



Data protection information under the EU General Data Protection Regulation for “prospective clients”

April 2018

The following information provides an overview of how we process your personal data and your rights under data protection law. Which specific data are processed and how they are used depends largely on the services requested or agreed in each case.

1. Who is responsible for the data processing and who can you contact in this regard?

Controller:

Deutsche Bank Luxembourg S.A.
2 Boulevard Konrad Adenauer, L- 1115 Luxembourg
Tel.: (+352) 4 21 221
Fax: (+352) 4 21 224 49
E-Mail: WMLux@db.com

Our internal data protection officer may be contacted at

Deutsche Bank Luxembourg S.A.
Data Protection Officer
2 Boulevard Konrad Adenauer, L- 1115 Luxembourg
Tel.: (+352) 4 21 221
E-Mail: GDPR.lu@db.com

2. What sources and data do we use?

We process personal data which we receive from our prospective clients in the context of our discussion regarding a potential future business relationship. In addition, we also process personal data from publicly available sources (e.g., commercial registers and registers of associations, press, media, Internet) which we lawfully obtain and are permitted to process.

Relevant personal data collected in dealing with prospective clients may be: Name, address / other contact information (telephone, e-mail address), date / place of birth, gender, nationality, marital status, legal capacity, occupation / partner type (employed / self-employed), residential status (rental / ownership), financial situation, identification data (e. g. identification document data).

3 Why do we process your data (purpose of the processing) and on what legal basis?

We process the aforementioned personal data in compliance with the provisions of the EU General Data Protection Regulation (GDPR) and the applicable Luxembourgish Data Protection Act:

a. for the performance of contractual obligations (article 6 (1) b) GDPR

The processing of personal data is carried out in order to perform banking transactions and financial services or to take steps at your request prior to entering into a contract.

The purposes of the data processing may include, among other things, requirements analyses, advice, asset management and transactional services. For further details on the purpose of the data processing, please refer to the respective contractual documentation and terms and conditions.

b. for the purposes of safeguarding legitimate interests (article 6 (1) f) GDPR

Where necessary, we process your data in order to safeguard the legitimate interests pursued by us or by a third party. Examples:

- Evaluating and optimizing procedures for demand analysis and for approaching clients directly; incl. client segmentation and calculating the likelihood of closure.
- Advertising or market and opinion research, to the extent that you have not objected to having your data used
- Ensuring the bank's IT security and IT operations
- Preventing crime
- Video surveillance to safeguard against trespassers, to gather evidence in

the event of robbery or fraud or to document disposals and deposits, e. g., at ATMs

- Measures for building and systems security (e. g., admittance control)
- Measures to ensure against trespassing
- Measures to manage business and further develop services and products
- Group risk management

c. on the basis of your consent (article 6 (1) a) GDPR

Insofar as you have granted us consent to the processing of personal data for specific purposes (e. g., for marketing purposes), the lawfulness of such processing is based on your consent. Any consent granted may be revoked at any time. This also applies to the revocation of declarations of consent that are granted to us prior to the entry into force of the EU General Data Protection Regulation, i. e., prior to 25 May 2018. Please be advised that the revocation shall only have effect for the future. Any processing that was carried out prior to the revocation shall not be affected thereby. You can request a status overview of the consents you have granted from us at any time.

d. for compliance with a legal obligation (article 6 (1) c) GDPR or in the public interest (article 6 (1) e) GDPR

As a bank, we are also subject to various legal obligations, i. e., statutory requirements (e. g., the EU Directive 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing) as well as banking supervisory requirements (e.g., Bafin, the European Central Bank, the European Banking Supervisory Authority, the Luxembourgish Central Bank and the Luxembourgish Financial Supervisory Authority (Commission de surveillance du secteur financier – CSSF)). Other purposes of processing include credit checks, identity and age verification, anti-fraud and anti-money laundering measures, the satisfaction of tax law control and reporting obligations as well as the assessment and management of risks in the bank and the Group.

4. Who receives your data?

Within the bank, those offices are given access to your data which require them in order to present to you the bank and its services as well as to fulfill the pre-contractual and legal requirements. Service providers and vicarious agents employed by us may also receive data if they observe banking secrecy and our written instructions under data protection law. These are mainly companies from the categories listed below.

