



## IIG Privacy Notice

### Introduction

This document represents our privacy notice, both to customers and mere users of our website (the “**Notice**”).

IIG Bank Ltd (C 48767) of Level 20, Portomaso Business Tower, Portomaso, St. Julians STJ 4011, Malta (“**we**”, “**us**”, “**our**” or the “**Bank**”) respects your privacy and is wholly committed to protecting your personal data.

The purpose of this Notice is to set out the basis on which we will process your personal data when you:

- enter into a banking relationship with us;
- request and/or receive our banking products and services; and
- visit and use our website <<https://www.iigbank-malta.com/index.php>> (the “**Website**” or the “**Site**”), regardless of where you visit and use it from.

This includes any data that you may provide for and in relation to our newsletters, industry updates, events and other marketing and promotional communications.

This Notice informs you about the items of personal data that we may collect about you and how we will handle it, and in turn, also tells you about (i) our obligations to process your personal data responsibly, (ii) your data protection rights as a data subject and (iii) how the law protects you.

We process your data in an appropriate and lawful manner, in accordance with the Data Protection Act (Chapter 440 of the Laws of Malta) (the “**Act**”), as may be amended from time to time, and the General Data Protection Regulation (Regulation (EU) 2016/679) (the “**Regulation**” or the “**GDPR**”).

For sake of emphasis, kindly note that your entry into a banking relationship with us gives rise to the existence of a contractual relationship, as subject to the General Terms.

Capitalised terms not defined herein shall have the same meaning as in the General Terms unless otherwise specified.

As used in this Notice, “**you**” may refer to yourself personally, your organisation or both, as applicable.

Please also use the Glossary to understand the meaning of some of the terms used in this Notice.

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## 1. Important information and who we are.

### Purpose of this Notice

This Notice aims to ensure that you are fully informed on how the Bank will collect and process your personal data in the scenarios indicated above in the 'Introduction'.

Some of our services may be subject to supplemental privacy or processing notices, which may be found in specific agreements which you may enter with the Bank or which the Bank may notify you from time to time.

It is therefore important that you read this Notice carefully, together with any other privacy notice or fair processing notice that we may issue on specific occasions when we are collecting or processing personal data about you, so that you are fully aware of how and why we are using your data (namely, in the context of a service provision). This Notice supplements our other notices and is not intended to override them.

### Controller

The Bank, as previously defined, is the controller and responsible for your personal data.

We have appointed a data protection officer ("DPO") who is responsible for overseeing questions in relation to this Notice. If you have any questions about this Notice, including any requests to exercise your legal rights as a data subject, please contact the DPO using the details set out below.

You can address any comments, queries or complaints to the DPO, using the details indicated below, with the words 'Data Protection Matter' in the subject line.

### Contact Details

Our full details are:

Full name of legal entity:	IIGBank (Malta) Ltd.
Name or title of DPO:	Mr. Karl Vella
Email address:	dpo@iigbank-malta.com
Postal address:	Level 20, Portomaso Business Tower, St Julians, STJ 4011, Malta
Telephone number:	+356 22484500

You have the right to lodge a complaint at any time to a competent supervisory authority on data protection matters, such as in particular the supervisory authority in the place of your habitual residence or your place of work. In the case of Malta, this is the Office of the Information and Data Protection Commissioner (the "IDPC") (<https://idpc.org.mt/en/Pages/Home.aspx>). We would, however, appreciate the opportunity to deal with your concerns before you approach the supervisory authority, so please contact us in the first instance.

### Changes to the Notice and your duty to inform us of changes

This version of the Notice was last updated on 24<sup>th</sup> May 2018.

It is imperative that the personal data we hold about you is accurate and current at all times. Otherwise, this will impair the quality of your banking relationship with us (amongst other potential and salient issues). Please keep us informed if your personal data changes during your relationship with us.

