

### 1. General information

The following information provides an overview of how we collect and process your personal data and of your rights under data protection law. The data processed in a particular case and the manner in which it is processed largely depend on the services requested or agreed upon.

Please also forward this information to the current and future authorised representatives and beneficial owners as well as any co-obligors under a loan. These include, for instance, beneficiaries in the event of death, commercial attorneys-in-fact (Prokuristen) or guarantors.

### 2. Who is responsible for data processing and whom can I contact in this regard?

The responsible party is:

Nordlux Vermögensmanagement S.A.  
23 a, rue Edmond Reuter  
L-5326 Contern  
Tel.: +352 26198-1  
e-mail: kontakt@nordlux-vm.lu  
Website: www.nordlux-vm.lu

You can reach our Corporate Data Protection Officer at:

Nordlux Vermögensmanagement S.A.  
Data protection officer  
23 a, rue Edmond Reuter  
L-5326 Contern  
Tel.: +352 26198-1  
e-mail: datenschutz@nordlux-vm.lu

### 3. What data sources and types of data do we use?

We process personal data that we receive from our clients within the context of our business relationship. To the extent necessary in order to provide our services, we also process personal data that we have permissibly obtained from public sources (e.g. debtor directories, land registers, commercial registers and registers of associations, the press, the media, the Internet). We also process personal data that we have permissibly received from other third parties (e.g. the account-holding authority or custodian, credit agencies, commercial registers and registers of associations).

In the business origination and development phase and over the course of the business relationship, particularly as a result of personal, telephone or written contact initiated by you or by us, additional personal data was created. This includes, for instance, information on the contact channel, date, occasion and result, (electronic) copies of correspondence and information on the participation in direct marketing activities.

Relevant personal data are personal details (name, address and other contact information, date and place of birth and nationality), identification data (e.g. identification document data) and authentication data

(e.g. specimen signature). This may also include order-related data (e.g. payment orders), data based on the performance of our contractual obligations (e.g. data of turnover from payment transactions), information regarding your financial situation (e.g. data regarding creditworthiness, scoring/rating data, origin of assets), advertising and sales data, documentation data (e.g. minutes of consultations) and other data similar to the aforementioned categories.

When products/services from the product categories listed below are purchased and used, additional personal data may be collected, processed and stored in addition to the aforementioned data. These primarily include:

#### a) Intermediation of securities transactions

Information on knowledge of and/or experience with securities (MiFID status), investment behaviour/strategy (scope, frequency, risk appetite), occupation, financial situation (assets, liabilities, income from (self-employment/trade, expenses), foreseeable changes in financial circumstances (e.g. age of retirement), specific objectives/major concerns in the future (e.g. planned acquisitions, redemption of liabilities), tax information (e.g. tax number), documentation data (e.g. suitability statements).

#### b) Intermediation of Loans

Credit records (salary statements, cash flow statements and balance sheets, tax documentation, information/proof of assets and liabilities, guarantees assumed, third-party account statements, expenses), employer, nature and term of the employment relationship, nature and term of self-employment, number of dependent children, marital property, residence/work permit in the case of non-EU nationals, business/private scoring/rating data, information/proof of intended purpose, own and external collateral: property documentation (e.g. land register extracts, property appraisals), documentation data (e.g. consultation records).

In the case of personal guarantees provided by third parties (external collateral), comparable requirements may be imposed on the respective guarantors to disclose the economic and financial circumstances.

#### c) Intermediation of deposits

Data based on the performance of our contractual obligations (e.g. turnover), tax information (e.g. tax number), information on any third-party beneficiaries, direct debit data, documentation data (e.g. consultation records).

#### d) Asset management

Information on knowledge and/or experience with securities (MiFID status), investment behaviour/strategy (scope, frequency, risk appetite), occupation, financial

situation (assets, liabilities, income from (self-employment/trade, expenses), foreseeable changes in financial circumstances (e.g. age of retirement), specific objectives/major concerns in the future (e.g. planned acquisitions, redemption of liabilities), tax information (e.g. tax number), documentation data (e.g. suitability statements).

**e) Intermediation of life and pension insurances**

Policy number, product data (e.g. rate, benefit, premium), documentation data (e.g. consultation records). Where the premiums are invested in securities or in an asset management firm, the personal data listed under the item Securities business or Asset management will be used.

**f) General services**

Order data (e.g. payment orders), data from forwarding information to the account-managing credit institution (e.g. payment transaction data).

**4. Why do we process your data (purpose of processing the data) and on what legal basis do we do so?**

We process personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the Luxembourg Data Protection Act:

**a) Fulfilling contractual obligations (Article 6 (1) b) GDPR)**

Personal data is processed in order to provide financial services under the contracts with our customers and to implement precontractual measures, upon request (e.g. by interested persons).

The purposes of data processing are primarily dependent on the specific product (see point 3) and may include, among other things, requirements analyses, advice, asset management and consulting and transactional services. For further details on the purpose of 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 for the actual performance of our contractual obligations in order to protect our legitimate interests and those of third parties. Examples:

- Consulting and exchanging data with credit agencies
- Evaluating and optimising procedures for requirements analysis and for approaching clients directly; incl. client segmentation
- Advertising or market and opinion research, to the extent that you have not objected to having your data used

- Asserting legal claims and mounting a defence in the event of litigation
- Ensuring the security and IT operations of Nordlux Vermögensmanagement S.A.
- Crime prevention
- Measures to ensure against trespassing
- Measures to manage business and further develop services and products

