

# Data Protection Policy for UK Business Partners

## Information pursuant to Arts. 13, 14 and 21 of the General Data Protection Regulation (GDPR)



With this data protection policy, we inform our current and prospective business partners, service providers, vendors, institutional clients and other partners (together the "Business Partners") of the processing of their personal data pursuant to the EU General Data Protection Regulation and the UK GDPR (collectively the "GDPR"). This data protection policy applies to you if you are a Business Partner or act on behalf of a Business Partner, e.g. as an employee or managing director (hereinafter together referred to as "Data Subjects"). For the sake of clarity, EU GDPR will not form the legal basis for processing data in the UK, as neither will UK GDPR form the legal basis for processing data within the EU.

If any Data Subjects act on your behalf in connection with your business relationship with us, please make this data protection policy available to such Data Subjects, as appropriate.

This policy will be updated on a regular basis as required.

### 1. Who is responsible for processing the data and who is a point of contact?

We,

DekaBank Deutsche Girozentrale (London Branch)  
Fifth Floor, Nash House  
13a St George Street  
London  
W1S 2FQ

Being a registered branch (UK Companies House No. BR013754) of  
DekaBank Deutsche Girozentrale  
Anstalt des öffentlichen Rechts  
Große Gallusstraße 14  
60315 Frankfurt am Main  
Telephone +49 (0) 69 71 47 - 652, E-mail: [service@deka.de](mailto:service@deka.de),

are the Controller (hereinafter referred to as the "Controller").

If you have any questions concerning data protection, please contact:

Address as above: "c/o Data Protection Officer  
E-mail: [datenschutz@deka.de](mailto:datenschutz@deka.de)

### 2. What sources and data do we use?

We will process data concerning the Data Subjects that we receive in connection with the business relationships with our Business Partners. We will collect such data directly from the Data Subjects (e.g. in our correspondence with the Data Subjects), the relevant Business Partner, other companies or other third parties, in each case in compliance with the data protection provisions. In addition, we process personal data which, for example, is publicly available (e.g. registers of companies, registers of associations, press and other media, the internet) and which may be collected and processed in compliance with the data protection provisions.

We will process the following personal data of Data Subjects:

- Contact information (e.g. name, address and company telephone numbers, company e-mail addresses and job title, department/function).

- Payment data (e.g. tax IDs and other data required for payment processing and combating fraud).
- Correspondence (e.g. written correspondence with the Data Subjects).
- Additional information which is processed in connection with the business relationship with us and which is provided voluntarily by the Business Partner or the Data Subject (e.g. personal data on orders placed or payments effected or credit rating documentation).
- Other personal data, provided that such data is necessary for us to perform compliance duties or satisfy legal requirements (e.g. KYC process) and is processed in compliance with data protection provisions (e.g. date of birth, passport numbers and identity cards, powers of attorney, information on beneficial owners).

### 3. For what purpose and on which legal basis do we process your data?

We will process the Data Subjects' personal data for the purposes listed below and based on the following legal provisions:

#### 3.1. Contract performance (Art. 6(1)(b) GDPR)

We will process the Data Subjects' personal data to initiate, perform and terminate our contracts with Business Partners, in particular in order to communicate on products and services, to respond to inquiries, to enter into contracts or to fulfil orders. This may include processing the personal data in order to verify a Data Subject's identity, to process payments, for accounting, verification, billing or collection purposes and to provide products or services. To the extent that the contractual partner is not the Data Subject, but the Business Partner on whose behalf the Data Subject acts, the legal basis is Art. 6(1)(f) GDPR.

#### 3.2. Legitimate interests (Art. 6(1)(f) GDPR)

In addition, we will process the Data Subjects' personal data where necessary for the purposes of our legitimate interests or the legitimate interests of third parties balanced against the interests or fundamental rights of the Data Subjects. Such processing is carried out for the following purposes:

- Overall business management and development of services and products.
- Advertising, market research and surveys.
- Compliance with legal obligations (e.g. statutory provisions), provided that the data processing is not directly stipulated therein, but required for complying with them; or compliance with legal obligations in third countries (outside of the UK), e.g. reporting duties in the United States or the EU.
- Assertion of legal claims and defence against legal disputes.
- Prevention and investigation of crimes.
- Ensuring IT security and smooth IT operations.
- Preparation and execution of M&A transactions.

Our interest in the relevant processing follows from the relevant purposes and, in addition, is of an economic nature (efficient performance of tasks, sales, avoidance of legal risks) or serves to comply with legal obligations. To the extent possible based on the specific purpose, we process your data in an anonymised or pseudonymised manner.

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### 3.3. Your consent (Art. 6(1)(a) GDPR)

Where Data Subjects in individual cases have consented to our processing of their personal data (e.g. for direct marketing), such consent is the legal basis for the processing. We will ask for the consent of the Data Subjects expressly and indicate it as the legal basis when collecting the data. A Data Subject may withdraw the consent at any time with future effect. This also applies to declarations of consent given to us prior to the GDPR coming into effect, i.e., prior to May 25, 2018. The withdrawal applies only to future processing of data.

### 3.4. Compliance with legal obligations (Art. 6(1)(c) GDPR)

Finally, we will process the Data Subjects' personal data to comply with applicable legal and regulatory requirements obligating us to process personal data, for example to verify a Data Subject's identity and age, to prevent fraud, terrorist financing and money laundering, to comply with monitoring and reporting duties under tax law and to assess and manage risks.

## 4. Who receives your data?

We will always transfer your data in compliance with any applicable data protection requirements and only to the extent there is a legal basis permitting such transfer and, where applicable, observing banking secrecy rules.