### Third-party links

The Website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy notice or policies. We strongly



encourage you to read the privacy notice of every website you visit, particularly when leaving our Website.

## 2. Some key definitions.

Set out below are key definitions of certain data protection terms which appear in this Notice.

**“Consent Form”** refers to separate documents which we might from time to time provide you where we ask for your explicit consent for any processing which is not for purposes set out in this Notice.

**“Data subjects”** means living individuals (i.e. **natural persons**) about whom we collect and process personal data.

**“Data controller”** or **“controller”** means any entity or individual who determines the purposes for which, and the manner in which, any personal data is processed.

**“Data processor”** or **“processor”** means any entity or individual that processes data on our behalf and on our instructions (we being the data controller).

**“Personal data”** means data relating to a living individual (i.e. **natural person**) who can be identified from the data (information) we hold or possess. This includes, but is not limited to, your name and surname (including maiden name where applicable), address, date of birth, nationality, gender, civil status, tax status, identity card number & passport number, contact details (including mobile and home phone number and personal email address), photographic image, bank account details, emergency contact information as well as online identifiers. The term **“personal information”**, where and when used in this Notice, shall be taken have the same meaning as personal data.

**“Processing”** means any activity that involves use of personal data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including, organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.

**“Sensitive personal data”, “sensitive data”** or **“special categories of personal data”** includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. This type of sensitive data can only be processed under strict conditions.

**Note that personal data does not include information relating to a legal person (for example, a company or other legal entity). In that regard, information such as a company name, its company number, registered address and VAT number does not amount to personal data in terms of both the Act and the GDPR. Therefore, the collection and use of information strictly pertaining to a legal person does not give rise to data controller obligations at law. We will still naturally treat any and all such information in a confidential manner, in accordance with our standard practices and professional secrecy obligations.**

## 3. The data we collect about you.

Personal data, or personal information, means any information about an individual from which that person can be identified (as stated above). It does not include data where the identity has been removed (**anonymous data**).

In the course of your banking relationship with us, the Bank will need to collect, use, and sometimes, disclose various items of personal data about you for various purposes associated with the scope of the banking products and services that we provide, as requested and directed by you or your organisation. Given the broad spectrum of our potential banking products or services to you or to your



organisation, it is both impractical and almost impossible to exhaustively list all the items of personal data which we may need to collect, use or disclose about you.

However, to ensure transparency, we have made an attempt to group and categorise below the different kinds of personal data about our customers or mere users of the Site that we (the Bank) may generally need to collect, process, use, share and store. For the reasons explained above, these data categories are strictly indicative and not exhaustive.

- **Identity Data** includes first name, middle name, maiden name, last name, title, identity document number, gender, nationality, citizenship, marital status, employment status, organisation, occupation and (in the context of the Site) username or similar identifier.
- **Contact Data** includes mailing address, email address, mobile number, telephone number and next of kin details.

In the context of our corporate customers, we may collect **Identity and Contact Data** about the following individuals:

- directors;
- legal and judicial representatives;
- company secretary and other officers (for example, MLROs, DPOs and risk officers);
- shareholders and ultimate beneficial owners (**UBOs**); and/or
- authorised signatories.

