



LGT (Middle East) Ltd.
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Regulated by the DFSA

Data privacy notice for natural persons EU General Data Protection Regulation (GDPR)¹ and DIFC Data Protection Law (DPL)



Applicable to existing and future clients

Valid from October 2021

This data privacy notice is intended to provide you with an overview of the processing of the personal data held at LGT and the resulting rights under the provisions of the EU GDPR and the DIFC DPL no. 5 of 2020. Which data are processed specifically and the way in which they are used depends essentially on the services and products to be provided or agreed. We are committed to protecting your privacy and to a duty of confidentiality, and for this reason we implement many technical and organizational data protection policies in relation to the processing of personal data.

Within the context of our business relationships, we are reliant upon compiling and processing personal data which are required for opening and implementing the business relationship and for complying with the related statutory or contractual obligations as well as for providing services or executing orders. Without these data we are generally not able to enter into or maintain a business relationship, process an order or offer services and products.

The data controller is:
LGT (Middle East) Ltd.
DIFC, The Gate Building (East), Level 4
P.O. Box 506793 Dubai, United Arab Emirates
Phone: +971 4 436 7000
E-mail: lgt.me@lgt.com

Should you have any questions or want to exercise your rights, please contact our data protection officers as follows:

For requests under the GDPR:
LGT Group Holding Ltd.
Data Protection Officer
Herrengasse 12
9490 Vaduz
Liechtenstein
Phone: +423 235 11 22
E-mail: lgt.datenschutz@lgt.com

For requests under the DPL:
LGT (Middle East) Ltd.
Data Protection Officer
DIFC, The Gate Building (East), Level 4
P.O. Box 506793
Dubai, United Arab Emirates
Phone: +971 4 436 7000
E-mail: lgt.ae.dpo@lgt.com

1 From which sources does the data originate and what types (categories) of data are processed?

We process personal data that we obtain within the context of our business relationships with our clients. Personal data may be processed at every stage of a business relationship and differ according to the group of people concerned.

As a basic principle, we process personal data that are made available to us through contracts, forms, correspondence, or other documents submitted or with your consent. Insofar as is necessary for the provision of a service, we also process personal data that are generated or transmitted as a result of the use of services and products or that we have duly obtained from third parties (e.g. credit agency), from public agencies (e.g. UN and EU sanctions lists) or from other LGT companies.

Finally, personal data from publicly available sources (e.g. lists of debtors, land registers, registers of companies or associations, press, internet) may be processed.

In addition to these data, we also process, if applicable, personal data of other natural persons involved in the business relationship, such as for example data of authorized agents, representatives, card holders, co-debtors, guarantors, legal successors or beneficial owners of a business relationship. We request that you inform these people about this data privacy notice.

We process the following categories of data in particular:

- Personal details (e.g. name, date of birth and nationality)
- Address and contact details (e.g. physical address, telephone number and e-mail address)
- Identification data (e.g. passport or identity card data) and authentication data (e.g. specimen signatures)
- Data from public sources and registers (e.g. tax number)
- Information related to services and products used (e.g. investment experience and investment profile, advisory records, turnover data from payment transactions)
- Information on composition of household and relationships (e.g. information on spouses, partners, family, authorized signatories, business partners in the case of partnerships, majority shareholders, legal representatives)
- Information about financial characteristics and on the financial situation (e.g. portfolio and account numbers, creditworthiness data and the origin of assets)
- Information about the professional and personal background (e.g. the professional activity, hobbies, wishes and preferences)
- Technical data and information about electronic communication with LGT (e.g. access or change logs)
- Image and audio data (e.g. video or voice recordings)

¹ The General Data Protection Regulation applies to natural persons domiciled in the European Union and/or the European Economic Area.

2 For what purposes and on what legal basis are your data processed?

We process personal data in accordance with the provisions of the GDPR and the DPL for the following purposes and on the following legal bases (Art. 6(1) GDPR/Art. 10 (1) DPL):