With regard to the transfer of data to recipients outside the bank, it must first of all be noted that as a bank we are under a duty to maintain secrecy about any customer-related facts and evaluations of which we may have knowledge (Banking secrecy under no. 2 of our General Business Conditions). We may only disclose information about you if we are legally required to do so, if you have given your consent, if we are authorized to provide bank information and / or if processors commissioned by us guarantee compliance with banking secrecy and the provisions of the GDPR.

Under these conditions, recipients of personal data may be, for example:

- Public authorities and institutions (e.g. Bafin, CSSF, the European Banking Authority, the European Central Bank, tax offices) insofar as a statutory or official obligation exists;
- Other service providers which assist the bank in organizing events for and meetings with prospects or which provide services regarding support / maintenance of electronic data processing/ IT applications, archiving, document processing, data screening for anti-money laundering purposes, data destruction, real estate appraisals, IT services, marketing or telephony.

Other recipients of data may be those offices to which you have given your consent to the transfer of data or with respect to which you have exempted us from banking secrecy by means of a declaration of consent.

5. Is data transferred to a third country or to an international organisation?

Data will only be transferred to countries outside the EU or the EEA (so-called third countries) if this is required for the execution of your orders (e.g. payment and securities orders), prescribed by law (e.g., reporting obligations under tax law), if you have given us your consent or in the context of commissioned data processing. If service providers in a third country are used, they are obligated to comply with the data protection level in Europe in addition to written instructions by agreement of the EU standard contractual clauses.

6. How long will your data be stored?

We process and store your personal data as long as it is necessary for the performance of our pre-contractual and statutory obligations. In this regard, it should be noted that our business relationship is a continuing obligation designed to last for several years.

If the data are no longer required, for the performance of our pre-contractual and statutory obligations, they are regularly deleted, unless their further processing (for a limited time) is necessary for the following purposes:

-Compliance with records retention periods under commercial and tax law, such as the Luxembourgish Commercial Code (*Le Code de commerce*) or the EU Directive 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist. The records retention periods prescribed therein corresponds to 5 years.

7. What data protection rights do you have?

Every data subject has a right of access (article 15 GDPR), a right to rectification (article 16 GDPR), a right to erasure (article 17 GDPR), a right to restriction of processing (article 18 GDPR), a right to object (article 21 GDPR) and a right to data portability (article 20 GDPR). The right of access are subject to restrictions (article 29 of the modified law of 2002 in conjunction with article 23 GDPR). Data subjects also have a right to lodge a complaint with a supervisory authority (article 77 GDPR).

You may revoke your consent to the processing of personal data at any time. This also applies to the revocation of declarations of consent that are granted prior to the entry into force of the EU General Data Protection Regulation, i. e., prior to 25 May 2018. Please be advised that the revocation will only take effect in the future. Any processing that was carried out prior to the revocation shall not be affected thereby.

8. To what extent is automated decision-making (including profiling) carried out?

As a rule, we do not make decisions based solely on automated processing as defined in article 22 GDPR to establish and implement the business relationship.

If we use these procedures in individual cases, we will inform you of this separately, provided that this is prescribed by law.

Information on your right to object under article 21 of the EU General Data Protection Regulation (GDPR)

1. Ad hoc right to object

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on article 6 (1) e) GDPR (processing in the public interest) and article 6 (1) f) GDPR (processing for the purposes of safeguarding legitimate interests); this includes any profiling based on those provisions within the meaning of article 4 (4) GDPR.

If you lodge an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or unless the processing is for the establishment, exercise or defense of legal claims.

2. Right to object to the processing of data for marketing purposes

In certain cases, we process your personal data for direct marketing purposes. You have the right to object at any time to processing of personal data concerning yourself for such marketing, which includes profiling to the extent that it is related to such direct marketing.

If you object to processing for direct marketing purposes, we will no longer process your personal data for such purposes.

There are no formal requirements for lodging an objection; where possible it should be made by telephone to: +352 421 221.