner or a client (for instance, in the context of cash management).

c. To fulfil our legitimate interest

We use your personal data in order to deploy and develop our products or services, to improve our risk management and to defend our legal rights, including:

- proof of transactions;
- fraud prevention;
- IT management, including infrastructure management (e.g. shared platforms) & business continuity and IT security;
- establishing individual statistical models, based on the analysis of transactions, for instance in order to help define your credit risk score;
- establishing aggregated statistics, tests and models, for research and development, in order to improve the risk management of our group of companies or in order to improve existing products and services or create new ones;

d. To respect your choice if we request your consent for specific processing

In some cases we require your consent to process your data, for example:

- where the processing in section 3 above leads to automated decision-making, which produces legal effects or which significantly affects you. At that point, we will inform you separately about the logic involved, as well as the significance and the envisaged consequences of such processing; and
- if we need to carry out further processing for purposes other than those above in section 3, we will inform you and, where necessary, obtain your consent.

4. Who do we share your personal data with?

In order to fulfill the aforementioned purposes, but subject to applicable law relating to information sharing, we only disclose your personal data to:

- Bper Group (e.g. so that you may benefit from our full range of group products and services); This would include, for example, personal data being accessed and/or stored in: jurisdictions where investments are held; jurisdictions in which and through which transactions are effected; and jurisdictions from which you regularly receive or transmit information about your investments or your business with BPER Bank Luxembourg SA.
- Service providers which perform services on our behalf;
- Independent agents, intermediaries or brokers, banking and specialised partners, with which we have a regular relationship;
- Financial, taxation, regulatory or judicial authorities, state agencies or public bodies, upon request and to the extent permitted by law;
- Certain regulated professionals such as lawyers, notaries or auditors; and
- In particular, we may disclose your personal data:
 - to any counterparty, custodian, depositary, broker or nominee appointed or instructed by us on your behalf, or on behalf of the entity you represent, or through whom we may deal or transact in relation to your account or for purposes otherwise ancillary to the provision of services provided by BPER Bank Luxembourg SA to you or the administration of your account;
 - to regulators and/or public authorities in order to check the identity of the client or individuals or to investigate or prevent money laundering, fraud or other illegal activity.

5. Transfers of personal data outside the EEA

In certain circumstances, we may transfer your data to another country. In case of international transfers originating from the European Economic Area (EEA), to a non-EEA country, where the European Commission has recognized a non-EEA country as providing an adequate level of data protection, your personal data will be transferred on this basis.

For transfers to non-EEA countries where the level of protection has not been recognized as adequate by the European Commission, we will either rely on a derogation applicable to the specific situation (e.g. if the transfer is necessary to perform our contract with you such as when making an international payment)

6. How long do we keep your personal data for?

We will retain your personal data for the longer of: (i) the period required by applicable law; or (ii) such other period necessary for us to meet our operational obligations, such as: proper account maintenance, facilitating client relationship management, and responding to legal claims or regulatory requests. Most personal data collected in relation to a specified client is kept for the duration of the contractual relationship with such client plus a specified number of years after the end of the contractual relationship or as otherwise required by applicable law. If you would like further information on the period for which your personal data will be stored or the criteria used to determine that period please contact us at the address given under section 9 below.

7. What are your rights and how can you exercise them?

Depending on the data protection laws which apply to your situation, you have certain rights in respect of your personal data. In the event that the European General Data Protection Regulation applies, such as where a BPER Bank Luxembourg SA entity within the EEA controls your personal data in accordance with applicable law, you have the following rights:

- To **access**: you can obtain information relating to the processing of your personal data, and a copy of such personal data.
- To **rectify**: where you consider that your personal data is inaccurate or incomplete, you can require that such personal data be modified accordingly.
- To **erase**: you can require the deletion of your personal data, to the extent permitted by law.
- To **restrict**: you can request the restriction of the processing of your personal data.
- To **object**: you can object to the processing of your personal data, on grounds relating to your particular situation. You have the absolute right to object to the processing of your personal data for direct marketing purposes, which includes profiling related to such direct marketing.
- To **withdraw your consent**: where you have given your consent for the processing of your personal data, you have the right to withdraw your consent at any time.
- To **data portability**: where legally applicable, you have the right to have the personal data you have provided to us be returned to you or, where technically feasible, transferred to a third party.

If you require further information, or if you wish to exercise the rights listed above, please send a letter or e-mail to the address set out in section 9 below. Please include a scan/copy of your identity card for identification purpose.

In accordance with applicable regulation, in addition to your rights above you are also entitled to lodge a complaint with the competent supervisory authority.

8. How can you keep up with changes to this data protection notice?

In a world of technological change, we may need to update this Data Protection Notice from time to time.

We invite you to review the latest version of this notice online and we will inform you of any material changes through our website or through our other usual communication channels.

9. How to contact us?

If you have any questions relating to our use of your personal data under this Data Protection Notice, please contact our DPO (Data Protection Officer) compliance@bperlux.lu.

Data Protection Officer

