

# PERSONAL DATA PROTECTION POLICY

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LA FINANCIÈRE  
DE L'ÉCHIQUIER

## **PERSONAL DATA PROTECTION POLICY**

Protecting privacy is very important for La Financière de l'Échiquier (hereafter "LFDE") and we take great care to ensure that your personal data (hereafter "personal data") is duly protected.

The protection of personal data is a primary concern for La Banque Postale Group - of which LFDE is an entity - which embraces values of proximity, trust and modernity for the benefit of all its stakeholders. Consequently, the Group commits to meeting the applicable rules regarding the processing of personal data and notably Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data (hereafter "the Regulation").

The attention paid by the Group to the safety of your personal data, as well as its focus on corporate social responsibility and on the safety of its IT systems, are integral to its approach as a "citizen" bank and insurance company.

The purpose of this present Data Protection Policy (hereafter "the Policy") is to inform you (clients, prospects, website users, intermediaries, counterparties, partners or natural persons mandated by professional clients such as directors or corporate officers) on the data processing implemented by LFDE.

This policy applies to all personal data collected and processed under the responsibility of LFDE which operates, in this respect, as the Data Controller. Furthermore, information notices relating to the protection of personal data specific to different products and/or services offered by LFDE can provide more details and supplement this present policy. These can be found in various publication formats.

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### **1. What personal data is processed by LFDE?**

Personal data is any information regarding a natural person meaning he or she can be identified or is identifiable, directly or indirectly. LFDE complies with the principle of data minimisation, meaning that it only processes personal data that is suitable, relevant and limited to what is strictly necessary to achieve the purpose for which it was collected. Through this approach, LFDE also takes great care to ensure your personal data is accurate and up to date.

### **Direct collection of personal data**

Depending on the type of business relationship you have with LFDE (for example, Private Banking clients, partners...), we collect and process data that is essentially obtained directly from yourselves (for example, via client or partner on-boarding questionnaires, KYC documents, or contact documents). These include:

- **Identification data** such as surname, first name, date and place of birth, client on-boarding or Know Your Customer documents, which include copies of your ID card or passport;
- **Contact data** such as your telephone number, postal address with proof of address and your e-mail;
- **Data on your personal life** such as your marital or family status;
- **Data on your professional life** such as your diplomas, current position and professional experience, your investment knowledge and experience, or mandate appointments;
- **Financial data** such as securities statements, financial and wealth situation, or bank account details;
- **Tax data** such as your fiscal country of residence and other tax-related documents or information;
- **Data on your interactions** with LFDE when you use our products or services;
- **Connection data** transferred by your web browser and saved automatically by our server when you access our website. Our Cookies Policy is published on our website and provides more information on our use of cookies.

Furthermore, LFDE may generate new personal data from the data you provide; we may also process data generated following the use of our services. This is the case, for example, when LFDE determines your investor profile or conducts any other assessment, whether mandatory or not, such as the segmentation of our client base in order to offer suitable products.

**Specific personal data categories:** specific personal data categories refer to data that reveals the racial or ethnic origin, political opinions, religious or philosophical opinions, union memberships, or genetic data and biometric data that identifies a natural person as a unique individual, health-related personal data, or data relating to an individual's sexual orientations.

As a matter of principle, we do not collect or process data in any of these specific personal data categories. If for some reason, we had to process data from any of these specific personal data categories, you would be informed, and your prior consent would be required.

#### Indirect collection of personal data

In addition to our direct collection of personal data from yourselves, we may also, when necessary, collect data indirectly from the following sources:

- Publications and databases with access authorised by authorities (for example, Official Journal);
- Files that LFDE must consult, under specific regulatory conditions, in order to provide a number of services (for example, the register of effective beneficiaries);
- LFDE's partners, intermediaries, or service providers;
- Websites containing information that you have published.

In some circumstances, we may also collect information from non-client individuals with whom we have no direct relationship. This may be the case, for example, when your employer provides information that concerns you, or when information is supplied by one of our clients, if you are (for example):

- A legal representative (mandates/delegation of authority) or agent(s);
- A company shareholder;
- The representative of a legal company (which may be a client or service provider);
- Employed by one of our service providers or sales partners.

