

Information on data protection for data subjects

With the following information, we would like to give you an overview on the processing of your personal data by us and your rights under applicable data protection law. Which data are processed in detail and the manner in which they are used is predominantly determined by the services requested or agreed. Therefore, not every element of this information may be applicable to you.

Commerzbank AG (DIFC Representative Office) acts as a Controller capacity, by introducing potential clients to Commerzbank Group. In some cases, Commerzbank AG (DIFC Representative Office) acts under the instruction of Commerzbank Group and would therefore be acting in the capacity as a Processor and the Group entity would be the Controller. We process your data in compliance with our obligations under the Dubai International Financial Centre (“DIFC”) Data Protection Law No.5 of 2020 (“DPL”).

Any reference to “us”, “our”, “we” or “the Company” in this Privacy Notice is a reference to Commerzbank AG (DIFC Representative Office) as the context requires unless otherwise stated. The term “clients” refers to the clients of Commerzbank Group and not that of the DIFC Representative Office. Clients of Commerzbank Group should refer to the Privacy Notice located [here](#), for further details of how their data is processed.

This Privacy Notice applies to the following individuals (“you”):

- Website users;
- Anyone involved in any interaction with us, whether it is in your personal capacity or as a representative of a legal entity, third party or business partner (for example, director, a company manager, agent, legal representative, operational staff, other authorized representative, etc.);
- Client of our Commerzbank Group; and
- Our advisors, consultants or secondees.

Who is responsible for data processing and who can I contact?

If you have any concerns or questions regarding this notice, you can reach the representative of the Group Data Protection Officer under

Commerzbank AG
(DIFC Representative Office) Dubai International
Financial Centre Gate District 04, 5th Floor, Office
01 PO Box 506596, Dubai, United Arab Emirates
Phone: +971 4428 4902
CommerzbankDIFC@commerzbank.com

We will make every effort to resolve your complaint internally and as soon as practicable and as prescribed by law. However, if we are unable to satisfactorily resolve your complaint you have the right to make a complaint to the DIFC Data Protection Commissioner. Contact details for the Commissioner can be found in the “What are my rights with regard to data protection?” section below.

Which sources and which data do we use?

We collect your Personal Data from various sources, such as through our company website and our interactions with you (such as data from business cards). We may also obtain Personal Data from other sources, background and/or identity checks or via cookies on our website and/or applications.

We process personal data which we receive from our Group about their clients and other concerned parties in connection with our business relationship with the Group. Moreover, we process personal data legitimately obtained from publicly accessible sources or which have been legitimately transmitted to us from other companies of the Commerzbank Group or third parties to the extent necessary for rendering our services to the Group.

Relevant personal data are personal details (name, address and other contact data, date and place of birth and nationality), legitimisation data (such as data from ID cards) and also authentication data (such as a specimen signature).

What is the purpose of processing your data (purpose of personal data processing) and on which legal basis does this take place?

We process personal data in accordance with the provisions of the DPL and the local accompanying Regulations as appropriate

a. in order to comply with contractual obligations (Art. 10 (1 b) DPL)

Data is processed for the purpose of providing introductory services to our Group entities and for the

performance of our agreements with our suppliers, business partners or relevant third parties.

b. within the scope of the legitimate of interests (Art. 10 (1 f) DPL)

To the extent necessary (i.e. where such interest are overridden by the interest or rights of a Data Subject), we will process your data for the legitimate interests of our own and of third parties. Examples:

- advertising or market and opinion research unless you have objected to the use of your data,
- lodging legal claims and defence in case of legal disputes,
- ensuring IT security and the IT operation of the bank,
- prevention and investigation of criminal acts,
- measures for securing buildings and systems (such as admission control),
- measures to protect our domiciliary right,
- measures for business management and advanced development of services and products,
- risk management within the Commerzbank Group.

c. as a result of your consent (Art. 10 (1 a) DPL)

To the extent you have consented to the processing of personal data by us for certain purposes (such as mailing newsletters), such processing is legitimate on the basis of your consent.

d. on the basis of our statutory obligations where processing is necessary for compliance with an Applicable Law (Art. 10 (1 c) DPL)

Such as the DFSA AML requirements for the purposes of screening suppliers, business parties or prospects for the Group.

