

Personal data refers to any information relating to an identified or identifiable natural person (hereinafter the “personal data”). From 25 May 2018, Banque de Luxembourg (hereinafter the “Bank”) will ensure that the personal data it holds is processed in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (hereinafter the “GDPR”).

This Personal data protection and processing policy (hereinafter the “Policy”) is aimed at all persons who interact with the Bank. It informs them of all of the Bank’s obligations in its capacity as personal data controller, as well as their rights in relation to the processing of their personal data. It forms an integral part of the Bank’s General Terms and Conditions.

## 1. Data subjects affected by personal data processing (hereinafter the “Client”)

The Bank processes the personal data of individuals and legal entities with which it has, has had, or may have a direct or indirect relationship.

### Clients

In its capacity as controller, the Bank processes personal data relating to each (joint) account holder and/or (joint) safe deposit box lessee, his attorneys, beneficiaries and any other person acting as the representative of such persons. As regards Clients that are legal entities, the Bank may, where applicable, be obliged to process the personal data of persons associated with the legal entity, such as representatives, administrators, directors, employees and beneficial owners.

### External service providers and processors

In the context of a particular service/assignment, the Bank may be obliged to process the personal data of its external service providers or processors (specifically, that of representatives and/or employees of such parties who are likely to interact with the Bank) within the legal and/or contractual limits or when it is necessary to do so.

### Visitors

The Bank collects and processes the personal data of visitors who access the Bank’s website or E-Banking Services, as well as those of visitors to Bank premises.

### Third parties

Depending on the circumstances, the Bank may process data pertaining to third parties with a link to the Client. Clients who provide the Bank with personal data belonging to third parties, such as their family members, relatives, guarantors or beneficiaries, their representatives/attorney, or their employer and its representatives or beneficial owners, undertake to inform these third parties of the processing of their data by the Bank and of the existence of this Policy.

### Prospects or potential Clients who express an interest in the Bank’s products and services

As part of its activities and within the legal and/or contractual limits, the Bank may store, use and process personal data regarding prospects or potential Clients who express an interest in the Bank’s products and services.

The Bank also processes the personal data of individuals who contact the Bank by telephone.

## 2. The collection of personal data

The Bank may collect the Client’s personal data in the following ways:

- when the Client himself shares his personal data via any medium, including as part of pre-contractual measures;
- when the Client has made his personal data public via any medium;
- when third parties provide the Bank with personal data;
- when the Bank obtains data from external sources as part of its efforts to combat money laundering and terrorist financing;
- when the Client accesses the Bank’s website or E-Banking Services;
- when the Client accesses a payment account held by the Client with one or more payment service providers selected by the Client as part of an account aggregation service provided by the Bank;
- when the Client visits the Bank’s premises or contacts the Bank by telephone.

## 3. The categories of personal data processed by the Bank

Depending on the purpose pursued by the Bank, it may need to process various categories of personal data belonging to the Client. This may include:

- identification data;
- contact details;
- personal details;
- activity, employment and study information;
- family information;
- banking and financial identification data;
- financial data;
- information on transactions made by the Client and the Client’s financial situation;
- information on the Client’s needs and interests;
- recordings from telephone calls and surveillance camera footage.

To fulfil its obligations and insofar as is necessary, the Bank may process sensitive information, such as information on an individual’s health, convictions and offenses, and holding of public/private office, but it shall never use this information for direct marketing purposes.

## 4. The purposes of personal data processing

Subject to the applicable legislative and regulatory provisions, the Bank may be obliged to process personal data for the following purposes:

- setting up, administering and managing the Client’s file (contract and services) and keeping it up to date;
- managing accounts and payment transactions;
- executing contracts signed by the Client;
- the provision of information to the Client in relation to legal, regulatory or contractual obligations;
- granting and managing loans, including assessing the Client’s ability to repay the loan;
- renting out safe deposit boxes;

- improving and personalising the Bank's services on an ongoing basis;
- ensuring the security of people and property;
- producing (internal) studies, analyses, models and statistics;
- administering and managing risk;
- preventing money laundering, terrorist financing and fraud;
- meeting legal obligations, such as those relating to MiFID II, pre-contractual information and Know Your Customer requirements;
- responding to all legitimate requests from public, legal or supervisory authorities for access to data;
- producing legal evidence in the event of a dispute.

To these ends and within the legal and regulatory limits, processing carried out by the Bank may give rise to automatic decision-making, including profiling.