- **Banking Data** includes bank account and internet banking details with the Bank.
- **Banking Mandate Data** includes details about the customer's principal bankers and bank account number(s) with those particular banks.
- **Transaction Data** includes the following information about our customers: (i) bank statements, (ii) a history of transactions with the Bank and (iii) the relative details of each individual transaction.
- **Compliance Data (AML and KYC)** may include the following due diligence information and documentation relating to our customers, or their respective UBO, shareholders, beneficiaries, directors, representatives and/or authorised signatories (as applicable) where the customer is a legal person: (i) copy of identity document, (ii) copy of a recently issued utility bill or other documentation to verify the residential address, (iii) professional references, (iii) tax domicile status and tax identification, (iv) source of wealth and funds, (v) 'KYC' (database) and criminal records checks and (vi) any other documentation which may be mandated from time to time by the Prevention of Money Laundering Act (Chapter 373 of the Laws of Malta) ("**PMLA**"), the Prevention of Money Laundering and Funding of Terrorism Regulations ("**PMLFTR**"), the Financial Intelligence Analysis Unit ("**FIAU**") and/or any other competent authority or related legislation.
- **Additional Compliance Data** includes, for particular cases, copies of bank statements held by the customer with other credit institutions and, in the case of our non-corporate customers, copies of payslips or salary slips.
- **Specific Documents** may include asset contracts, public deeds, public wills, testamentary instruments and/or inheritance agreements (as relevant to the particular circumstances), which in and of themselves may contain and disclose particular personal information about you.
- **Court Data** includes information relating to freezing orders, garnishee orders, monitoring orders, precautionary warrants, executive warrants, witness summons, interdiction or incapacitation orders and any other order that may be issued by a Court of law or any other competent authority, and/or requests for information from regulatory or law enforcement authorities such as the MFSA, the FIAU or the Police, and which are served on the Bank in relation to the customer and/or the account/s held by the customer with the Bank.



- **General Due Diligence Data** includes due diligence information on the customer (or its representatives or authorised signatories) collected directly from the customer or from third-party and publicly available sources, primarily regarding (i) creditworthiness and financial status (such as salary letter or financial statements), (ii) the existence of any Court orders, judicial acts or pending litigation and (iii) support documents evidencing employment or business activities (iv) curriculum vitae, as applicable
- **Telephone recordings:** We may record any transactions or instructions received over the telephone, in particular instructions received from customers.
- **Usage Data** includes information about how our banking products and services are used (including frequency).
- **Technical Data** includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access the website, your internet banking page and our mobile application.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences. This may include information whether you have subscribed or unsubscribed from any of our mailing lists, attended any of our events or accepted any of our invitations.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregate may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to ascertain the existence of any trends with regards to our banking or payment services. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

As indicated, we may need to collect **Special Categories of Personal Data** about you, specifically as a result of the information that we collect and process in terms of **Court Data** (your legal offences). The collection and processing of this information is necessary in order for us to (i) conduct and carry out our internal Know-Your-Customer (“**KYC**”) due diligence, (ii) comply with our various legal and regulatory obligations as a licensed credit institution, including in particular our Anti-Money Laundering (“**AML**”) obligations, (iii) fulfil any mandated external regulated reporting, such as to the Financial Intelligence Analysis Unit (“**FIAU**”) and (iv) abide by Court orders.

**If we decline to enter into a relationship with an applicant due to the existence of a criminal record or other litigation, or due to an unsatisfactory due diligence process, we will keep an annotation of this decision in eventuality that the same applicant seeks to re-apply.**

#### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of the contract we have with you (pursuant to your entry into a banking relationship with us), **and you fail to provide that data when requested**, we may not be able to perform the contract that we have or which we are trying to enter into with you (namely, providing the banking products and/or services which you may request and which we offer as credit institution duly authorised and regulated by the Malta Financial Services Authority). In certain cases, particularly where it relates to Compliance Data, we may even need to exercise our prerogative to terminate the contract in accordance with the General Terms, or otherwise decline to enter into a banking relationship with you, but we will notify you if this is the case at the time.