Generally speaking, the collection of your personal data may be mandatory, notably when the legal basis for the processing is the finalisation or execution of the contract, or compliance with a legal obligation (cf. point 2 infra). Otherwise, the requests and contracts cannot be handled or executed.

## 2. Why and on what legal basis is LFDE processing your personal data?

LFDE handles personal data that is collected and retained for legitimate, pre-defined, and explicit purposes, and shall not process this data subsequently in a manner that would be incompatible with these purposes. The processing implemented by LFDE as Data Controller is based on any one of the legal foundations listed below:

### To execute the contract relating to the products and services to which you have subscribed or wish to subscribe:

The primary reason we process your personal data is to provide you with the products and services you have subscribed to or intend to subscribe to. The data is processed as a necessary condition for the execution of the contract, or for the execution of pre-contractual measures upon your request as a client, if we already have a business relationship, or as a prospect in the absence of a business relationship (pre-contractual measures include the issuance of advice, proposals, simulations).

The processing carried out as part of our client relationship management enable us to:

- Manage our client relationship and deliver solicited products and services in accordance with the contract signed with LFDE;
- Provide you with information on our products and services;
- Offer assistance and respond to your requests.

### To meet our legal and regulatory obligations:

As a portfolio management company, our activity is strictly bound by a complex and stringent regulatory framework. We use your personal data to ensure we comply with the different legal and regulatory obligations that govern our activity, including:

- Banking and financial regulation, based upon which we identify irregular transactions, watch and signal any risks that we may be liable to (including for example, a close watch on market abuse);
- Replies to official requests from duly authorised regulatory or legal authorities;
- Fulfilling our client advisory and support duties, as well as suitability checks;
- The fight against money laundering and the funding of terrorism, the management of international sanctions, embargoes and asset freezing, FATCA-CRS to fight against tax evasion;
- General accounting, billing and balance sheet management duties;
- Managing and handling complaints.

### To meet our legitimate interests:

We have a legitimate right to process your personal data, notably when faced with situations that may pose risks to our activity, such as managing potential lawsuits (to handle our defence), or ensuring the safety of our property, people, infrastructure, and IT systems.

We may also have a legitimate right to send you information by post, telephone or email if the contents are related to products and services similar to those you have already subscribed to - if the publication targets retail clients, and all types of marketing material - if the publication targets professional investors.

Our legitimate interest may also stem from the management of our own activity as a company (reporting, statistics-based assessments and satisfaction surveys, management of people on-site), our client relationships or our auditing and compliance activities.

This data processing is conducted in accordance with your fundamental interests and rights. As such, this involves specific measures and guarantees to ensure a balance is struck between the protection of your interests and the pursuit of our legitimate interests.

### To respect your decision when we asked for your consent for processing specific data:

We may conduct data processing with your prior consent for one or more specific purposes. In these cases, you will be specifically asked whether you consent to the collection and processing of your data for one or more pre-identified purposes.

Therefore, if we wish to send you marketing material by e-mail and that you are a prospect - and have therefore not subscribed to any of our services, we shall obtain your consent prior to sending you our marketing offers.

### 3. Who does LFDE share my personal data with?

To fulfil the purposes listed in point 2, we may have to communicate your personal data to the following:

- **Entities belonging to the La Poste Group and La Banque Postale Group, such as La Banque Postale Asset Management** for statistical studies, or to enable these companies to pool together the resources allocated to the processing tasks mentioned above;
- **Service providers, sub-contractors, agents, account holders, insurance companies or other intermediaries, partners, regulated and legal professionals (solicitors, statutory auditors...)** who carry out duties or work with LFDE;
- **Relevant administrative authorities, regulatory authorities (such as the AMF or ACPR), or legal authorities** or generally, any accredited third-party, in order to meet legal or regulatory requirements applicable to LFDE.

### 4. Can my personal data be transferred outside of the European Union?

For certain activities, your personal data may be transferred to sub-contractors established in a country outside of the European Union. These providers carry out operational duties on behalf of LFDE in accordance with the data processing purposes described above.

