



## LGT Investment Management (Asia) Limited

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# Data privacy notice for natural persons domiciled in the EU/EEA in accordance with the EU General Data Protection Regulation (GDPR)



Valid from: May 2018

*Note: For the avoidance of doubt, if you are not a natural person but a person (including company, corporation, firm, partnership, limited liability partnership, joint venture association, organisation, trustee, trust, state or agency of a state (in each case, whether or not having separate legal personality)) domiciled in the EU/EEA, we request that you inform any natural person domiciled in the EU/EEA and involved in the business relationship (including but not limited to authorised agents, representatives, card holders, co-debtors, guarantors, legal successors or beneficial owners of a business relationship) of this privacy notice.*

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 new GDPR. 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 a large number of technical and organisational 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 in a position to enter into or maintain a business relationship, process an order or offer services and products.

Should you have any questions about particular data processing or want to exercise your rights, please contact:

#### Controller:

LGT Investment Management (Asia) Limited  
Suite 4203, Two Exchange Square  
8 Connaught Place Central, Hong Kong  
Phone: +852 2522 9260  
E-mail: investasia@lgt.com

#### Contact details of the data protection officer:

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

## 1 From which sources do the data originate (source) and which data are processed (categories of data)?

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. a credit agency), from public agencies (e.g. UN and EU sanctions lists) or from other LGT Group 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 relevant natural persons involved in the business relationship, such as for example data of authorised agents, representatives, card holders, co-debtors, guarantors, legal successors or beneficial owners of a business relationship. We request that you inform these natural persons of this data privacy notice.

We use the term "personal data" to refer to the following categories of data in particular:

- Personal details (e.g. name, date of birth, nationality)
- Address and contact details (e.g. physical address, telephone number, e-mail address)
- Identification data (e.g. passport or identity card data) and authentication data (e.g. specimen signature)
- 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 or partners and other family details, on authorised signatories, on legal representatives)
- Information about financial characteristics and on the financial situation (e.g. portfolio and account numbers, information on creditworthiness, origin of assets)
- Information on professional and personal background (e.g. professional activity, hobbies, wishes, preferences)
- Technical data and information on electronic communication with LGT (e.g. records of accessing of services or changes)
- Image and audio data (e.g. video or voice recordings)

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

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

- *For the performance of a contract or in order to take steps prior to entering into a contract (Art. 6 (1) letter b GDPR)* within the context of providing and brokering banking transactions and financial services and for processing orders. 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) letter c GDPR) or in the public interest (Art. 6 (1) letter e GDPR)*, in particular to adhere to statutory and supervisory requirements (e.g. GDPR, Hong Kong Personal Data (Privacy) Ordinance, data protection laws, banking law, due diligence, money laundering and market abuse provisions, tax laws and agreements, control and reporting obligations, risk management).

- For the purposes of the legitimate interests pursued by us or by a third party (Art. 6 (1) letter f GDPR) for specifically defined purposes, in particular for determining creditworthiness and indebtedness, for setting up and realising collateral, 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 access), 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) letter a GDPR), which you give to us within the scope of specific services or instructions. You have the right to withdraw your consent for the processing of your personal data at any time. This shall also apply to the withdrawal of declarations of consent that we received before the GDPR came into effect, i.e. before 25 May 2018. The withdrawal of consent shall only be effective for the future and shall not affect the lawfulness of data processed before the withdrawal of consent.

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 how long are they stored for?

Bodies both within and outside the bank may obtain access to your data. Within the bank, only persons or employees may process your data if they require them to comply with our contractual, statutory and supervisory obligations and to protect legitimate interests. Other LGT Group companies, service providers and vicarious agents may also obtain personal data for these purposes. In particular, processors of this kind may be companies in the categories of banking services, distribution agreements, IT services, logistics, printing services, collection, advisory and consulting, and 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, public agencies and institutions (e.g. supervisory and tax authorities) may also receive your personal data.

Data are only transferred to countries outside Hong Kong and the European Union (EU) or European Economic Area (EEA) (so-called third countries) provided this is necessary for the implementation of pre-contractual measures or the performance of a contract, the provision of services or processing of orders (e.g. execution of payment instructions and securities transactions or issuing of a credit card), you have given us your explicit consent (e.g. within the scope of specific services), it is necessary for important reasons of public interest (e.g. in the case of money laundering) or is required by law (e.g. reporting obligations under tax law).

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

As a basic principle, 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 personal data is 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, this data is 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?

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.

There are business areas where personal data are processed at least partly by automated means. The objective of this is to evaluate certain personal aspects insofar as we are obligated to do so by statutory and regulatory requirements (e.g. prevention of money laundering), to perform needs analyses for services and products, to assess acceptability and creditworthiness in the context of lending, as well as for risk management. Personal data (including data of concerned natural persons) may be analysed and evaluated by automated means in order to identify significant personal characteristics of the client or predict developments and draw up client profiles. These are used in particular for reviewing transactions, providing individual advice and preparing offers and information which LGT and its Group companies may make available to the client. Client profiles may also lead to automated individual decisions, e.g. in order to accept and execute client orders in online banking by automated means.

## 5 What data protection rights do you have?

Subject to certain exceptions (including where local laws provide otherwise) you have the following data protection rights with regard to your personal data (Art. 15 to 21 GDPR):

### 5.1 Right of access

You may obtain from us information as to whether and to what extent personal data concerning you is being processed (e.g. categories of personal data concerned, purpose of processing).

5.2 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 this data is no longer necessary in relation to the purposes for which they were collected or processed, you have withdrawn your consent or this data is being unlawfully processed. Furthermore, you have the right to obtain restriction of processing.

### 5.3 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. This shall also apply to the withdrawal of declarations of consent that were submitted before the GDPR came into effect, i.e. before 25 May 2018. Please note that the withdrawal of consent is only effective for the future. Processing that was carried out before the withdrawal is not affected. The withdrawal does not have any effect on data processing based on other legal bases either.

### 5.4 Right to data portability

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).

### 5.5 Right to lodge a complaint

You have the right to lodge a complaint with the competent supervisory authority<sup>1</sup>.

The contact details for the competent supervisory authority are:

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

## 6 Right to object

### 6.1 In individual cases

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

### 6.2 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 data protection officer, who is also the point of contact for any other data protection issues you may have.

LGT reserves the right to amend or update this data privacy notice from time to time and to publish it on the LGT website. The respective date of modification can be found at the start of this data privacy notice.

<sup>1</sup> You may also contact another supervisory authority of an EU or EEA member state, for example in your habitual residence, place of work or the place of an infringement of the data protection directive.