#### 4. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Account Opening.** You will need to give us your Identity, Contact and Compliance Data when opening a bank account with us, regardless of the type, nature or purposes of the account (or that of your UBOs, shareholders, directors, representatives and/or authorised signatories in the case of **corporate customers**). This information will be required from you for each account opening. You provide this information to us, and we collect and process the same, when you fill in and submit our account opening form and other related forms. Any Banking Data (e.g. bank account details) issued to you on the basis of your account opening is also retained and stored by us.
- **Service Use.** Through your use of our banking products and services, we generate and compile your Banking and Transaction Data, including in the form of records. These sets of data are either issued or made available to you upon request, and are retained by us for the purposes set out below. Moreover, to act upon certain service requests (e.g. deposits of a certain size), you will need to provide us with the Additional Compliance Data that we require.
- **Direct Interactions:** You may give us your Identity, Contact, Compliance, Banking and Transaction Data by filling in our other forms (i.e. separate to our account opening form) or by corresponding with us by post, phone, e-mail or otherwise. This includes personal data you provide when you, as may be applicable:
  - enter into a banking relationship with us;
  - subscribe to our internet banking services;
  - request further assistance with us;
  - contact us with complaints or queries;
  - report issues;
  - submit the Compliance Data or Additional Compliance Data that we request;
  - request marketing to be sent to you;
  - express an interest in and/or attend any of our events;
  - participate in a survey;
  - subscribe to our newsletters and updates; or
  - give us some feedback.
- **Service of Court orders and similar orders, or requests for information from public authorities and regulators.** The Bank could be served with Court orders or judicial acts that may be issued or filed against you and/or the accounts which you hold with us (i.e. **Court Data**). The Bank may also be served with requests for information or orders from regulatory or law enforcement authorities. In such a case, copies of the relative Court order or judicial act will be processed and retained by us.
- **Automated technologies or interactions.** As you interact with our website, internet banking portal and mobile application, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.
- **Third parties or publicly available sources.** We may receive personal data about you (namely, Identity, Contact, Court, Compliance and General Due Diligence) from various third parties, such as your professional referees, and from publicly available source such as public court documents, the Malta Registry of Companies, the Malta Ship Registry, companies and shipping registers of other jurisdictions, and from electronic data searches, online search tools (which may be subscription or license based), anti-fraud databases and other third party databases, sanctions lists and general searches carried out via online search engines (e.g. Google).

If you attend an event or meeting at our offices, we may hold images of you captured by our CCTV cameras.



## 5. How we use your personal data.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where you wish to enter into a banking relationship with us;
- Where we are providing you with the banking products or services that you have requested;
- Where it is necessary to give effect to the contract entered into by your acceptance of our Terms and Conditions (this is referred to below as **performance of a contract**).
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

We do not generally rely on consent as a legal basis for processing your personal data, other than in relation to sending third party direct marketing communications. You have the right to withdraw consent to such marketing at any time by contacting us, as indicated below.

### Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Accordingly, please contact us at [dpo@iigbank-malta.com](mailto:dpo@iigbank-malta.com) if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
(a) To determine whether the Bank will enter into a banking relationship with you;  (b) To decide on your application for business with the Bank;  (c) To enter into a banking relationship with you.	(a) Identity;  (b) Contact;  (c) Banking Mandate;  (d) Transaction;  (e) Compliance;  (f) Additional Compliance;  (g) Specific Documents;  (h) Court; and  (i) Due Diligence.	(a) Performance of a contract with you or in order to take steps at your request prior to entering into such a contract.  (b) Necessary for our legitimate interests (to determine whether we can or want to enter into a professional relationship with you, to verify your identity and suitability for our services, and your ability to meet financial commitments).