- *For the performance of a contract or in order to take steps prior to entering into a contract (Art. 6(1)(b) GDPR/Art. 10(1)(b) DPL)* within the context of providing and brokering banking transactions and financial services and for processing orders, the use of applications for internal and external communications in connection with client relationships (via audio, video, screen sharing, chat features), the analysis of client relationships and client requirements, the development of products and services based on the products and services already used or potentially to be used in future and for the purpose of client retention. The purposes for data processing are primarily determined by the specific service or product (e.g. account, loan, securities, deposits, brokerage, payment services) and can include needs analyses, advisory, portfolio management and administration and the execution of transactions, among other things.
- *For compliance with a legal obligation (Art. 6(1)(c) GDPR/Art. 10(1)(c) DPL) or in the public interest (Art. 6(1)(e) GDPR)*, in particular to comply with statutory or supervisory requirements (e.g. GDPR, DPL, banking law, due diligence, money laundering and market abuse provisions, tax laws and agreements, control and reporting obligations and risk management).
- *For the purposes of the legitimate interests pursued by us or by a third party (Art. 6 (1)(f) GDPR/Art. 10(1)(f) DPL)* for specifically defined purposes, in particular for determining creditworthiness, for setting up and realizing collateral, in the context of using applications for internal and external communications in connection with client relationships (via audio, video, screen sharing, chat features), the analysis of client relationships and client requirements and the development of products and services based on the products and services already used or potentially to be used in future, for the purpose of client retention, for establishing and enforcing claims, for product development, for advertising and marketing purposes (provided you have not objected to the use of your personal data for these purposes), for compliance with the rights of the data subject (e.g. right of information), for the prevention and solution of criminal offences, for video monitoring in connection with the right to allow or deny access to the premises and the aversion of danger, for documenting discussions, for ensuring IT security and IT operation as well as building and equipment security, for business and risk control, for reporting, for statistical and planning purposes, for performing Group-wide coordination tasks.
- *Based on your consent (Art. 6(1)(a) GDPR/Art. 10(1)(a) DPL)*, which you gave to us for advertising and marketing purposes or within the scope of specific services or instructions.

We reserve the right to further process personal data that have been collected for one of the above purposes for the other purposes too if this is consistent with the original purpose or permitted or provided for by law (e.g. reporting obligations).

3 Who obtains access to personal data and for how long is it stored?

Bodies both within and outside LGT may obtain access to personal data. Within LGT bodies or employees may process your data only if they require them to comply with our contractual, statutory or supervisory obligations and to protect legitimate interests. Other LGT companies, service providers or vicarious agents may also obtain personal data for these purposes. Such recipients may be companies relating to banking services, distribution agreements, IT services, logistics, printing services, collection, advice and consulting as well as distribution and marketing. Furthermore, recipients of your data in this context may be other banks and financial service institutions or comparable institutions to whom we transfer personal data for implementing the business relationship (e.g. correspondent banks, custodian banks, brokers, stock exchanges, information agencies).

Where there is a statutory or supervisory obligation, personal data may also be passed on to public agencies and institutions (e.g. supervisory or tax authorities).

Provided that the GDPR is applicable, when data are transferred to countries outside the European Union (EU), or the European Economic Area (EEA) (so-called third countries) and the European Commission has not ruled that the country in question offers an adequate level of security, such a data transfer will be carried out using suitable measures (e.g. recognized EU standard data protection clauses) so that compliance with data privacy provisions can be guaranteed. Further information in this regard can be requested from the data protection officer. If the situation does not permit the use of suitable guarantees, data will only be transferred insofar as this is required for the implementation of pre-contractual measures, or for the performance of a contract (e.g. to comply with statutory obligations outside the EU or the EEA based on the chosen service or relevant product), for the performance of services or for the processing of instructions (e.g. execution of payment instructions and securities transactions or issuing of a credit card). Data will also be transferred to third countries insofar as you have given your explicit consent (e.g. within the scope of specific services), it is necessary for important reasons of public interest (e.g. money laundering) or is required by law (e.g. reporting obligations under tax law).

Data processed under the DPL are only transferred to third countries (including UAE) outside of the DIFC or to international organizations provided an adequate level of protection for that personal data is ensured in the relevant third country as determined by the DIFC Data Protection authority from time to time. In the absence of an adequate level of protection, data transfers will be made provided appropriate safeguards are in place (e.g. DIFC recognized standard data protection clauses) or other specific derogations apply. Such derogations include you having given your explicit consent to transfer data, the data transfer being necessary for the conclusion or performance of a contract, the data transfer being necessary for reasons of substantial public interest or to comply with legal and regulatory obligations amongst others.

You can find out from our data protection officer which recipients and/or recipient categories your personal data have been transferred to.

We process and store the personal data throughout the duration of the business relationship provided certain data are not subject to shorter, mandatory deletion periods. It should be noted that our business relationships can last for years. In addition, the storage period is determined according to the necessity and purpose of the respective data processing. If the data are no longer required for compliance with contractual or statutory obligations or to safeguard our legitimate interests or those of third parties (achievement of the purpose) or if granted consent is withdrawn, the data are erased periodically, unless further processing or storage is necessary on the basis of contractual or statutory retention periods and obligations of documentation or on the grounds of preserving evidence for the duration of the applicable statute of limitations.

4 Is automated decision-making, including profiling, carried out?

4.1 Automated decision-making

As a basic principle, our decisions are not based solely on automated processing of personal data. If we do use this type of procedure in individual cases, we shall inform you separately insofar as this is required by law.