In some cases, these sub-contractors may be located in countries that do not require an adequacy decision from the European Commission. Data transfers to these sub-contractors are regulated via standard contractual clauses (SCC) recognised by the European Commission, or by reliance on sub-contractors that have adopted binding rules recognised by European regulatory authorities.

For information on the guarantees aimed at ensuring the protection of your data, or to find out how to obtain this information, you may contact us in writing. Please follow the instructions specified below in points 8 and 9.

### 5. Implementation of specific processing based on distinctive technology

#### Cookies and other tracking technology:

By cookies and other tracking tools, we refer to trackers that are placed and read when consulting a website, reading an email, installing or using software or a mobile application, regardless of the type of

device used. You are informed that when you browse our website, cookies and tracking tools may be installed on your device. For more information, please read our Cookies Policy available on our website.

### **Recorded telephone conversations for purposes of proof:**

LFDE may record telephone conversations that take place between employees and their professional contacts. In order to secure the transactions and investment services provided and ensure compliance with market integrity rules (in the event of litigation, audits on the quality of transactions and investment services either internally or with regard to market authorities), the telephone conversations between our employees and issuers, who transmit trades or provide investment services to existing or potential clients, must be recorded.

The legal basis for processing these recordings, for purposes of proof, regarding trades implemented by LFDE as Data Controller, is a legal obligation to which we are subject (article 6.1.c of GDPR).

The data extracted from phone recordings (identification, professional, technical and financial data) is stored in accordance with legal and regulatory provisions to which LFDE is subject. As such, the data is held for up to 5 years (this may be extended if requested by a market authority) from the date of recording.

### **Video surveillance:**

LFDE's offices located 53 avenue d'Iéna 75116 Paris France are under video surveillance to ensure the safety of our personnel and belongings. The legal basis for processing is the company's legitimate interest (cf. Article 6.1.f of GRPD). Notices inform the public and the staff that security cameras are being used.

The personal data collected and processed are images taken from the security camera system. The recorded footage is only viewed when required (intrusion or theft...) by personnel authorised by LFDE; in the event of an incident, it is viewed by the empowered public authorities.

Furthermore, personnel employed by the external service providers mandated by LFDE, notably those responsible for security, systems maintenance, or video surveillance, may be authorised to access these images.

The footage is held for a period of one month. In the event of an incident affecting the safety of individuals or property, security camera footage may be extracted from the system. These images are stored on another medium while the incident is handled and resolved and may only be accessed by authorised personnel.

## **6. How long does LFDE retain my data?**

We will retain your personal information for the period necessary to fulfil the purposes of processing and depending on the products and services you have subscribed to. When personal data is collected to fulfil multiple purposes, it will be held until the end of the longest retention period.

Some of the personal data may be retained for longer periods in accordance with specific legal or regulatory provisions, or at the request of market authorities or authorised third parties.

The main retention periods applied by LFDE are the following:

- With regard to the fight against money laundering and the funding of terrorism, the retention period applicable to documents and information referring to your personal identify and financial circumstances is five (5) years from the end of our business relationship.
- The retention period for accounting documents and supporting documents is ten (10) years from the transaction day.
- In accordance with the limitation period applied to common law in civil and commercial matters, the retention period is five (5) years from the end of the contractual relationship with LFDE.
- Regarding prospecting and marketing activities, the retention period is three (3) years from the end of the business relationship for clients, and three (3) years from the latest contact for prospects.
- The recordings of video footage from security cameras are held for one (1) month.

These periods may change if required to ensure compliance with legal and regulatory provisions. At the end of these retention periods, the data is either destroyed by LFDE in compliance with our internal policy or held in anonymous form for statistical purposes.

## 7. How does LFDE protect my personal data?

In accordance with applicable regulation, LFDE commits to implementing appropriate technical and organisational measures to guarantee that your personal data is held with a level of safety that is appropriate and proportionate to the potential risk. These measures (ex: data silos, anonymization, encryption, access restrictions...) aim to safeguard the confidentiality, integrity, availability and resilience of your personal data.

LFDE commits to implementing all necessary measures to resume data availability and allow you to access your personal data within a suitable time frame in the event of a physical or technical incident. To do so, we carry out regular security assessments. These assessments take into account the risk of destruction, loss, alteration, access and unauthorised disclosure of your personal data.