<p>(a) To establish and verify your identity and fulfil our other internal compliance policies and requirements;</p> <p>(b) To comply with our obligations under the <b>PMLA, PMLFTR</b> and other laws or regulations that may be applicable to us in terms of client due diligence and AML requirements (for example, relating to sanctions);</p> <p>(c) To fulfil external regulated reporting and other obligations to the CIR, MFSA, CBM, the Police Authorities and FIAU, and any other (including foreign) governmental, regulatory, law enforcement or tax authorities.</p> <p>(d) For legal, tax, insurance and accounting and compliance purposes (e.g. reporting to tax authorities in terms of FATCA or other agreement or law).</p> <p>(e) To abide by Court orders.</p> <p>(f) To assist and cooperate in any criminal or regulatory investigations against you, as may be required of us.</p> <p>(g) To carry out reviews, assessments and audits of the Bank's operations, standards, processes and procedures or to obtain a rating or similar.</p>	<p>(a) Identity;</p> <p>(b) Banking Mandate;</p> <p>(c) Transaction;</p> <p>(d) Compliance;</p> <p>(e) Additional Compliance;</p> <p>(f) Specific Documents;</p> <p>(g) Court; and</p> <p>(h) Due Diligence.</p>	<p>(a) Necessary to comply with a legal obligation.</p> <p>(b) Necessary for our legitimate interests (to detect, prevent and/or report fraud and any other criminal activity (including money laundering and terrorist financing), that comes to our knowledge and attention).</p> <p>(c) Necessary for our legitimate interests (for handling and exercise of claims).</p> <p>(d) Necessary for our legitimate interests (in order to determine the extent of the Bank's compliance with law, regulations and internal policies and procedures, and to protect the Bank's reputation).</p>
<p>(a) To provide you with our banking products and services, as directed and requested by you, which may include:</p> <ul style="list-style-type: none"> <li>▪ account openings;</li> <li>▪ deposits;</li> <li>▪ payment and transfer instructions;</li> <li>▪ fund withdrawals and releases;</li> <li>▪ production of bank statements;</li> <li>▪ references; and</li> <li>▪ our other services.</li> </ul> <p>(b) To improve the provision of the banking products or services that you have requested;</p> <p>(c) Manage transactions;</p>	<p>(a) Identity;</p> <p>(b) Contact;</p> <p>(c) Compliance;</p> <p>(d) Banking;</p> <p>(e) Transaction;</p> <p>(f) Telephone Recording;</p> <p>(g) Specific Documents, as applicable, and</p> <p>(h) Additional Compliance</p>	<p>(a) Performance of a contract with you.</p> <p>(b) Necessary to comply with a legal obligation (accounting and other record-keeping requirements).</p> <p>(c) Necessary for our legitimate interests (to recover debts due to us, to keep track of the banking products and services provided to customers and their status, to be able to review the customer file if issues arise).</p>





<p>(d) Collect and recover money which is owed to us (debt recovery);</p> <p>(e) Internal record keeping (files).</p> <p>(f) For billing purposes.</p>		
<p>To manage our relationship with you, which may include to:</p> <p>(a) notify you about changes to our terms of business or privacy notices;</p> <p>(b) deal with your enquiries, requests, complaints or reported issues;</p> <p>(c) contact you in the course of providing you with the banking products or services you have requested;</p> <p>(d) ask you to participate in a survey;</p> <p>(e) request feedback from you;</p> <p>(f) advise you of industry updates,</p> <p>(g) inform you about our events;</p> <p>(h) provide you with information about our banking products and services;</p> <p>(h) provide you with any other information or materials that you have requested to receive from us;</p> <p>(i) receive, process and execute your instructions</p>	<p>(a) Identity;</p> <p>(b) Contact;</p> <p>(c) Banking;</p> <p>(d) Telephone Recording;</p> <p>(e) Usage;</p> <p>(f) Transaction;</p> <p>(g) Marketing and Communications.</p>	<p>(a) Performance of a contract with you.</p> <p>(b) Necessary for our legitimate interests (for customer relationship and handling, customer support, to study how customers use our services and products, to study business growth and possible trends regarding our business area, to enable a review, assessment or rating of our operations, to develop them and grow our business). Specifically, telephone recordings allow us to ensure the accuracy of the banking products and services which we offer and ensures that we have documented instructions to be able to verify that the products and services that we provide are in accordance with your instructions as well as allows us to be in a position to have recorded proof in case of any disputes.</p>
<p>To administer and protect our business, including our Website, internet banking portal and mobile app (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity;</p> <p>(b) Contact;</p> <p>(c) Banking</p> <p>(d) Technical; and</p> <p>(e) Usage.</p>	<p>(a) Necessary for our legitimate interests (for running and administering our business (including IT systems), systems administration, network security, to prevent fraud and to maintain the confidentiality of transactions, and in the context of a business reorganisation or group restructuring exercise)</p> <p>(b) Performance of a contract with you (ensuring that your transactions remain secure and confidential).</p>



