

## Data Privacy Notice – Personal & Business

### How we use Personal Information

This data privacy notice has been drafted to assist us in meeting our obligations under the General Data Protection Regulation (GDPR), which comes into force on 25 May 2018. It sets out your rights under the GDPR, and how we use your personal information. We may update this notice from time to time (including between now and 25 May 2018, when the change in law comes into effect, and subsequently).

This privacy notice replaces the “How we use personal information” brochure referred to in our General Terms and Conditions, and any reference in Clause 8 of our General Terms and Conditions should be read as referring to this privacy notice. You should note that this privacy notice clarifies the legal basis on which we process your personal data, and that notwithstanding Clause 8 of our General Terms and Conditions, we do not rely on your consent for our processing except as described in this privacy notice.

### Who are we and why do we use your personal data?

Danske Bank A/S trading as Danske Bank is a financial institution that offers financial advice and services to its customers. This privacy notice is to let you know how we, and companies within the Danske Bank Group, look after your personal information.

This includes what you tell us about yourself when you interact with us, and what we learn by having you as a customer or as an individual who is connected with a customer, supplier or service provider of ours. You could be a customer, an authorised signatory, a joint account holder, a guarantor, a provider of security, or a third party advisor connected to our customer, an employee, agent, director or other officer of a customer, a person connected with a customer, or of one of our suppliers or service providers.

We are committed to protecting and respecting your privacy, and we will treat your information as confidential at all times, even when you are no longer a customer or we no longer interact with you.

In accordance with GDPR, we may only process your personal information where we have a proper reason for doing so, such as where:

- We are required to do so by applicable laws or regulations, including anti-money laundering legislation;

- You have entered into a contract with us for a financial product or service, to provide that product or service to you and to deal with queries, complaints or suggestions in relation to that product or service;
- It is in our (or a member of the Danske Group's) legitimate interests to do so; or
- You have consented to our processing your personal information.

A legitimate interest is where we have a business or commercial reason to use your information, namely for day to day operational and business purposes, including board and group reporting and management purposes, taking advice from our external legal and other advisors, to prevent or minimise the risk of potential fraud, to prevent abuse of our systems, to prevent financial loss, where we sell, transfer or re-organise the whole or any part of our business, or to strengthen IT and payment security. We may use telephone recordings to train our staff and to maintain the quality of our service.

Where you have a mortgage or loan with us, we are required by banking regulations to report certain information to the Central Bank Central Credit Register (CCR). We are required by the Credit Reporting Act (2013) to report to the CCR on how you repay your loan. We will report any arrears and any failure to repay a loan to the CCR.

We also make certain reports to the Irish Credit Bureau (ICB) database (which will provide a credit history for up to 5 years pre June 2017) to protect our interests, and to promote responsible lending and prudent account management. Your credit rating at the ICB is kept up to date by each of the banks reporting on how you repay your loans. As the ICB is not a regulatory body, reporting of your loan repayment to them is carried out in the legitimate interests of Danske Bank and the ICB.

To learn more about what credit reference agencies do, what information they hold and what your rights are, go to <https://www.centralcreditregister.ie/>.

We only rely on legitimate interest as a reason for processing if in our view our legitimate interest clearly outweighs your interest in not having your personal data processed by us. We must, however, still treat you fairly and consider what is right for you. You have a right to object to any processing we carry out based on our legitimate interests, but we will only be required to stop such processing where we do not have an interest which outweighs yours.

### **What personal data do we collect and process**

Where you are a customer, depending on the type of account you hold with us, we collect and process different kinds of personal data about you, including:

- your core personal data, e.g. your name, address, contact information, PPS number (in certain cases), country of residence and date of birth;

- identification documentation, for example a photocopy of your passport, driving licence, or other documentation required by law;
- your financial information, e.g. your credit rating or history;
- data about your education, profession or work;
- information about your family and other relationships; and
- details about the services and products we provide to you.

Where you are not a customer but are an individual connected with a customer, we will hold your name, contact information and details of your relationship to our customer.

There may be times when the information we hold about you includes sensitive personal data, such as information relating to your health or data revealing your political opinions or trade union membership. We only hold this data when we need to for the purposes of the product or services we provide to you, or where we are legally required or permitted to do so. We will always seek your explicit consent to collecting your sensitive personal data where we do not have an obligation to hold it under Irish law.

Where you have given us your consent, you can withdraw it at any time. Please note that if you withdraw your consent, we might not be able to provide you with specific services or products. We will, however, only seek to rely on consent to process your personal information where we have no other basis for processing it.

