



WESTEND BANK

EST. 1929

Data Protection Information

How we deal with your data and your rights.

Information in accordance with Articles 13, 14 and 21 off the General Data Protection Regulation – GDPR

Westend Bank AG | Wendelsweg 64 | 60599 Frankfurt am Main

This is to inform you about how we process your personal data and your rights under data protection law.

How individual data is processed and used depends on the service you apply for or the services we have arranged with you.

1. Who is responsible for my data processing and who can I turn to?

Please contact:

Westend Bank AG
Wendelsweg 64
60599 Frankfurt am Main
Telefon: +49 69 660 595 6 00
Fax: +49 69 660 595 6 99
E-Mail: info@westendbank.de

You can contact our **data protection officer** at:

GAR Gesellschaft für Aufsichtsrecht und Revision mbH Wirtschaftsprüfungsgesellschaft
-Data Protection Officer –
Stichlingstraße 1
60327 Frankfurt am Main
E-Mail: datenschutzbeauftragter@westendbank.de

2. Which sources and data do we use?

We process personal data which we receive from you as a result of our business relations. If the information is necessary for us to provide services, we also process personal data from sources which are legally available to the public (e.g. records of debtors, land registries, commercial registry and register of associations, the press and media) and which are legally provided to us or to a third party (e.g. a credit agency).

Relevant personal data includes personal details (name, address and other contact data, date and place of birth and nationality), identification data (e.g. passport details) and authentication data (e.g. sample signature). In addition, this could also include data relating to services provided (e.g. payment orders), data required to fulfil our contractual obligations (e.g. transaction data), information concerning your financial situation (e.g. creditworthiness data, scoring and rating data, origin of assets), loan-relevant data (e.g. receipts and expenditure), possible advertising and sales data, documentary data (e.g. minutes of conversations) and other similar data.

3. Why do we process your data (purpose of processing) and on what legal basis?	We process personal data in accordance with the regulations contained in the European General Data Protection Regulation (GDPR) and the German Data Protection Act.
3.1 To fulfil contractual obligations (Art. 6 para. 1 point (b) GDPR)	<p>The processing of personal data (Art. 4 no. 2 GDPR) is performed in order to provide and procure banking and financial services. This allows us, in particular, to enter into contractual and pre-contractual relations with you and to carry out your instructions and all activities necessary to run and administer a bank.</p> <p>The purpose of the data processing depends primarily on the particular product (e.g. account, loan) and can include carrying out transactions.</p> <p>You can find further information about the purpose of data processing in the respective contract documentation and terms and conditions.</p>
3.2 Concerning legitimate interests (Art. 6 para. 1 point (f) GDPR)	<p>If necessary, we process your data beyond the actual fulfillment of the contract in order to protect our legitimate interests and those of third parties. Here are some examples:</p> <ul style="list-style-type: none"> ▪ consultation and data exchange with credit agencies (e.g. SCHUFA) to establish credit-worthiness or a risk of default, ▪ advertising, market and opinion research as long as you have not objected to the use of your data, ▪ exercising legal claims and in defense of legal disputes, ▪ ensuring IT security and our IT operations, ▪ preventing and investigating crimes, ▪ safeguarding company regulations, collecting evidence in cases of robbery and fraud, providing evidence of payments made and received, ▪ measures ensuring the security of premises and facilities (e.g. entry controls), management measures and the further development of services and products.
3.3 Due to your consent (Art. 6 para. 1 point (a) GDPR)	<p>If you have given us your consent to the processing of personal data for certain purposes (e.g. the evaluation of transaction details for marketing purposes or newsletters), your consent provides the legal basis for such processing. Consent can be retracted at any time. This also applies to the retraction of declarations of consent made before GDPR came into effect, i.e. 25 May 2018. The retraction of consent only applies to the future and does not affect the legality of the data processed prior to the retraction.</p>
3.4 Due to legal obligations (Art. 6 para. 1 point (c) GDPR) or in the public interest (Art. 6 para. 1 point (e) GDPR)	<p>As a bank, we are also subject to various legal obligations, i.e. legal requirements (e.g. banking, money laundering, securities trading and taxation legislation) together with banking supervision legislation requirements (e.g. the Federal Financial Supervisory Authority). The data processing purposes include the checking of identity and age, fraud and money laundering prevention, fulfilling the tax law supervision and reporting requirements and the assessment and management of risk.</p>
4. Who has access to my data?	<p>The relevant departments within the bank receive your data which is needed to fulfil our contractual and legal duties. Our processors (Art. 28 GDPR) can also receive data for these purposes. These are IT companies, logistics companies and telecommunications companies.</p> <p>Regarding the transfer of data to external recipients, it should firstly be noted that we are required to treat all customer related data as confidential. We are only</p>

allowed to transfer information about you if this is required due to statutory provisions, if you have given your consent or if we are authorized to provide banking information. Based on these requirements, the recipients of personal data could include:

- public authorities and institutions (e.g. the Federal Financial Supervisory Authority, tax authorities, law enforcement authorities, family courts, land registries) if legally required or ordered by a public authority,
- other banks and financial institutions or similar bodies to which we provide your personal data in order to carry out our business with you (depending on the contract these could be, e.g. correspondent banks, custodian banks, stock exchanges, credit agencies),
- creditors or insolvency administrators who make enquiries within the framework of a foreclosure,
- service providers which we entrust with order processing.