Within the Controller's organisation, personal data of the Data Subjects will be transferred to such recipients who need such data for the purposes of complying with our contractual and statutory obligations or to perform their respective tasks (e.g. risk controlling, anti-money laundering officer, marketing).

In some cases, personal data may be transferred to the following recipients outside the Controller's organisation:

- Processors engaged by us (Art. 28 GDPR), in particular in connection with IT services, logistics and printing services, which process the data on our behalf and are bound by our instructions.
- Other companies of Deka Group if business functions have been outsourced to other Deka Group companies.
- Public bodies and institutions (e.g. German Central Bank, German Financial Supervisory Authority, European Banking Authority, European Central Bank, tax authorities) if there is a legal obligation to do so.
- Courts, arbitration tribunals, governmental authorities, auditors and legal advisors if this is required to comply with applicable law or to establish, exercise or defend legal claims.
- Advisors and external service providers to which we have outsourced tasks or business functions.
- Other recipients if the transfer is required to investigate or prevent illegal activities, fraud or potential threats to the safety of any person or if the Data Subject has consented to the transfer.

## 5. How long will your data be stored?

As a rule, we will store your personal data only as long as it is necessary for the purpose for which the data was collected or as long as it is permitted or required under other statutory provisions. As a consequence, we will usually store your data for the duration of our business relationship, which includes also the initiation and processing of a contract. A longer storage time may result from various retention and documentation obligations, e.g. under requirements applicable to us. In addition, we will

store your data for a reasonable period in order to be able to prove compliance with legal obligations and to defend ourselves against claims brought against us. If you need further information regarding the specific retention periods, please do not hesitate to contact us at any time. For our contact details, please refer to no. 1 above.

## 6. Will data be transferred to a third country or an international organisation?

If personal data of Data Subjects is transferred to countries outside the UK or outside of the European Economic Area – EEA (third countries, e.g. the United States), we will implement appropriate safeguards to ensure an appropriate level of security regarding such data (e.g. by way of standard contractual clauses). If you need further information regarding the appropriate safeguards to be implemented, please do not hesitate to contact us at any time. For our contact details, please refer to no. 1 above.

## 7. To what extent is it mandatory to provide data?

If we require personal data in order to comply with our contractual and statutory obligations, it is mandatory to provide such data. If such data is not provided, we will not be able to fulfil the contract or our obligations. In all other cases, the relevant personal data may be provided on a voluntary basis.

## 8. What other data protection rights do Data Subjects have?

Data Subjects have various rights in connection with the processing of their personal data:

- You may obtain from us at any time information as to whether and how we process your personal data and may request a copy (Art. 15 GDPR).
- As regards the personal data provided by you that we store for the purposes of the contract entered into with us or on the basis of your consent, you have the right to obtain from us a copy of such data in a structured, commonly used and machine-readable format allowing you to use the data or transmit it to other organisations (Art. 20 GDPR).
- If you believe that your personal data stored by us is inaccurate or incomplete, you may require us to rectify or complete your data (Art. 16 GDPR).
- You also have the right to object to the processing of your data under certain circumstances (Art. 21 GDPR), and you may require us to restrict our use of your data (Art. 18 GDPR) and to erase your data (Art. 17 GDPR).
- If we ask for your consent to use your data for a certain purpose, you have the right to withdraw your consent at any time.

If you have any questions or concerns as a Data Subject regarding our processing of personal data, please do not hesitate to contact us at any time. For our contact details, please refer to no. 1 above.

We take the rights and requests of the Data Subjects very seriously and we make every effort to comply with them. Should a Data Subject nevertheless believe that the processing of personal data infringes the GDPR or other data protection rules, the Data Subject has the right to lodge a complaint with a data protection supervisory authority at his/her place of residence, his/her place of work or at the place he/she believes the infringement occurs.

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### 9. To what extent will your data be used for profiling?

We will partially process your data on an automated basis to evaluate certain personal aspects ("profiling" pursuant to Art. 4(4) GDPR). We use profiling, for example, in the following cases:

- Whilst the London Branch is not itself authorised to carry out any regulated business in the UK, it is part of a wider organisation that is subject to regulation outside the UK. Consequently, the Controller is required under statutory and regulatory provisions to combat money laundering, terrorist financing and other financial crimes. In this connection, we will also conduct data evaluations (including with respect to transactions of Data Subjects). These measures serve at the same time to protect you.
- In addition, we may analyse the data of Data Subjects to evaluate their potential interest in our products and services. Such evaluation is conducted using statistical methods on the basis of current and past customer data.

### 10. What rights to object do Data Subjects have? (Art. 21 GDPR)

#### 10.1. Right to object on a case-by-case basis

Data Subjects have the right to object, on grounds relating to their particular situation, at any time to processing of personal data concerning them that is based on Art. 6(1)(f) GDPR (data processing on the basis of legitimate interests). This applies also to any profiling within the meaning of Art. 4(4) GDPR conducted on the basis of this provision.

If Data Subjects raise such an objection, we will no longer process their personal data, unless we are able to demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the Data Subject or unless we process the data for the purposes of establishing, exercising or defending legal claims.

#### 10.2. Right to object to processing of data for direct marketing purposes

We may process the data of Data Subjects also for direct marketing purposes in accordance with the legal provisions. Data Subjects have the right to object at any time to processing of personal data concerning them for such marketing. This applies also to profiling to the extent that it is related to such direct marketing.

If a Data Subject objects to processing for direct marketing purposes, we will no longer process his/her personal data for such purposes.

If you want to raise an objection, please do not hesitate to contact us. For our contact details, please refer to no. 1 above.