You can withdraw your consent at any time by getting in touch with us using the contact details at the end of this notice.

### **Where do we collect your information from**

We hold personal and financial information about you which you have provided to us or which we have collected/received from elsewhere such as:

- information you give us on application forms;
- information we get from how you use your accounts;
- details of who supplies goods and services to you;
- information from other organisations, such as the CCR and ICB and fraud prevention agencies;
- information from people who know you, such as joint account holders and people you are financially linked to; and
- information that other people (such as your advisors) give us during financial reviews and interviews, as well as information we get from analysing your banking transactions.

We want our service to meet your expectations at all times and therefore we need the information we hold about you to be accurate and up to date. Please contact us using the contact details at the end of this notice if there are any changes to your personal information since it was provided to us.

### **Why do we collect your information**

At Danske Bank we store and use your information to manage your accounts and to provide customer advice, customer care, customer administration and credit assessment, as well as in order to comply with statutory obligations.

As well as using your information to manage the products and services we provide to you, we may need to use your data for a number of other reasons. These include the following:

- **Preventing fraud or recovering debt**

We may use your information to prevent fraud and recover debts. We may use credit reference and fraud prevention agencies to help us make credit decisions.

If you provide false or inaccurate information and we find that you have committed fraud, we will pass your details to fraud prevention agencies.

Law enforcement agencies may also access and use this information. We and other organisations may also access and use this information to prevent fraud and money laundering, for example, when:

- checking details on applications for credit and credit related accounts or other facilities;
- managing credit and credit related accounts or facilities;
- recovering debt; and
- checking details of job applicants and employees.

If you want to receive details of the relevant fraud prevention agencies, please contact us using the contact details at the end of this notice.

Before we make a credit decision, we may carry out credit searches using credit reference agencies, as described above.

- **Protecting you**

We may use your information to protect you in the following ways:

- We may record or monitor phone calls to confirm details of our conversations, for your protection; and

- Before we provide any service, we will carry out anti-money laundering checks, which may include searches to confirm your identity.

Using your personal information in this way allows us to comply with our legal obligations.

- **Sharing your information**

There are other circumstances where we need to provide information to other people to help us and you to run your accounts. We do so when it is in your interests as well as ours and/or where we are under a legal or regulatory obligation to do so. We have set out examples of such circumstances below:

- We may provide information about you to someone you nominate or authorise to act on your behalf;
- We must pass your details to our insurers in certain cases in connection with claims made against us, or in relation to claims you may make under insurance previously provided to you in connection with our products and services. Insurers may keep a record, on a register of claims, of information we provide in connection with any claims made under the insurance. Insurers may use this register to prevent fraudulent claims. You can get a list of companies who use the register, and details of the register operator, from the insurers;
- We may exchange information about you with other companies in the Danske Bank Group to assess credit risk, to prevent fraud or manage risk, or to help us run your accounts. We may also share your information within the Danske Bank Group to prepare research and analyse statistics (including analysing risk and credit) so that we can improve our services;
- We will sometimes arrange for service providers, agents and subcontractors, including those from outside the European Economic Area (EEA), to provide services and process your information on our behalf. We will make sure that these service providers, agents and subcontractors have a duty to keep your information confidential and secure, and that they only process your information as set out in a written contract. We have appointed Pepper Finance Corporation (Ireland) DAC as our principal service provider to assist us with administering our products, and it will process your personal data on our behalf and in accordance with our instructions.
- Where we use third parties from outside the EEA, we will ensure that your rights under the GDPR are safeguarded through the appropriate protections, including model clauses where appropriate. You can request further information in relation to transfers outside the EEA by contacting us using the contact details below;
- If we sell, transfer or assign the whole or any part of our business, we will share your personal data with the party acquiring that business;
- To meet our duties to regulators, we may allow authorised people to see our records (which may include information about you) for reporting, compliance and auditing

purposes. For the same reason, we will also hold the information about you when you are no longer a customer;

- We may also share information with certain statutory bodies, e.g. the Deposit Guarantee Scheme, if required by law.
- We disclose personal data to public authorities as required by law, including to an Garda Síochána and Revenue Commissioners under the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 (and any replacement or amendment thereof), to the Revenue Commissioners in accordance with the Taxes Consolidation Act 1997 and other tax legislation, to the Central Bank of Ireland to comply with our obligations under the Credit Reporting Act 2013 and other law and for statistical and other purposes, to the courts, to the Data Protection Commission, to the Financial Services and Pensions Ombudsman, to the Credit Review Office, to the Criminal Assets Bureau, to the National Management Treasury Agency, to the Danish FSA, to US, EU and other designated authorities in connection with combating financial and other serious crime, and to fraud prevention agencies.