**c) On the basis of your consent (Article 6 (1) a) GDPR)**

Insofar as you have granted us consent to process personal data for specific purposes (e.g. data transfer as part of online services), this processing is lawful based on your consent. Any consent granted may be revoked at any time. This also applies to the revocation of declarations of consent granted to us prior to the entry into force of the EU General Data Protection Regulation, i.e. prior to 25 May 2018. Please note that the revocation shall only have effect for the future. Any processing 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) Based on legal obligations (Article 6 (1) c) GDPR) or in the public interest (Article 6 (1) e) GDPR)**

As investment advisors and asset managers, we are also subject to various legal obligations, i.e. statutory requirements (e.g. Law of the Financial Sector, tax laws) and regulatory requirements (e.g. the Commission de Surveillance du Secteur Financier (CSSF) and Commissariat aux Assurances (CAA). Other purposes of processing include identity and age verification, anti-fraud and anti-money laundering measures, compliance with tax law and regulatory control and reporting obligations as well as the assessment and management of risks at Nordlux Vermögensmanagement S.A..

**5. Who receives my data?**

Within Nordlux Vermögensmanagement S.A., those parties that need access to your data to meet our contractual and statutory obligations are given access thereto. This includes instances where you have consented to your data being processed or where data processing is permitted for the purpose of safeguarding legitimate interests. Service providers and vicarious agents employed by us may also receive data for these purposes if they observe our written instructions under data protection law.

With respect to the disclosure of data to recipients outside Nordlux Vermögensmanagement S.A., it must first of all be noted that we, as investment advisors and asset managers, are obliged to maintain confidentiality with respect to all client-related facts and assessments of which we obtain knowledge (professional secrecy according to Art. 41 of the amended law dated 5 April 1993 on the financial sector (Financial Sector Regulation Act). We may only disclose information about you if we are legally required to do so, if you have given your consent, if we are authorised to

provide information and/or if processors commissioned by us guarantee compliance with professional secrecy and the provisions of the GDPR and Luxembourg Data Protection Act.

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

- Public authorities and institutions (e.g. CSSF, CAA, financial authorities, law enforcement authorities) insofar as a statutory or official obligation exists.
- Other credit and financial services institutions, comparable institutions and processors to whom we transfer personal data in order to maintain a business relationship with you. Specifically: Forwarding orders and account and portfolio management information to your custodian bank, support/maintenance of EDP/IT applications, electronic mailbox, MIFID II services, telephony, marketing, media technology auditing service, internal auditing service.

Additional recipients of data may be those bodies to which you have given your consent to the transfer of data, or which you have commissioned us to transfer data to, or with respect to which you have exempted us from professional secrecy by agreement or consent.

#### **6. Is data transferred to a third country or to an international organisation?**

Data will be transferred to countries outside the EU or the EEA (so-called third countries) only if 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 within the context of order 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.

#### **7. For how long will my data be stored?**

We process and store your personal data as long as it is necessary for the duration of our business relationship, which also includes the initiation and processing of a contract.

Furthermore, we are also subject to retention obligations that result from commercial, company, fiscal and bank supervisory requirements and the Money Laundering Act. The records retention and documentation periods prescribed therein range from two to 10 years.

The storage period is ultimately also assessed on the basis of the statutory limitation periods. They usually amount to three years and, in certain cases, up to 30 years.

#### **8. What data protection rights do I have?**

Every person concerned has a right to:

- information about their personal data in accordance with Article 15 GDPR;
- rectification in accordance with Article 16 GDPR;

- erasure in accordance with Article 17 GDPR;
- restriction of processing in accordance with Article 18 GDPR;
- data portability in accordance with Article 20 GDPR.

Moreover, there is also a right to object to a data protection 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 granted prior to the entry into force of the EU General Data Protection Regulation, i.e. prior to 25 May 2018. Please note that the revocation will only take effect in the future. Any processing carried out prior to revocation shall not be affected thereby.

Contractual partners of bank and insurance contracts that you have concluded directly through us are our cooperation partners. Please contact the Data Protection Officers of the cooperation partner directly regarding your data protection rights.

#### **9. Am I under any obligation to provide data?**

Within the framework of our business relationship, you must provide personal data which is necessary for the initiation and execution of a business relationship and the performance of the associated contractual obligations or which we are legally obligated to collect. As a rule, we will not be able to enter into any contract or execute the order without these data, or we may no longer be able to carry out an existing contract and will have to terminate it.

In particular, provisions of money laundering law require that we verify your identity before entering into the business relationship, for example, by means of your identity card, and that we record your name, place of birth, date of birth, nationality and your residential address. In order for us to be able to comply with this statutory obligation, you must provide us with the necessary information and documents in accordance with the Money Laundering Act and notify us without undue delay of any changes that may arise during the course of the business relationship. If you do not provide us with the necessary information and documents, we may not be allowed to enter into or continue your requested business relationship.

#### **10. To what extent is automated decision-making carried out?**

As a rule, we do not make automated decisions pursuant to Article 22 GDPR to establish and implement the business relationship. If we use these procedures in individual cases, we will inform you thereof separately, provided this is prescribed by law.

#### **11. Is profiling carried out?**

In some cases, we process your data automatically with the aim of evaluating certain personal aspects (profiling). For instance, we use profiling in the following cases:

- We are required by law to take anti-money laundering and anti-fraud measures. Data is also evaluated within

this context. These measures are also for your protection.

- We use evaluation tools to provide you with targeted information and advice on products. These enable demand-oriented communication and advertising, including market and opinion research.

**12. Information on your right to object under Article 21 of the EU General Data Protection Regulation (GDPR)**

**a) Right to object in individual cases**

You have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal data 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 defence of legal claims.

**b) 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 the processing of your personal data 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.

**c) Form of objection**

There are no formal requirements for lodging an objection.