

# PRIVACY NOTICE

(LAST REVISED MARCH 2020)

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Arkus Financial Services (« Arkus ») is committed to protecting personal information and to meet continuously regulatory requirements to protect personal and confidential data. Further to the new EU GDPR as defined below Arkus has amended and adopted its privacy procedures in place.

This Privacy Notice informs you about what kind of personal information we collect in the context of the services we provide, how we use, protect and keep this information and which rights you have in relation to your personal information and how you can contact us in case of a query.

## Definition

« Data Subject »: Identified or identifiable natural persons based on the processed information.

« GDPR »: General Data Protection Regulation – (EU) 2016/679 of the European Parliament and of the Council of 27 April 2017 on the protection of natural persons with regard to the processing of personal data on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) which applies from the 25th May 2018.

« Personal Data »: Information of any type regardless of the type of medium, including sound and image, which allows to directly or indirectly determine a natural person's identity. It can be a name, email address, phone number or a photo or social media post etc.

« scope »: This Privacy Notice is applicable to all Personal Data collected by your use of our website, provision of our services and/or marketing and communication activities.

## What Personal Data we collect?

For the provision of our services or in the context of our activities we may need to collect Personal Data such as but not limited to:

- Contact details
- Business contact details (e.g. position, company...)
- Financial and tax-related data
- Technical data (e.g. logs, IP address...)
- Data related to our relationship.

Except if legally required, you have the right to decide if we are allowed to collect Personal Data and what kind of Personal Data. However, please note that in case you decline to communicate us the requested Personal Data we may not be able to provide you with the relevant services.

## How is the Personal Data collected?

The Personal Data may be collected either directly from you or indirectly from other sources because:

- You / your client are/is doing business with Arkus;
- You are using the Website of Arkus (via observation, through Cookies or other tracking technologies -please refer to our Cookie Notice);
- It is publicly available;
- You are applying for an employment.

## What is the purpose of processing Personal Data?

Arkus will process your Personal Data as it is necessary:

- For the provision of our agreements entered or to be entered into with the Data Subject;
- For the fulfillment of our legal obligations
  - to comply with applicable laws and regulations and internal rules;
  - to address requests and communications from competent authorities as required;
- For the purpose of the legitimate interests (the protection of Arkus assets, the understanding of the clients needs and expectations, etc.);
- For the securitization, promotion and development of our Website.

In any other cases, we will only process upon your consent to the processing of your Personal Data.

## To whom are the Personal Data disclosed?

In cases where Arkus has a legitimate interest in processing your Personal Data as described above, we may disclose your Personal Data to:

- Affiliates/branches/subsidiaries located in or outside the European Union under common ownership or control as Arkus having the same level of data protection;
- Third parties that provide services to us (such as printing or archiving providers, security companies etc. solely to the extent necessary);
- Third parties that provide services to you or your employer (such as advisors, business or potential business partners, etc.)
- Competent authorities if required to do so by law, a regulator or during legal proceedings.

Please note that the Personal Data are only transferred to the extent deemed necessary.

The recipients may be located in and outside of the European Union. For those where the applicable laws do not provide the same level of data protection as in the European Union, Arkus will ensure that there are adequate safeguards in place to protect your Personal Data that comply with our obligations.

You can contact us as described below for further details of the transfers described and adequate safeguards.

## How are the Personal Data protected?

Arkus has a range of organizational, physical and technical measures in place to keep the Personal Data protected such as but not limited to training of the staff with regards to the data protection obligations, technical security measures (including firewalls, anti-virus software, encryption of personal data, etc.) and access controls etc.....

However, the transmission of data over the internet can never be completely secured.

## How long are the Personal Data kept?

Arkus will keep your Personal Data:

- As long as it is necessary for the purposes for which it was communicated; or
- As long as it is necessary for the provision of the services; or
- As long as required or permitted by law.

## What are your rights in relation to your Personal Data?

The GDPR regulation gives Data Subjects affected by the processing of their Personal Data the following rights:

- Right of access

Each Data Subject has a right of access to their data held by Arkus.

- Right to revoke consent

The Data Subject has the right to withdraw its consent at any time. The withdrawal of consent does not compromise the lawfulness of the processing for which it was originally given.

- Right to be forgotten / Right to change

The Data Subject has the possibility, as soon as possible, to have incomplete data completed or to have inaccurate data changed.

Data Subjects also have the option of requesting that Arkus delete their data, as soon as possible, when:

- the purpose for processing is omitted;
  - the Data Subject withdraws its consent (and there is no other justification for the processing);
  - the Data Subject objects to the processing;
  - deletion is necessary for compliance with a legal obligation.
- Right to oppose or limit processing
- All Data Subjects may request that the processing of their data be restricted where:
- the Data Subject disputes the accuracy of the data concerning them and requests the suspension of the processing to allow the data controller to check the quality of the data;
  - the Data Subject does not want to have their data deleted but simply wants its use restricted;

- the data is obsolete but is required for the Data Subject to exercise or defend their rights in court.

- Right to data portability

Data Subjects have the right to receive personal data concerning them which they have provided to Arkus, in a structured, commonly used and machine-readable format, and they have the right to send this data to another data controller without the data controller to whom the personal data was communicated obstructing this.

- Right to complain

You have the right to complain the way we handled your Personal Data to the EU Data Protection Authority in your jurisdiction. For Luxembourg it is the *Commission Nationale de Protection des Données (CNPD)*.

## How to contact us?

To exercise your rights or for any other request about our use of your Personal Data, you are invited to send us an email at **info@arkus-fs.com** or in writing at:

Arkus Financial Services, Attention: Executive Management, 6b, route de Trèves, L-2633 Senningerberg, Luxembourg.

In order to allow us to process your request as soon as possible, please provide the following information:

- Your client name
- Your last name
- Your first name
- Your email address
- Your telephone number
- The purpose of your request
- A description of your request

Arkus reserves the right, in the event of a manifestly unfounded or excessive request (repeated request, etc.), to refuse to respond to the request. In case of refusal, Arkus undertakes to indicate the reasons for the refusal and the possibilities for appeal to a higher authority.

## Modification of this privacy notice

Please note that this Privacy Notice will be updated from time to time to comply with applicable laws and regulations. We encourage you to check this Privacy Notice from time to time.