Personal data are processed at least partly by automated means in certain areas of the business insofar as statutory and regulatory provisions require us to do so (e.g. to prevent money laundering) as well as to assess affordability and creditworthiness when arranging or granting loans, in the context of risk management or to conduct a needs analysis.

Client profiles may also lead to automated individual decisions, e.g. to accept and execute client instructions in online banking by automated means.

4.2 Data analyses

Personal data (including data of involved persons) and publicly available data are analyzed and evaluated (including profiling) in order to identify significant personal characteristics of the client or predict developments and draw up client profiles (e.g. through client retention modelling and segmentation). These analyses may be used for the purposes of market research, marketing, advice, sales and risk management and serve in particular for auditing, providing individual advice and developing new, improved or customized products and services as well as for preparing offers and information for clients by ourselves or other LGT Group companies.

5 What if we are jointly responsible with other bodies?

This data privacy notice also applies to the processing of personal data by other controllers if we collaborate with one or more other controllers (especially LGT companies) within the context of the provision or use of the services and personal data are exchanged with the other controllers on the basis of this collaboration.

The other controllers are obliged

- to likewise comply with the relevant provisions of the GDPR and/or DPL as applicable and provide us with proof of their compliance;
- to keep the required records of processing activities;
- to take suitable technical and organizational measures to protect personal data;
- to conduct a data protection impact assessment if processing is likely to result in a high risk to the rights and freedoms of natural persons, and to notify us thereof where applicable;
- to notify us without delay about any data protection violations;
- to support us in exercising the rights of affected natural persons and make the relevant information available.

We are required to comply with any reporting or notification obligations towards the competent supervisory authority or affected natural persons. We are responsible for enquiries from the affected natural persons in this context. Questions can be addressed to the relevant data protection officer.

6 What data protection rights do you have?

You have the following data protection rights regarding your personal data (Art. 15 to 21 GDPR/Art. 32 to 39 DPL as applicable):

6.1 Right of access

You may obtain from us information as to whether and to what extent personal data concerning you are being processed.

6.2 Right to rectification, erasure and restriction of processing

You have the right to obtain without undue delay the rectification of inaccurate or incomplete personal data concerning you. In addition, your personal data must be erased if these data are no longer necessary in relation to the purposes for which they were collected or processed, you have withdrawn your consent or these data are being unlawfully processed. Furthermore, you have the right to obtain restriction of processing.

6.3 Right of withdrawal

You have the right to withdraw your consent for the processing of your personal data for one or more specific purposes at any time if processing is based on your explicit consent. Please note that the withdrawal of consent is only effective for the future and the lawfulness of data processing prior to withdrawal of consent is not affected. Furthermore, withdrawal does not have any effect on data processing conducted on other legal grounds.

6.4 Right to data portability

Under the GDPR you have the right to receive your personal data, which you have provided to us, in a structured, commonly used and machine-readable format and to have those data transmitted to another controller (e.g. another bank).

Under the DPL you have a similar right to receive the personal data you have provided to us to the extent the processing is based on your consent or the performance of a contract and it is carried out by automated means. We shall also transmit your data in a structured, commonly used and machine-readable format to any other person as per your request to the extent this is technically feasible.

6.5 Right to lodge a complaint

You have the right to lodge a complaint with the competent supervisory authority².

For complaints made under the GDPR, the contact details for the competent data protection office in Liechtenstein are:

Data Protection Office Liechtenstein
Städtle 38
P.O. Box
9490 Vaduz
Liechtenstein
Phone: +423 236 60 90
E-mail: info.dss@llv.li

For complaints made under the DPL, the contact details for the competent data protection office in the DIFC are:

DIFC Data Protection Commissioner
Dubai International Financial Centre Authority
Level 14, The Gate Building
Phone: +971 4 362 2222
E-mail: commissioner@dp.difc.ae

7 Right to object

7.1 In individual cases

If the processing of your personal data is carried out in the public interest or to safeguard our legitimate interests or those of a third party, you have the right to object, on grounds relating to your particular situation, at any time to this processing.

7.2 Direct marketing

You have the right to object informally to the use of your personal data for direct marketing purposes at any time. Where you object to this type of processing, we shall no longer process your personal data for such purposes.

Requests should ideally be made in writing to the relevant data protection officer, who is also the point of contact for any other data protection issues you may have.

We will not discriminate you based on the exercise of your data subjects rights under the DPL, such as charging different prices or rates for services, denying any services, providing a different quality of services, unless the difference of pricing or quality of services applied are reasonably directly related to the value provided by your data.

We reserve the right to modify this data privacy notice and publish it on our website (see the update date at the top of the data privacy notice).

² For complaints made under the GDPR, you may also contact another supervisory authority of an EU or EEA Member State, for example in your place of residence or work or at the location of a violation of the data protection regulations.