

11 April 2019

This data privacy notice aims to assist you in understanding how we use personal information and your rights in relation to it, and to assist us in meeting our obligations under the General Data Protection Regulation (GDPR) which is now in force. This notice may be updated from time to time.

## Who are we and why do we register and use personal data?

Danske Bank A/S is a financial institution that offers financial advice and services to its clients.

In the course of our business, we register and use information about you (personal data), when you interact with us as an individual who is connected with a business or corporate customer of ours. You could be an authorised signatory, a beneficial owner, a director, an employee, a guarantor, a provider of security or a third party connected to our customer. We may process your personal data for any of the following purposes, depending on the capacity in which you interact with us:

- Meeting our obligations and providing services and products to our customers
- Complying with applicable law, including anti-money laundering legislation
- For administrative purposes, including to securing and maintaining our internal systems, platforms and other digital applications
- Upholding an adequate level of security when you visit our premises
- Carrying out controls to prevent fraud and financial crime
- Managing the customer relationship, including customer information and customer hospitality

We will only register and process your personal data if we have a legal basis or “reason” to do so. This means that we register and use personal data when:

- you have granted us consent to use your personal data for a specific purpose, cf. GDPR art. 6.1(a)
- you have made or you are considering making an agreement with us, cf. GDPR art. 6.1(b)
- we have to comply with certain legal obligations, cf. GDPR art. 6 (c), including:

Obligations arising under:

- Criminal Justice (Money Laundering and Terrorist Financing) Act 2010
- Taxes Consolidation Act, 1997
- Credit Reporting Act 2013
- European Union (Markets in Financial Instruments) Regulations 2017
- Consumer Protection Code 2012
- Central Bank (Supervision and Enforcement) Act 2013 (Section 48) (Lending to Small and Medium-sized Enterprises) Regulations 2015
- Irish data protection legislation including the Data Protection Act 2018

or any amendment or replacement of this law which may arise.

Obligations to comply with:

- Court orders arising in civil or criminal court proceedings
  - Binding requests from regulatory bodies such as the Central Bank of Ireland
  - Binding search warrants, productions orders and other orders requiring the bank to provide assistance in civil or criminal matters
- 
- we or the business or corporate customer that you have a connection with are pursuing a legitimate interest. This could be where we or the customer have a business or commercial reason to use your personal data, such as administering the services and products that the customer has requested, or giving you the necessary access to digital services, where we need to prevent or minimise the risk of potential fraud, where we need to prevent abuse of our systems, the law or regulation, where we need to prevent financial loss, or where we need to strengthen IT and payment security. We will only do so if our interest clearly outweighs your interest in not having your personal data processed by us, cf. GDPR art. 6.1(f).

## What personal data do we register and use?

We typically process the following types of personal data:

- Personal information, for instance your name, address, occupation, contact information, PPS number, country of residence and date of birth
- Identification documentation, for example a photocopy of your passport, driving licence, or other documentation required by law
- Information provided by you about preferences for various types of customer events
- Information about your education, profession, work, knowledge and experience
- Information about customer investment targets
- Digital information related to your use of our websites, platforms and digital applications, including, traffic data, location data and other communication data
- Information related to the devices you use to access our websites as well as technical information, including the type of device and operating system
- Information about your visits to our premises including CCTV footage
- Information provided by you by email or other electronic media in your engagements with us
- Information you provide during telephone conversations with us. When you call us or when we call you at your request or to follow up on your inquiry, telephone conversations may be recorded and stored for a variety of purposes, including compliance with law, documentation, security and training purposes, and for use in evidence in the unlikely event of any legal action between us and you. We are legally required to record and store telephone conversations with our customers if we talk about investments.

Danske Bank may also register sensitive personal data about you if required to do so by law, if it is in our legitimate interests to do so in order to prevent fraud, or if you participate in customer events arranged by us. We will seek your explicit consent to register sensitive personal data, unless the law permits us to register such data without your consent. The sensitive personal data we may register includes:

- information about your health, for instance allergies
- information about your political opinions, for instance, where we are required to identify whether an individual is a politically exposed person as part of our anti-money laundering obligations

We keep your data only for as long as it is necessary for the purpose for which it was registered and used.

In accordance with the law (for example, the European Union (Markets in Financial Instruments) Regulations 2017) and our own credit management procedures, we may store data, documents and records for a period of seven years after the termination of the business relationship or the execution of a specific transaction.

## **Third parties and personal data**

### **Personal data from third parties**

We register and use data from third parties, for instance:

- shops, banks and payment and services providers when you use your credit or payment cards, Business ebanking or other payment services. We register and use the data to execute payments and prepare account statements, payment summaries and the like.
- fund administrators with whom we have third party reliance agreements or arrangements.
- asset managers when we provide trade reports to the customers of such asset managers.
- the Central Credit Register in accordance with our obligations under the Credit Reporting Act 2013.
- the Central Office of the High Court, the Companies Registration Office and other publicly accessible sources and registers. We register and use the data they have about you to check that the data you have provided to us is accurate.
- entities within Danske Bank Group, including branches and subsidiaries, credit rating agencies and warning registers. We register and use the data to perform credit assessments and update the data regularly.
- entities within Danske Bank Group, including branches and subsidiaries. We can register and use data from their notifications to an Garda Síochána and Revenue Commissioners or their local law equivalent in accordance with anti-money laundering legislation.
- entities within Danske Bank Group, including branches and subsidiaries, and business partners (including correspondent banks and other banks). We register and use the data to enable our customers to use banking services abroad, for example.