Further recipients of data may include those bodies to which you have allowed us to transfer your data or you have agreed to, or consented, to release us from banking confidentiality or to which we are authorized to transfer personal data due to legitimate interests.

5. How long will my data be stored?

We process and store your personal data as long as necessary in order to fulfil our contractual and legal duties. You should be aware that our business relationship involves continuing obligations which can last several years.

If the data is no longer needed to fulfil contractual and legal duties, then the data will be regularly erased unless its – temporary - further processing is necessary for the following purposes:

- fulfilling commercial and taxation retention requirements resulting from, e.g. the Commercial Code, Fiscal Code, Banking Act, Money Laundering Act and Securities Trading Act. The deadlines stated here concerning retention and documentation are usually between two and ten years,
- the retention of evidence within the framework of the statutory limitation regulations. In accordance with Parts 195 et seq. of the Civil Code, these limitation periods can last up to 30 years whereby the usual limitation period is 3 years.

6. Is data transferred to a third country or to an international organization?

The transfer of data to bodies in states outside the European Union (known as 'third states') can take place if:

- this is necessary to carry out your business (e.g. payment orders),
- it is required by law (e.g. statutory taxation reporting obligations) or,
- you have given us your consent.

In addition, the transfer of data to bodies in third countries can take place in the following cases:

- in individual cases while observing the level of data protection in the European Union, personal data (e.g. identification data) can be transferred with the consent of the data subject or due to statutory regulations combatting money laundering, the financing of terrorism and other criminal acts and within the framework of legitimate interests.

7. What are my data protection rights?

Each data subject has a right to access in accordance with Art. 15 GDPR, the right to rectification in accordance with Art. 16 GDPR, the right to erasure in accordance with Art. 17 GDPR, the right to restriction of processing in accordance with Art. 18 GDPR and the right to data portability in accordance with Art. 20 GDPR. The restrictions contained in Sections 34 and 35 of the Federal Data Protection Act apply to the right to access and erasure. In addition, there exists

the right to lodge a complaint with a supervisory authority (Art. 77 GDPR in connection with Section 19 of the Federal Data Protection Act).

You can retract your consent to the processing of personal data at any time. This also applies to the retraction of declarations of consent given before GDPR came into effect, i.e. 25 May 2018. The retraction of consent only applies to the future and does not affect the legality of the data processed prior to the retraction.

8. Am I obliged to provide data?

Within the framework of our business relations, you have to provide personal data which is required to enter into, carry out and end a business relationship, to fulfil the related contractual obligations or which we are legally required to collect. Without this data we are unable to conclude a contract with you, to carry it out and to end it.

We are in particular obliged under money laundering regulations to identify you e.g. on the basis of your identification document and to register your name, place of birth, date of birth, nationality and address before we enter into business relations with you. In order for us to fulfil our legal obligations, you have to provide us with the necessary information and documentation required by the money laundering legislation and to inform us without delay if there are any changes during our business relationship. If you do not provide us with the necessary information and documentation, we are not permitted to enter into the business relationship you desire or to continue such a business relationship.

9. To what extent does automated individual decision-making take place?

When starting and carrying out the business relationship we generally do not use automated individual decision making in accordance with Article 22 GDPR. Should we use this procedure in individual cases, you will be informed separately of this and of your rights in this case if this is required in law.

10. To what extent is my data used for profiling (scoring)?

We process some of your data automatically with the aim of evaluating (profiling) certain personal aspects. We use profiling e.g. in the following cases:

- Statutory and regulatory requirements oblige us to combat money laundering, the financing of terrorism and crimes against property. To this purpose, data evaluation (e.g. concerning transactions) takes place. These measures also serve to protect you.



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Information concerning your right to object in accordance with Art. 21 General Data Protection Regulation (GDPR)

Westend Bank AG | Wendelsweg 64 | 60599 Frankfurt am Main

1. Objection in individual cases

You have the right to object at any time on grounds relating to your particular situation to the processing of your personal data which is based Art. 6 para. 1 point (f) GDPR (data processing for purposes of legitimate interests). This also includes profiling based on these provisions pursuant to Art. 4 no. 4 GDPR which we use to evaluate creditworthiness or for advertising purposes.

If you object, your personal data will no longer be processed unless we can provide evidence of compelling protective reasons for the processing which outweigh your interests, rights and freedoms or if the processing serves for the assertion, exercising or defense of legal claims.

2. Objection to data processing for direct marketing purposes

In individual cases, we process your personal data to carry out direct marketing. You have the right at any time to object to this processing of your personal data for such advertising purposes. This also applies to profiling if this is related to direct marketing.

If you object to data processing for direct marketing purposes, it will no longer be used for this purpose.

The objection can be made to:

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Wendelsweg 64
60599 Frankfurt am Main
Telefon: +49 69 660 595 6 00
Fax: +49 69 660 595 6 99
E-Mail: info@westendbank.de