<p>(a) To carry out market research campaigns;</p> <p>(b) To market our products and services to you by email or other means if you have subscribed to one of our mailing lists (<b>where you are not a customer</b>).</p> <p>(c) To deliver advertisements to you and measure or understand the effectiveness of the advertising we serve to you.</p>	<p>(a) Identity;</p> <p>(b) Contact;</p> <p>(c) Banking</p> <p>(d) Usage;</p> <p>(e) Technical; and</p> <p>(f) Marketing and Communications.</p>	<p>(a) Necessary for our legitimate interests (to study how existing customers use our services, to develop them, to grow our business and to inform our marketing strategy).</p> <p>(b) On the basis of your consent, in the absence of a customer relationship.</p>
<p>To permit the Bank to pursue available remedies or limit any damages that the Bank may sustain.</p>	<p>(a) Identity;</p> <p>(b) Contact;</p> <p>(c) General Due Diligence;</p> <p>(d) Transaction;</p> <p>(e) Telephone recordings;</p> <p>(f) Marketing and Communications.</p>	<p>(a) Performance of a contract with you.</p> <p>(b) Necessary for our legitimate interests.</p>

As part of our legitimate (business) interests, we may need to share, disclose or transfer your personal data to any potential acquirer of the Bank or the Bank's business or part thereof, or to an actual or potential assignee or transferee of the Bank's rights against you.

### Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around advertising and marketing. Through your Identity, Contact, Banking, Technical and Usage Data, we can form a view on what we think you or your organisation may want or need. This how we decide which of our products or services may be of most relevance or interest for you and/or your organisation (we call this **marketing**).

In that regard, will only send you advertising and marketing communications:

- if you have entered into a banking relationship with us;
- actually make use of our services and are thus an existing and ongoing customer; and
- provided you have not opted out of receiving marketing from us (see **Your Legal Rights** below).

### Third-Party Marketing

We will get your express opt-in consent before we share your personal data with any third parties for marketing purposes.

### Opting out

You can ask us to stop sending you advertising and marketing communications at any time by:

- following the opt-out links on any marketing message sent to you;
- contacting us at any time at [dpo@iigbank-malta.com](mailto:dpo@iigbank-malta.com)

Where you opt out of receiving such communications, this will not apply to personal data processed or provided to us as a result of your entry into a banking relationship with us and our service provision.



## **Cookies**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of the Website may become inaccessible or not function properly. This Notice should be read in conjunction with our **IP Address and Cookie** policy found on our website [www.iigbank-malta.com](http://www.iigbank-malta.com).

## **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us at [dpo@iigbank-malta.com](mailto:dpo@iigbank-malta.com).

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without the need to obtain your consent, in compliance with the above rules, where this is required or permitted by law.

## **6. Disclosures of your personal data**

We may have to share, disclose or allow access to your personal data with the parties or authorities identified below for the purposes set out in the table in Clause 4 above.

- External Third Parties as set out in the *Glossary*.
- Regulators and other Authorities as set out in the *Glossary*.
- Correspondent Banks.
- Our subsidiaries, associates and agents where necessary to facilitate the banking relationship you have with us and/or enable the provision of the products or services you have requested from us (e.g. processing of statements).
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets, including to any potential acquirer of the Bank or the Bank's business or part thereof. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.
- Any actual or potential assignee or transferee of the Bank's rights against you (the Customer).

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may be bound to disclose your personal data to Government bodies and agencies, regulatory authorities, law enforcement, public or judicial bodies (including overseas) which may have jurisdiction over our activities, including without limitation, the Malta Financial Services Authority and the Financial Intelligence Analysis Unit. In such cases, we shall only disclose your personal data under the appropriate authority and in line with our duties of professional secrecy under the Banking Act (Chapter 371 of the Laws of Malta).