Who will receive my data?

Within the Commerzbank Group, those units will be granted access to your data that need them in order to comply with our contractual and statutory obligations. Service providers and agents appointed by us may also receive the data for these purposes on the condition that they, specifically, observe banking secrecy. These are companies in the categories banking services, IT services, logistics,

printing services, telecommunication, collection of receivables, consultation as well as sales and marketing.

As far as passing on data to recipients outside our Group, or service providers and agents, we may pass on information about our Group clients and

contacts only if this is required by law, the client or contact has given his consent or we have been granted authority to provide information. Under these circumstances, recipients of personal data may, for example, be:

- Public authorities, regulators and supervisory bodies such as the financial sector supervisors in the countries in which we operate,
- tax authorities,
- judicial/ investigative authorities', such as the police, public prosecutors, courts, arbitration/ mediation bodies on their express and legitimate request, land register authorities as well as local supervisory authorities), provided a statutory obligation or an official decree is in place,
- other companies belonging to the Commerzbank Group for the purposes of risk management on the basis of statutory or official obligations,
- service providers and third parties carrying out certain activities in the normal course of business e.g. IT service providers who may provide application or infrastructure (such as cloud) services; legal, auditing, instigation or prevent fraud or other misconduct by specialised companies.

Other recipients of data may be those bodies for which you have given us your consent to data transfer or, to which we may transfer personal data on the basis of the balancing of interests.

Will the data be transferred to a third country or an international organisation?

Data transfer to bodies outside the DIFC, including on-shore in the United Arab Emirates (so-called third countries) will take place to the extent

- necessary for the performance of a contract with Commerzbank Group;
- processing is necessary for the purpose of legitimate interests;
- it is required by law (such as obligatory reporting under tax law) or
- you have given your consent.

Moreover, transfer to bodies in third countries is intended in the following cases:

- If necessary in individual cases, your personal data may be transmitted to an IT service provider in the United States or in another third country to ensure that the IT department of the Group remains operative, observing the DIFC data protection rules.
- For legitimate interests, the personal data of parties interested in Group products can be processed in the course of a CRM system also in the United States.
- as a result of statutory provisions on controlling money laundering, the financing of terrorism and other criminal acts and within the scope of the balancing of interests, personal data (such as legitimisation data) will be transmitted, observing the data protection level of the DIFC.

In such cases the third parties or group entities will be required to abide by standard data protection clauses or the personal data transfer may be subject to a lawful derogation. You may ask us for further details of these safeguards, where required.

These companies acting on our behalf are required to keep your personal data confidential.

For how long will my data be stored?

We process and store your personal data as long as this is required to meet our contractual and statutory obligations. In this respect, please keep in mind that our business relationship is a continuing obligation designed to last for years.

If the data are no longer required for the performance of contractual or statutory obligations, these will be erased on a regular basis unless – temporary – further processing is necessary for the following purposes:

- The personal data is necessary for the establishment or defence of legal claims or must be retained for compliance with applicable law; or
- Preservation of evidence under the applicable local statutory regulations regarding the statute of limitations.

How we protect your Personal Data

We take our obligations to protect your Personal Data seriously and as such we take reasonable steps to hold Personal Data securely in electronic or physical form. We use technical measures to prevent unauthorised access, modification or disclosure, and take steps to protect the Personal Data we hold from interference, misuse, loss, unauthorised access, modification or unauthorised disclosure.

Some electronic communications through non-secure web platforms may not be secure, virus-free or successfully delivered. If you communicate with us using a non-secure web platform, you assume the risks that such communications between us are intercepted, not received, delayed, corrupted or are received by persons other than the intended recipient.

What are my rights with regard to data protection?

Under certain circumstances, and where the conditions specified in the DPL are met, by law, you have the right to:

- **Request access** to your Personal Data. This enables you to receive a copy of the Personal Data we hold about you and to check that we are lawfully Processing it.
- **Request correction** of the Personal Data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your Personal Data. This enables you to ask us to delete or remove Personal Data where there is no good reason for us to continue to Process it.
- **Object to Processing** of your Personal Data. You have the right to object where we are Processing your Personal Data for example in relation to marketing material.
- **Request the restriction of Processing** of your Personal Data. This enables you to ask us to suspend the Processing of Personal Data about you, for example, if you want us to establish its accuracy or the reason for Processing it.
- **Data portability** enables you to receive or request transfer of the data you have provided us in a structured, commonly used and machine-readable format.