## 5. Legal bases

The Bank only processes personal data in the following circumstances:

- with the Client's consent, e.g.:
  - via the contact form available on the Bank's website or via online banking, i.e. the Bank's E-banking services;
- insofar as the processing is necessary for the execution of the contract signed by the Client and services linked thereto, or in the context of pre-contractual measures requested by the Client, e.g.:
  - the provision or services and the supply of products, or the execution and registration of transactions;
- to fulfil a legal or regulatory obligation, e.g.:
  - the fight against money laundering and the financing of terrorism, or the prevention of any market abuse;
- based on the Bank's legitimate interests, while safeguarding the balance between the interests of the Bank and those of the Client, e.g.:
  - the conduct of satisfaction surveys and polls, or the management or operational requirements and risks.

## 6. Persons with access to personal data

As it fulfils its role, the Bank may transfer the Client's personal data to the following categories of third party:

- between the Holders and their Attorneys;
- persons appointed by the Client;
- other credit institutions or financial sector professionals with which the Bank interacts or whose services are necessary in the context of providing services to the Client;
- any other external service provider with which the Bank interacts and whose services are necessary in the context of providing services to the Client.

The Bank ensures that third parties with which it interacts in order to provide services are also legally required to treat personal data with care. These personal data recipients may act as controllers or processors and have a duty to comply with legal and/or contractual obligations regarding the protection of personal data, including professional secrecy and the applicable confidentiality obligations.

Some of these data recipients may be located outside the European Union. In order to guarantee the confidentiality of data and safeguard the rights of the persons whose data is processed, the Bank supervises transfers outside the

European Union to guarantee that personal data transfers are fully compliant with EU requirements applicable since the entry into force of Regulation (EU) 2016/679 on the protection of personal data. However, subject to the applicable legal and regulatory provisions, authorities in the countries in question may request access to specific personal data.

In certain cases, the law stipulates that the Bank must share Clients' personal data with third parties, such as public authorities, tax authorities, supervisory authorities or legal/investigatory authorities or, where applicable, with lawyers, notaries, guardians or auditors.

## 7. Personalised solutions

As it seeks to provide the Client with optimised services that are constantly evolving to better meet his needs, and with a view to maintaining and developing its relationship with the Client, the Bank may:

### send the Client:

- regulatory, informative or commercial letters linked to the contract the Client has signed and the service he has subscribed, as well as the products he holds;
- financial and economic analyses;
- the Bank's newsletter;
- value-adding publications on different topics;
- invitations to events, talks or workshops that may be of interest to him.

The Client may object to the use, retention and processing of his data for the purposes of direct marketing at any time and without justifying his decision by contacting the Bank as described in point 8. The Client may also click on the link provided in all communications sent electronically or return the relevant section of correspondence sent by post at any time.

### use profiling (i.e. a set of automated procedures) to process Clients' personal data with a view to:

- searching for and identifying within a Client database characteristics shared by persons who are likely to be interested in a specific new or existing banking service or product;
- searching for and identifying within a Client database relatively homogenous groups of persons in terms of products held and/or banking behaviour in order to improve the Bank's understanding of its Client base and the personalisation of its commercial products and services;
- search and identify in a Client database those Clients with possible connections (e.g. family or business ties) with other Clients.

Data subjects have the right to object to the processing of their personal data through profiling.

## 8. Rights of the Client

Subject to the conditions and limits stipulated by the legislative and regulatory provisions, the Client has a certain number of rights regarding the processing of his personal data, including the right to:

- access his personal data that is processed by the Bank;
- request confirmation of whether or not personal data is processed;
- request the rectification of personal data that is inaccurate or incomplete;

- request the erasure of his personal data on legitimate grounds;
- request the restriction of the processing of his personal data on legitimate grounds;
- request the transmission of his personal data to a third party in an easily readable format;
- object to the use of the data that the Bank collects, retains and processes on legitimate grounds.

The Client may submit a request to exercise the rights set forth above by sending a written request to the Data Protection Officer by email to [dpo@bd.lux](mailto:dpo@bd.lux) or by post to the following address:

Banque de Luxembourg  
For the attention of the Data Protection Officer  
14 boulevard Royal  
L-2449 Luxembourg

The Client also has the right to lodge a complaint regarding the Bank's processing of his personal data with the National Commission for Data Protection ([www.cnpd.lu](http://www.cnpd.lu)).

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## 9. Period for which data will be stored

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The Bank may store personal data for a period not to exceed that necessary for the purposes pursued by the Bank, i.e. 10 years after the termination of the contractual relationships with the Client. For legitimate reasons and depending on the circumstances, the Bank may retain data for longer than the specified period to the extent permitted by the applicable legislative and regulatory provisions.