

## Data Protection Notice<sup>1</sup>

### – EU General Data Protection Regulation and Data Protection Act –

Valid from: Mai 2018

Applicability: Clients and potential clients

In this Data Protection Notice we aim to provide you with an overview of the processing of the personal data held by the Bank and the resultant rights pursuant to the provisions of the EU's new General Data Protection Regulation (GDPR). Which individual data is processed and the way in which it is used is chiefly determined by the respective agreed services and products to be provided. The Bank is obliged under banking secrecy requirements to protect your privacy and observe confidentiality. For this reason, all processing of personal data is subject to a large number of technical and organisational data protection policies.

During the course of our business relationship we are dependent on the processing of personal data in order to instigate and conduct the business relationship, as well as to comply with our associated statutory and contractual duties, to provide services and execute instructions. As a rule, without this data we would be unable either to enter into or to maintain a business relationship, nor would we be able to execute instructions or offer services and products.

Should you have any questions regarding individual instances of data processing or wish to exercise your rights, please contact:

<p>Controller:</p>	<p>Data protection officer's contact details:</p>
<p><b>Raiffeisen Privatbank Liechtenstein AG</b></p> <p>Austrasse 51 9490 Vaduz, Liechtenstein info@raiffeisen.li <a href="https://www.raiffeisen.li">https://www.raiffeisen.li</a></p>	<p>Raiffeisen Privatbank Liechtenstein AG <b>Data Protection Officer</b> Austrasse 51 9490 Vaduz, Liechtenstein dataprotectionofficer@raiffeisen.li <a href="https://www.raiffeisen.li">https://www.raiffeisen.li</a></p>

#### 1. What data is processed (categories of data) and what source does it derive from (source)?

We collect and process personal data which we obtain during the course of our business relationships with our clients. Personal data may be processed at any stage of the business relationship and may differ depending on the group of persons concerned.

In general we process the personal data you furnish us with via contracts, forms, your correspondence or other documents. In so far as necessary for the provision of a service, we also process personal data which is generated or transmitted through the use of products or services, or which we legitimately receive from third parties (e.g. a credit agency), from public bodies (e.g. UN and EU sanction lists) or from other companies within the Mason Group. Finally, personal data from public sources (e.g. debtors lists, land registers,

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<sup>1</sup> Information in the MIFID package and also published on the Bank's website.

commercial registers and registers of association, the press, the Internet) can be processed.

Apart from client data we may also process the personal data of other third parties who are involved in the business relationship, for instance details of authorised agents, representatives, card holders, co-obligors of loans, guarantors, legal successors or economic beneficiaries from a business relationship. Please ensure that these parties too are aware of the present data protection notice.

By personal data we mean in particular the following categories of data:

- Personal details (e.g. name, date of birth, nationality)
- Address and contact details (e.g. address, telephone number, email address)
- Identification data (e.g. passport or ID-card data) and authentication data (e.g. signature sample)
- Information on services and products used plus order and risk management data (e.g. payment information, investment experience and investment profile, turnover data re payment transactions, information on compliance with duties of care and re money laundering prevention)
- Other master data and information on the business relationship (e.g. account, contract or portfolio numbers and contract durations, tax number(s), information on spouses or life partners and other family details, on authorised agents or legal representatives)
- Information on the financial situation and vocational and personal background (e.g. solvency data, origin of assets and needs, hobbies, wishes, preferences)
- Technical data and information generated from your contacts (e.g. records of consultancy meetings) or electronic transactions with the Bank (e.g. records of access or changes)
- Image and sound data (e.g. video or telephone call recordings)
- Data from public sources (e.g. debtors lists, land registers, commercial registers and registers of association)

## **2. For what purposes and on what legal basis will your data be processed?**

We process personal data in conformity with the provisions of the GDPR as well as the Data Protection Act (DPA) for the following purposes, and on the legal basis set forth below (cf. Article 6 paragraph 1 GDPR):

- For the performance of a contract or in order to take steps prior to entering into a contract in connection with the provision and brokering of bank transactions and financial services and for the execution of instructions. The purposes of the data processing are chiefly determined by the specific service or specific product involved (e.g. account, credit, securities, deposits, brokerage), and may comprise such activities as needs analysis, consultancy, asset management and support, as well as the execution of transactions.
- For compliance with a legal obligation or in the public interest, in particular compliance with statutory requirements or provisions of supervisory law (e.g. compliance with the GDPR, the DPA, the Banking Act, duty of care and money laundering provisions, market abuse provisions, tax laws and treaties, monitoring and reporting duties, risk management).
- For the purposes of upholding our legitimate interests or those of third parties for specifically defined purposes, in particular to determine solvency, set up and liquidate collateral, pursue claims, develop products, for marketing and advertising, auditing and managing risk, reporting, statistics and planning, preventing and investigating criminal

acts, video surveillance to uphold house rules and defend against dangers, recordings of telephone calls.

- Due to the consent you grant us to provide bank transactions and broker financial services or due to instructions you have given us, for instance the forwarding of data to Group companies, service providers or the Bank's contractual partners. You are entitled to withdraw your consent at any time. This also applies to the withdrawal of declarations of consent made to the Bank prior to the entry into force of the GDPR, that is before 25 May 2018. Said withdrawal of consent only has future effect and does not affect the lawfulness of any data processing carried out prior to said withdrawal.

We reserve the right also to process personal data which was collected for one of the purposes set out above for other purposes, provided doing so is compatible with the original purpose, or permitted or prescribed by law (e.g. reporting duties).