- **Object to automated Processing, including profiling** which produces legal or other seriously impactful consequences concerning you.

We may need to request specific personal data from you to help us confirm your identity and ensure your right to access the personal data (or to exercise any of your other rights). This security measure ensures that personal data is not disclosed to an unauthorised person.

You will not have to pay a fee to exercise your rights. However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances, where permitted by law.

Furthermore, the statutory Regulations as issued by the DIFC Data Protection Commissioner shall be applicable. Moreover, there is a right to appeal to a competent data protection supervisory authority (Article 60 DPL). The contact details to make a complaint to the DIFC Data Protection Commissioner are as follows:

[DIFC Data Protection Commissioner Contact Details:](#)

Dubai International Financial Centre Authority
Level 14, The Gate Building, DIFC, UAE
+971 4 362 2222
commissioner@dp.difc.ae

Your consent to the processing of personal data granted to us may be revoked at any time by informing us accordingly (Article 32 DPL). This also applies for the revocation of declarations of consent given to us before the effective date of the DPL, i.e. before 1 July 2020. Please keep in mind that such revocation will be effective only for the future with no impact on processing carried out before the date of revocation.

We confirm that we will not discriminate against you if you exercise any of your rights under the DPL.

Am I obliged to provide data?

Within the scope of our business relationship, you are obliged to provide those personal data which are required for commencing, executing and terminating

a business relationship and for compliance with the associated contractual obligations or the collection of which is imposed upon us by law. Without these data, we will generally not be able to enter into agreements with you, to perform under such an agreement or to terminate it.

Under the statutory regulations in connection with money laundering, we are especially obliged to identify you by an ID document before entering into business relations with you and, especially, to ask for and record your name, place of birth, date of birth, nationality, address and identity card details. So as to enable us to comply with these statutory obligations, you are obliged to provide the necessary information and documents in connection with the anti-money laundering law and to report any

changes that may occur in the course of our business relationship. If you should fail to provide the necessary information and documents, we are not permitted to enter into the desired business relationship or to continue with such a relationship.

To what extent will decision-making be automated?

As a matter of principle, we do not use fully automated decision-making processes pursuant to Article 38 DPL.

Will profiling take place?

Your data will be processed automatically in part with the objective of evaluating certain personal aspects (profiling). For example, we will use profiling of the following cases:

- As a result of statutory and regulatory regulations, we are obliged to fight money laundering, the financing of terrorism and criminal acts jeopardising property. In that respect, data will be analysed. These measures also serve to protect you.
- So as to be able to inform you selectively about our products, we use analysis tools. These permit communication according to your needs and advertising including market and opinion research.

**Information about your right to object
pursuant to Article 34 DPL**

Right to object based on individual cases

You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you which is based on data-processing which is necessary in the public interest and data-processing on the basis of the balancing of interests; this also applies for profiling as defined in Article 3, Schedule 1 DPL. If you do object, we will no longer process your personal data unless we have compelling justified reasons for such processing which take precedence over your interests, rights and freedom or, alternatively, such processing serves to assert, exercise or defend legal claims.

**Right to object to processing data for the
purpose of direct marketing**

In individual cases, we will process your personal data for the purpose of direct marketing. You have the right to object at any time against the processing of your personal data for the purposes of such marketing; this also applies for profiling to the extent it is connected to such direct marketing. If you do object to processing for the purposes of direct marketing, we will refrain from using your personal data for such purposes henceforth.

Recipient of an objection

Such objection may be submitted informally under the heading "objection" indicating your name, your address and your date of birth and should be submitted via the contact details within the **'Who is responsible for data processing and who can I contact?'** section.

Cookies

We collect information from you electronically when you visit our Group website. For further details please refer to our cookie policy available via this [\[link\]](#).

**What happens if we make changes to this Privacy
Notice**

If we change this Privacy Notice we will post the changes on this website, therefore please check back regularly to ensure you are aware of any changes to our Personal Data Processing operations. The changes will take effect as soon as they are posted on our website.