



DATA PROTECTION NOTICE

October 2018 version

The following data protection notice applies to the online offering of Advanzia Bank S.A., a Luxembourg financial institution registered in the Luxembourg companies' register under the number B 109 476 and with the following contact details:

Advanzia Bank S.A.
9, rue Gabriel Lippmann
5365 Munsbach, Luxembourg
Tel. 0800 880 1120
Fax 00352 263875 699
dataprotection@advanzia.com
www.advanzia.com

Advanzia Bank S.A. ("we", "us" or "our") collects and processes information about natural persons, who are our customers or those of partner banks, for whom we issue credit cards ("you" or "your"). This data protection notice provides information about what information we collect, how and why we process it, and with whom we share it. This notice applies to all aforementioned natural persons, regardless of their place of residence and the type of service or product, offered by us.

The data protection notice should be read along with the general terms and conditions, which are notified to you at the beginning of the business relationship and which describe the product we offer.

We must collect and process certain information about you in order to conclude and execute a contract with you, as well as to maintain our contractual relationship. Unless you provide us with such information, we may not be able to enter into, execute or fulfil any contract with you.

We will notify you of the rejection of your application or termination of the contract that may result from your refusal to provide us with certain information or to exercise your statutory rights.

This data protection notice is also valid after termination of the contract with you.

1 WHO IS RESPONSIBLE FOR YOUR PERSONAL DATA?

We are required by law to inform you that we are responsible for the personal information we collect from you. This statutory obligation includes Regulation (EU) 2016/679 of 27 April 2016 ("GDPR (General Data Protection Regulation)") and all other national and supranational laws (collectively "Data Protection Laws").

2 WHAT INFORMATION AND DATA DO WE COLLECT AND PROCESS?

We collect and process personal data that we receive from you or others in the course of our business relationship. Insofar as this is necessary for the provision of our services, we also process personal data that we legitimately obtain from publicly available sources (e.g. debtor directory) or is sent to us by third parties (e.g. SCHUFA, Creditreform, KSV, KKE, etc.).

Personal data may be the following information:

- a) name, title, gender, nationality, date of birth, place of birth, address, telephone numbers, email address, occupation, marital status, income, debt, housing situation, tax identification number
- b) copy of government-issued identity card, passport, residence permit, pay slip
- c) account details (IBAN, etc.), card number, card information, PIN number, control number, security code, identification for a secure procedure

- d) correspondence (by phone, email, letter, contact form, etc.), information regarding contractual relationships with us,
- e) data relating to your online account (username, password, IP address),
- f) balance on your account, payment orders, credit card transactions, fees, instalments, debit interest, default interest and monthly outstanding amounts,
- g) data relating to you or the concerned person in connection with the KYC/AML audits we have carried out in accordance with the law of 12 November 2004 regarding the fight against money laundering and terrorist financing ("2004 law"),
- h) information regarding your creditworthiness,
- i) any other personal information about you or any other concerned person that we receive in the course of the pre-contractual, contractual and commercial relationship ("personal data").

3 WHAT IS THE LEGAL BASIS AND THE PURPOSE OF THE DATA PROCESSING?

We collect, process, store and share your personal information as follows:

- a) for the fulfilment of contractual obligations (Art. 6 para. 1b GDPR)
The data is processed for the provision and brokering of banking transactions, financial services and related insurance services. In the context of the execution of our contracts with you or to carry out pre-contractual measures, which are taken at your request. The purposes of data processing depend on the specific product (credit card, deposit account) and may include, among others, reviewing and accepting your application, conducting transactions, providing billing and statements, consulting and demand analysis.
- b) in the context of the balance of interests (Art. 6 para. 1f GDPR)
If necessary, we process your data beyond the scope of the actual fulfilment of the contract for the protection of our legitimate interests or those of third parties. These include, for example:
 - querying and exchanging data with credit rating agencies (SCHUFA, Creditreform, KKE, KSV, etc.)
 - checking and improving data quality (e.g. telephone directories)
 - reviewing and optimising demand analysis procedures for direct customer communication
 - advertising or market and opinion research, unless you have objected to the use of your data
 - asserting claims/receivables and defence in legal disputes
 - ensuring the IT security and IT operations of the bank
 - preventing and investigating fraud and other crimes
 - measures for the development of services and products
 - measures to assess risk factors for the Bank
 - information to creditors or insolvency administrators, who request for information as part of a foreclosure or seizure
 - notification to card service providers or merchants, requesting information during card transactions
 - information as part of partner programmes (B2B), offering credit card bonus programmes
 - automatic card reconciliation upon expiry of the credit card
- c) based on your consent (Art. 6 para. 1a GDPR)
The legality of the processing is given by your consent to the use of personal data for specific purposes (e.g. use of telephone number and email address for promotional measures). You can revoke your given consent at any time.
- d) due to legal requirements (Art. 6 para. 1c GDPR)
As a bank, we are subject to various legal obligations, in particular, compliance with legal requirements regarding money laundering regulations as well as banking supervisory requirements (for example, the European Central Bank (ECB), the Luxembourg Banking Authority *Commission de Surveillance du Secteur Financier* (CSSF)). The purposes of the processing include, among others, the credit check, identity and age

checks, fraud and money laundering prevention, the fulfilment of tax monitoring and reporting obligations, and the evaluation and management of risks to the bank.