### **3. Who receives access to the personal data and how long will it be stored?**

Bodies both within and external to the Bank may receive access to your data. Within the Bank, bodies or personnel may only process your data in so far as this is necessary to comply with our contractual, statutory or supervisory law obligations as well as to uphold legitimate interests. In due compliance with bank client secrecy and data secrecy requirements, other Group companies, service providers or vicarious agents may receive personal data for these purposes. Processors of orders may include undertakings in the categories banking services, distribution agreements, IT services, logistics, printing services, debt collection, advice and consultancy, as well as sales and marketing. Moreover, recipients of your data in this connection may include banking and financial service institutions or comparable entities, to which we will transmit personal data in conducting the business relationship (e.g. correspondent banks, custodian banks, brokers, stock exchanges, information centres).

A statutory obligation, or one under supervisory law, may mean that public bodies and institutions (e.g. supervisory or tax authorities etc.) receive your personal data.

The transmission of data to countries outside the EU and the EEA (third countries) only occurs if necessary in order to take steps prior to entering into a contract or for the performance of a contract, the provision of services or execution of instructions (e.g. execution of payment orders and securities transactions or issuing a credit card), if you have granted us your consent (e.g. to customer care by another of the Bank's Group companies), if it is necessary for a compelling reason of public interest (e.g. to prevent money laundering) or if it is prescribed by law (e.g. reporting duties under tax law).

We process and store the personal data throughout the business relationship, except where shorter binding erasure obligations exist for certain data. Here it should be noted that our business relationships may be set up to last for years. Furthermore, the duration of storage is determined by the necessity for and purpose of the data processing in question. Once the data is no longer necessary for the fulfilment of contractual or statutory duties or to uphold our legitimate interests (achievement of purpose), or if consent is withdrawn, the data is regularly erased unless its further processing is necessary in compliance with contractual or statutory storage periods and duties to keep records, or for reasons of retention of evidence throughout applicable limitation periods.

### **4. Does automated decision-making take place, including profiling?**

Generally our decision-making is not founded on the exclusively automated processing of personal data. If we do use this process in individual cases you will be informed of the fact separately whenever doing so is prescribed by law.

However, in some lines of business personal data is processed automatically, at least in part. This is done with the aim of evaluating certain personal aspects in cases required by law and regulatory provisions (e.g. money laundering prevention), to analyse needs for services and products, in connection with granting credit, to assess affordability and your solvency, as well as in the field of risk management.

The Bank reserves the right henceforth to analyse and evaluate client data (including data on affected third parties) in an automated fashion in order to detect clients' key personal characteristics, predict future developments and create client profiles. In particular, these serve the purpose of auditing, providing individual advice and preparing offers and information which the Bank or its Group companies may make available to clients. Client profiles may also in future lead to automated individual decision-making, e.g. in order to accept and execute client instructions automatically during e-banking.

The Bank will ensure that a suitable contact person is available should the client wish to comment on an individual automated decision and the right to make such comment is prescribed by law.

## **5. What data protection rights do you have?**

With respect to personal data concerning yourself, you have the following data protection rights (cf. Article 7 and Articles 15 to 21 GDPR):

- Right of access: You can always require the Bank to inform you as to whether and to what extent your personal data is being processed (e.g. categories of processed personal data, processing purpose, etc.).
- Right to rectification, erasure and restriction of processing: You have the right to demand the rectification of inaccurate or incomplete personal data. Moreover, your personal data must be erased if the data is no longer needed for the purposes for which it was collected or processed, if you have withdrawn your consent or if the data has been unlawfully processed. You also have the right to demand the restriction of processing.
- Right of withdrawal: You are entitled at any time to withdraw your consent to the processing of your personal data for one or more specific purposes provided the processing is founded on your express consent. This also applies to the withdrawal of declarations of consent made prior to the entry into force of the GDPR, that is before 25 May 2018. Please note that said withdrawal of consent only has future effect. It does not affect any data processing carried out prior to said withdrawal, nor does it have any effect on data processing performed on other legal grounds.
- Right to data portability: You have the right to receive the personal data concerning you, and which you have provided to the controller, in a structured, commonly used and machine-readable format and to transmit this data to another controller.
- Right to complain: You have the right to lodge a complaint with the competent supervisory authority in Liechtenstein. You may also appeal to the supervisory authority of another EU or EEA member state, for instance at your place of residence or work, or at the place of the putative infringement.

The contact details of the competent data protection authority in Liechtenstein are as follows:

Datenschutzstelle Liechtenstein (Liechtenstein Data Protection Authority)  
Kirchstrasse 8, Postfach 684, FL-9490 Vaduz, Principality of Liechtenstein  
Tel.: +423 (0)2366 090; email: [info.dss@llv.li](mailto:info.dss@llv.li)  
Website: <https://www.llv.li/#/1758/datenschutzstelle>

#### Information concerning your right of withdrawal

You have the right to object in an informal manner to the data processing in individual cases on grounds relating to your particular situation, unless said processing is in the public interest or is being done to uphold the legitimate interests of the Bank or a third party.

Furthermore, you have the right to raise objection in an informal manner to the use of personal data for marketing purposes. If you object to the processing of your personal data for direct marketing purposes, we will no longer process your personal data for this purpose.

Requests for access or withdrawal should preferably be made in writing to the data protection officer. The data protection officer is also available as your contact person in relation to all other matters concerning data protection law.

We reserve the right to change or adapt this Data Protection Notice from time to time and to publish it on our website. You can find the date the current version was published at the start of this Data Protection Notice.