As Data Controller and in accordance with regulation, LFDE will notify any personal data breaches to the relevant supervisory authority, the “Commission Nationale de l’Informatique et des Libertés” (CNIL) without undue delay, and at the latest within seventy-two (72) hours after having become aware of a breach that could pose a risk to your rights and freedoms. If the data breach poses a high risk to your rights and freedoms, you will all also be informed with undue delay.

## 8. What are my rights and how can these be exercised?

In accordance with regulation and as long as your claim is eligible, you may exercise your rights by contacting LFDE as Data Controller. These rights are the following:

- **Right of access:** you may ask the Data Controller if the entity is in possession of any of your personal data, and if so, request a copy. Where applicable, the data will be sent to you in a comprehensible format and in accordance with your request, within the limits of the technical means available.
- **Right to rectification:** you have the right to rectify, complete, update, erase data that is incomplete, inaccurate or obsolete.
- **Right to object:** you may object to the processing of personal data concerning yourself “on grounds relating to your particular situation”. When the data is processed for marketing purposes, the data subject has a right to object to this processing without providing any reasons. We shall cease all processing of your personal data unless there are compelling legitimate reasons that override the rights and freedoms of the data subject, including the establishment, exercise or defence of legal claims. We shall also continue to use your personal data when required to by law, or to meet a contractual obligation.

- **Right to erasure:** you may request that we erase your personal data, unless LFDE still needs the personal data for the purpose for which they were collected, for the establishment, exercise or defence of a legal claim, or if we must ensure compliance with a legal obligation to which we are subject.
- **Right to restriction of the processing:** you may request a restriction of the processing of your personal data, notably if you dispute the accuracy of the data used or if you object to the processing of your data.
- **Right to data portability:** you may obtain the personal data you have provided from LFDE, if the processing is based on consent or a contract, in order to transmit the data to a different data controller.
- **Right to withdraw your consent:** you may withdraw your consent at any time if this had been granted previously. The withdrawal of consent does not call into question the legality of any data processing conducted with the consent of the subject prior to the withdrawal.

*To exercise your rights with LFDE, please write to the following address:*

**LFDE**  
**53 avenue d'Iéna**  
**75116 Paris, France**

*To exercise your rights with LFDE, please send an e-mail to the following address:*

**contact\_rgpd@lfde.com**

All requests must include your surname, first name, address at which you wish to receive the reply, and a copy of your proof of identity (both sides). We shall respond to your request as early as possible and in any event, within the applicable legal time frame.

You may lodge a complaint with the "Commission Nationale Informatique et Libertés" (CNIL) by writing to the following address:

*To lodge a complaint with the CNIL ([www.cnil.fr](http://www.cnil.fr)), please write to the following address:*

**CNIL**  
**3 Place de Fontenoy**  
**75 116 PARIS, France**

No fees are applied when you exercise your rights. Nevertheless, in the event of clearly unfounded or excessive requests, notably due to their repetitive nature, we may charge reasonable fees to account for the administrative cost of providing this information, transferring the data, or taking the measures requested. We may also refuse to handle your request.

Finally, you may register free of charge with the BLOCTEL service, which blocks unsolicited cold calling, on [www.bloctel.gouv.fr](http://www.bloctel.gouv.fr). Any consumer registered with this service cannot be contacted by telephone by a professional, unless the call concerns the execution of an on-going contract and has a direct link with the purpose of the contract, including when this entails offering the consumer products or services that are related or complementary to this contract, or designed to improve its performances or quality. In this case, LFDE may use the telephone numbers provided by the client to offer products and services, unless the latter has exercised his or right to object.

## 9. How can I contact the Data Protection Officer?



The appointment of a Data Protection Officer reflects the importance paid by LFDE and La Banque Postale Group to the protection of personal data. For any further information on the details of this policy, you may contact the Data Protection Officer at the following address:

*La Banque Postale- Data Protection Officer  
115 rue de Sèvres 75275 Paris cedex 06, France*

## 10 How will I be informed of any changes made to the Data Protection Policy?

To keep up with rapid technological change, we shall update this policy on a regular basis. We recommend that you read the latest version of this document on our website and will keep you informed of any material change via our website or standard communication channels.