Personal data in relation to transactions effected via SWIFT (Society for Worldwide Interbank Financial Telecommunication) may be required to be disclosed to the United States authorities (or any other authorities) in order to comply with legal requirements applicable in the United States (or in any other country) for the prevention of crime and in accordance with the EU-US Terrorist Finance Tracking Program (TFTP) agreement.



## 7. International transfers

We do not generally transfer your personal data to outside the European Economic Area (“**EEA**”) except as may be necessary to: (i) provide you with the requested banking products or services, (ii) fulfil our contractual obligations to you or exercise our contractual obligations against you, (iii) comply with our legal or regulatory obligations or (iv) assert, file or exercise a legal claim.

In particular, to process your payments and bank transfers, we will need to share certain personal data with our correspondent banks. This may involve transferring your data outside of the EEA, specifically when the requested payment or transfer is to be made to a non-EEA account. On other occasions, we may be requested, whether by you directly or by another financial institution with your knowledge, to provide banking reference that pertains to you.

Where we do need to transfer your personal data to outside the EEA (whether for these stated purposes or any other purpose listed in Clause 5 above), we will ensure a similar degree of protection is afforded to that personal data by ensuring at least one of the following safeguards applies or is otherwise implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see [European Commission: Adequacy of the protection of personal data in non-EU countries](#).
- In the absence of an adequacy decision, we will use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries](#).
- Where we use providers based in the U.S., we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see [European Commission: EU-US Privacy Shield](#).

Please contact us at [dpo@iigbank-malta.com](mailto:dpo@iigbank-malta.com) if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 8. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have also put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so, and within the timeframe prescribed at law.

## 9. Data retention

### How long will you use my personal data for?

**Please note that we (the Bank) considers its relationship with customers to be an ongoing and continuous customer relationship, until such time that it is terminated in accordance with the General Terms.**

We will only retain your personal for as long as necessary to fulfil the purposes we collected it for (i.e. the provision of our banking products and services the ongoing performance of our banking relationship with you) and, **thereafter**, for the purpose of satisfying any legal, accounting and regulatory reporting requirements and/or other obligations to which we (as a licensed financial institution) may be subject and/or to the extent that we may also need to retain your personal data to be able to assert, exercise or defend possible future legal claims against or otherwise involving you.

By and large, our retention of your personal data shall not exceed the period of **ten (10) years** from the date of the termination of your banking relationship with us and closure of your bank accounts. This retention period enables us to make use of your personal data to comply with potential AML and reporting obligations and applicable accounting and tax laws (**legal or regulatory obligation to which**



**we are subject**) and/or for the assertion, filing or defence of possible legal claims by or against you (taking into account applicable statutes of limitation and prescriptive periods). Your account information shall be retained for **ten (10) years** from the date of closure of your account with us, and your transaction information, such as copies of cheques or copies of your signature, shall be retained for a period of **six (6) years** from the date of the transaction.

**In that respect, we observe and apply the 'Retention Periods' set out in the Banking Sector Guidelines (entitled 'Data Protection Guidelines for Banks'), which were developed by the Malta Bankers' Association after a consultation process with the IDPC who ascertained that these Guidelines comply with the GDPR.**

### **Data Minimisation**

Whenever and to the extent possible, we may anonymise the data which we hold about you when it is no longer necessary to identify you from the data which we hold about you. In some circumstances, we may even pseudonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

### **10. Your Legal Rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

- *Request access to your personal data.*
- *Request correction (rectification) of your personal data.*
- *Request erasure of your personal data.*
- *Object to processing of your personal data.*
- *Request restriction of processing your personal data.*
- *Request transfer of your personal data.*
- *Right to withdraw consent.*

If you wish to exercise any of the rights set out above, please [contact us at dpo@iigbank-malta.com](mailto:dpo@iigbank-malta.com).