4 WITH WHOM DO WE SHARE YOUR DATA?

Your data will only be made available within the Bank to those who need it to fulfil our contractual and legal obligations. The service providers and vicarious agents commissioned by us also receive data only for the purposes commissioned by us. This applies to companies in the categories of financial services, insurance services, IT services, logistics, printing services, telecommunications, debt collection, consulting and sales and marketing. Data is transferred to third parties external to the bank only in the cases, where we are required by law, you have given your consent, or we are authorised to provide bank information. Basically, we are obliged to secrecy of all customer-related facts due to the banking secrecy. Recipients of personal data in this context may be: public bodies and institutions (e.g. CSSF, tax authorities, law enforcement authorities, financial authorities) other financial and credit service companies, in particular for compliance and monitoring of money laundering regulations

Other data recipients may be those for whom you have given us your consent for the transmission of data or for whom you have exempted us from banking secrecy (e.g. power of attorney), or to whom we are entitled to send personal data due to a balance of interests or to fulfil our contractual obligations.

Data is transmitted to offices in countries outside the European Union (so-called third countries) only in the following cases:

- it is required to execute your orders (e.g. transactions)
- it is required by law (e.g. tax reporting obligations)
- you have given us your consent

In addition, data is transmitted to entities within the EU and in third countries for the purposes of our contractual obligations in the following cases:

- Mastercard (EU and US), as a payment system through which all credit card transactions between merchant, merchant bank and card-issuing bank are linked.
- Transaction systems (EU and US), as internal systems for settlement of all transactions, calculation of fees, interest, credits and other postings to the credit card or instant access savings account.
- Call centres (EU and Serbia), as customer support centres for handling customer inquiries.
- Printers (EU) for the creation of customer correspondence, bills, bank statements.
- Card embosser (EU) for imprinting the credit card.
- Insurance companies (EU and UK), as service providers for credit card insurance products.

When your credit card expires, your card-related information (cardholder name, card number, and expiration date) will automatically be updated to merchants, with whom you have permanently stored this information, if the merchant subscribes to this service. If you do not want an automatic update of your card data, you can object at any time by email to dataprotection@advanzia.com.

We also exchange personal data with partner banks, as far as we instruct them to issue and manage credit cards to their customers.

In addition, if you participate in bonus programmes of B2B partners, it may be necessary to exchange the required information (such as annual amount of credit card transactions) to fulfil the various bonus programmes. In case of transfer of rights, assets or liabilities by us to third parties (for instance in relation to assignment or granting of security over credit card receivables), we transfer your personal data to such third parties or beneficiaries of the security arrangement (including their legal advisors and appointed auditors).

We also share personal information with our auditors and legal advisers in Luxembourg, Germany, Austria, France and Spain.

5 HOW LONG DO WE SAVE YOUR DATA?

We process and store your personal data as long as this is necessary for the fulfilment of our contractual and legal obligations. It should be noted that our business relationship is a continuing obligation, which is laid down for several years.

The retention of personal data after termination of the contractual relationship may be for certain reasons, such as compliance with legal and regulatory requirements or defence against legal disputes. Insofar as your data is no longer necessary for the fulfilment of our contractual or legal obligations, it is deleted on a regular basis, unless deletion is precluded by temporary retention obligations. These include the following purposes:

- fulfilment of commercial and fiscal obligations. The specified deadlines for storage and documentation are 2 to 10 years after termination of the contract.
- storing evidence within the statutory limitation periods. These limitation periods may be up to 30 years, whereby the regular limitation period is 3 years.
- storing evidence-related documents relating to money laundering and customer identification (2004 law). In this case, documents and information are kept for up to 5 years after termination of the contractual relationship.

6 WHICH RIGHTS DO YOU HAVE?

Depending on the regulations of the applicable data protection laws, you can:

- get a confirmation from us, indicating whether or not your personal information is being processed, and if so, receive access to personal data and relevant information in this regard;
- have your inaccurate personal data promptly corrected by us and the incomplete data made complete by us, taking into account the purposes of the processing;
- ask us to delete personal information relating to you, unless we are required by law to retain such personal information;
- ask us to impose a restriction on the processing of your personal data (i.e. the identification of personal data stored in order to limit its processing in the future);
- if required, request us to transfer personal information in a structured, commonly used machine-readable format to another person you have notified to us in accordance with the contract with us;
- for reasons pertaining to your specific situation, disagree with the processing of personal data that we perform on the basis of our legitimate interest; in such a case, we will cease processing such personal data unless we prove compelling legitimate grounds for processing that override your interests, rights and freedoms, or serve to establish, exercise or defend legal claims.

You can exercise your aforementioned rights by contacting us by email dataprotection@advanzia.com.

You also have the right to file a complaint with a data protection authority. You can contact the data protection authority, which is responsible for your place of residence, or the data protection authority responsible for us in Luxembourg (*Commission Nationale pour la Protection des Données* – www.cnpd.lu).

7 WHAT DO WE EXPECT FROM YOU?

You are obliged to notify us promptly in writing of any changes to the information you provide (in particular, changes to your contact information).

8 FURTHER INFORMATION ABOUT DATA PROTECTION

If you would like to receive more information about data protection, please contact us by email dataprotection@advanzia.com or visit our website www.advanzia.com.

9 CHANGES TO THE DATA PROTECTION NOTICE

Changes to our data protection notice will be communicated to you by email, letter, link to our website or otherwise. The latest version of the data protection notice can be found at www.advanzia.com.