## Which third parties do we share your personal data with?

In some cases, we may share personal data with third parties inside or outside Danske Bank Group:

- We disclose personal data to public authorities as required by law, including to an Garda Síochána and Revenue Commissioners under the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 (and any replacement or amendment thereof), to the Revenue Commissioners in accordance with the Taxes Consolidation Act 1997 and other tax legislation, to the Central Bank of Ireland to comply with our obligations under the Credit Reporting Act 2013 and other law and for statistical and other purposes, to the courts, to the Data Protection Commission, to the Financial Services and Pensions Ombudsman, to the Credit Review Office, to the Criminal Assets Bureau, to US, EU and other designated authorities in connection with combating financial and other serious crime, and to fraud prevention agencies.
- We may disclose data internally within Danske Bank Group and to external business partners (including correspondent banks and other banks).
- We may share personal data with our external advisors, such as our lawyers, accountants and auditors.
- We may share personal data with third party providers such as platform providers and forensic providers where we are sharing information with or providing a response to a request for information from a regulatory body or other public authority. Where we do so, we always ensure that a robust confidentiality agreement is in place between us and the third party provider.
- We share personal data with Irish Credit Bureau to assist with the database it maintains in relation to the performance of credit agreements.
- In connection with IT development, hosting and support, we transfer personal data to data processors, including data processors in third countries outside the EU and the EEA such as Danske Bank in India and Danske Bank in the UK. We ensure that your rights are safeguarded and protected in such data transfers by using, for example, standard contracts approved by the European Commission or the Data Protection Commission in Ireland where possible. A copy of the EU model clause agreement used to document such arrangements may be obtained by submitting a request to our Data Protection Officer using the contact details below.

## Requirement for you to Provide Personal Data

You may be required to provide us with certain personal data under or in connection with our agreement(s) with our corporate customers and under applicable law. If you fail to provide us with the information we require, we may not be able to provide products or services to our customers in compliance with our legal obligations and our internal processes and procedures. In some circumstances, a failure by you to provide us with required information might also amount to a breach by you of your legal obligations to us.

## Your rights

### Insight into your personal data

You are entitled to get insight into the personal data we have registered about you, how we use it and where it comes from. You can obtain information about how long we store your data and who receives data to the extent that we disclose data in Ireland and abroad. Please note however that your right of access may be restricted by legislation, by our need to protect another person's privacy or in consideration of our business and practices. Our know-how, business secrets as well as internal assessments and material may also be exempt from the right of insight into your personal data.

### Right to object

In certain circumstances, you have the right to object to our processing of your personal information including when we rely on our legitimate interest to process your personal information.

You also have the right to object to our use of your personal information for marketing purposes, including profiling that is related to such purpose.

### Correction or erasure of Danske Bank's data

If the data we have registered about you is incorrect, incomplete or irrelevant, you are entitled to have the data corrected or erased subject to restrictions in existing legislation and our rights to process data. These rights of correction and erasure are known as the "right to rectification" and "right to erasure" or "right to be forgotten".

### Restriction of use

If you believe that the data we have registered about you is incorrect or if you have objected to the use of the data, you may demand that we restrict the use of the data to storage until the correctness of the data can be verified or until we can check whether our legitimate interests outweigh your interests.

If you are entitled to have your data erased, you may instead request us to restrict the use of the data to storage. If we need to use the data solely to assert a legal claim, you may also demand that any other use of this data be restricted to storage. We may, however, be entitled to other use of the data to assert a legal claim or if you have given your consent to this.

### Withdrawal of consent

If the basis on which we are processing your personal data is the fact that you have consented to us doing so, you can withdraw this consent at any point in time. Please note that if you withdraw your consent, we may not be able to offer you specific services or products. Please note also that we will continue to use your personal data if we have another legal basis or "reason" for holding it e.g. if we are required to do so by law.

## Data portability

If we use data based on your consent or because of an agreement and the data processing is automated, you have the right to receive a copy of the data you have provided in an electronic machine-readable format.

## Contact details and how you can complain

You are always welcome to contact us if you have any questions about your privacy rights and how we register and use personal data. You can contact our Data Protection Officer by writing to: the Data Protection Officer, Ronan Coyle, Holmens Kanal 2-12, 1092 København K, e-mail: [dpofunction@danskebank.com](mailto:dpofunction@danskebank.com).

If you are dissatisfied with how we register and use your personal data and your dialogue with the Data Protection Officer has not led to a satisfactory outcome, you can contact our complaints handling unit by writing to: **the Data Protection Officer, Ronan Coyle, Holmens Kanal 2-12, 1092 København K, e-mail: [dpofunction@danskebank.com](mailto:dpofunction@danskebank.com).**

You can also lodge a complaint with the **Data Protection Commission: Canal House, Station Road, Portarlinton, R32 AP23 Co. Laois, email: [info@dataprotection.ie](mailto:info@dataprotection.ie) phone: +353 (0)57 868 4800 or +353 (0)761 104 800.**