These rights are explained below under Section 10.

### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within a period of one (1) month from the date of receiving your request. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### **11. Glossary**

#### **Lawful Basis**

**Legitimate Interest** means our interest to conduct and manage our business affairs appropriately and responsibly, to protect the reputation of our business and bank, and to provide our customers with the



best possible service and the users of the Site with a secure and reliable experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us [dpo@iigbank-malta.com](mailto:dpo@iigbank-malta.com).

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract, including to give effect to the contract that you have entered into by accepting our Terms and Conditions.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

## THIRD PARTIES

### External Third Parties

- Service providers who provide IT and system administration, maintenance and support services and other service providers (or sub-contractors) which may be engaged by the Bank to provide certain services to the customer on behalf of the Bank or to provide services which are necessary for the Bank's operations.
- Professional advisors including external legal counsel, internal and external auditors and consultants, brokers and insurers who provide legal, insurance (including professional indemnity), auditing and accounting services as may be engaged by the Bank from time to time.
- Credit reference agencies and debt recovery agencies who assist us with establishing the creditworthiness and credit risk of prospective customers and with the recovery of debts owed to us.

### Regulator and other Authorities

- The Financial Intelligence Analysis Unit, Malta Financial Services Authority, Commissioner for Revenue, the Central Bank of Malta, the Police Authorities and other authorities (including overseas authorities) each of whom may require reporting in respect of processing activities and the activities of our customers in certain circumstances or who may request information from us or to whom we are required to disclose information in terms of applicable law, in terms of applicable law and in certain circumstances.

## Your legal rights

You have the right to:

**(i) Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

You may send an email to [dpo@iigbank-malta.com](mailto:dpo@iigbank-malta.com) requesting information as the personal data which we process. You shall receive one copy free of charge via email of the personal data which is undergoing processing. [Any further copies of the information processed shall incur a charge of €10.00.

**(ii) Right to information** when collecting and processing personal data about you from publicly accessible or third party sources. When this takes place, we will inform you, within a reasonable and practicable timeframe, about the third party or publicly accessible source from which we have collected your personal data.

**(iii) Request correction or rectification** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected and/or updated, though we may need to verify the accuracy of the new data you provide to us.



**(iv) 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 continuing to process it;
- you have successfully exercised your right to object to processing (see below);
- we may have processed your information unlawfully; or
- we are required to erase your personal data to comply with local law.

Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request. In particular, notwithstanding a request for erasure, we may continue to retain your personal data where necessary to:

- comply with a legal obligation to which we are subject; or
- establish, exercise or defence of legal claims.

**(v) Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes (as under the **Marketing** section of Clause 5).

In some cases, we may demonstrate that we have compelling legitimate grounds to process your information that override your rights and freedoms.

**(vi) Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- if you want us to establish the data's accuracy;
- where our use of the data is unlawful but you do not want us to erase it;
- where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
- you have objected to our use of your personal data but we need to verify whether we have overriding legitimate grounds to use it.

**(vii) Request the transfer (data portability)** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**(viii) Withdraw your consent at any time** where we are relying on consent to process your personal data (which will generally not be the case). This will not however affect the lawfulness of any processing which we carried out before you withdrew your consent. Any processing activities that are not based on your consent will remain unaffected.

**Kindly note that none of these data subject rights are absolute, and must generally be weighed against our own legal obligations and legitimate interests. If a decision is taken to override your data subject request, you will be informed of this by our data protection team along with the reasons for our decision.**

## Conclusion

We reserve the right to make changes to this Notice in the future, which will be duly notified to you. If you have any questions regarding this Notice, or if you would like to send us your comments, please contact us today or alternatively write to our Data Protection Officer on [dpo@iigbank-malta.com](mailto:dpo@iigbank-malta.com) or using the details on our website.