### **How long do we keep your information?**

We will keep your personal information during the lifecycle of you being our customer and thereafter for as long as we are required to do so by regulation/law.

We are obliged by law to retain AML related identification as well as transaction records for six years from the end of the specific product/account or the date of the transaction, respectively.

Other information will be retained for no longer than is necessary for the purpose for which it was obtained by us or as required or permitted for legal, regulatory, fraud prevention and legitimate business purposes. In general, we (or our service providers on our behalf) will hold this information for a period of seven years, unless we are obliged to hold it for a longer period under law or applicable regulations.

### **Your Privacy Rights**

You have a number of rights under the Data Protection Laws in relation to the way we process your personal data, which are set out below. We will aim to respond to any request received from you in relation to exercising your rights within one month from your request, although this may be extended in some circumstances in line with the GDPR.

- Insight into your personal data

You are entitled to get insight into the personal data we have relating to you, how we use it and where it comes from. You can obtain information about how long we store your data and who receives data to the extent that we disclose data in Ireland and abroad. Please note, however, that your right of access may be restricted by legislation, by our need to protect another person's privacy or in consideration of our business and practices. Our know-how, business secrets as well as internal assessments and material may also be exempt from the right of insight into your personal data.

You must write to us if you want to see this information at the address listed below. Access to your data will usually be provided free of charge, although in certain circumstances we may make a small charge where we are entitled to do so under the GDPR.

- Right to object

In certain circumstances, you have the right to object to our processing of your personal information including when we rely on our legitimate interest to process your personal information.

- Correction or erasure of Danske Bank's data

If the data we have registered about you is incorrect, incomplete or irrelevant, you are entitled to have the data corrected or erased subject to restrictions in existing legislation and our rights to process data. These rights of correction and erasure are known as the "right to rectification" and "right to erasure" or "right to be forgotten".

- Restriction of use

If you believe that the data we have registered about you is incorrect or if you have objected to the use of the data, you may demand that we restrict the use of the data to storage until the correctness of the data can be verified or until we can check whether our legitimate interests outweigh your interests.

If you are entitled to have your data erased, you may instead request us to restrict the use of the data to storage. We may, however, be entitled to use of the data to assert a legal claim or if you have given your consent to this.

- Withdrawal of consent

If the basis on which we are processing your personal data is the fact that you have consented to us doing so, you can withdraw this consent at any point in time. Please note that if you withdraw your consent, we may not be able to offer you specific services or products. Please note also that we will continue to use your personal data if we have another legal basis or “reason” for holding it e.g. if we are required to do so by law.

- Data portability

If we use data based on your consent or because of an agreement and the data processing is automated, you have the right to receive a copy of the data you have provided in an electronic machine-readable format. You can also ask us to pass your information in this format to another organisation.

If you wish to exercise or get further information in relation to any of these rights, please contact us using the contact details below.

## **Cookies**

You can find out about cookies and how we use them in our cookie policy at:

<https://www.danskebank.ie/en-ie/Personal-and-Business/Pages/Personal-and-Business.aspx>.

## **Contact details**

You are always welcome to contact us if you have any questions about your privacy rights and how we hold and use personal data. We have appointed a Data Protection Officer to advise us about our data protection obligations and to monitor compliance. You can contact the Data Protection Officer by writing to the Data Protection Officer, Danske Bank, 3 Harbourmaster Place, IFSC, Dublin 1.

## **How to complain**

If you are unhappy with how we have handled your personal information and your dialogue with the Data Protection Officer has not led to a satisfactory outcome, you can contact our complaints handling unit by writing to Danske Bank Complaints Team, Danske Bank, 3 Harbourmaster Place, IFSC, Dublin 1.

Danske Bank A/S trading as Danske Bank is authorised by the Danish Financial Services Authority in Denmark and is regulated by the Central Bank of Ireland for conduct of business rules. Danske Bank A/S is a plc registered in Copenhagen, CVR-no. 61126228, at the Danish DCCA. Registered branch in Ireland Company No. 905623 with office at 3 Harbourmaster Place, IFSC, Dublin 1. Registered office in Denmark: 2-12, Holmens Kanal, DK-1092, Copenhagen K, Denmark. Details of all Danske Bank A/S directors can be viewed at its registered offices.



You have the right to complain to the Office of the Data Protection Commissioner, Canal House, Station Road, Portarlinton, R32 AP23 Co. Laois, email: info@dataprotection.ie phone: +353 (0)57 868 4757 or +353 (0)761 104 800.

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