

APS Bank plc Data Privacy Policy

APS Bank plc
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Company Registration No. C2192
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Website: www.apsbank.com.mt

APS Bank plc (the controller) is a public liability company having company registration number C2192 and its registered office at APS Centre, Tower Street, Birkirkara, BKR 4012.

Where you hold investment schemes, APS Funds Sicav p.l.c having company registration number SV 78 and its registered office at APS Centre, Tower Street, Birkirkara, BKR 4012 will also be a data controller.

This privacy policy applies to personal information held by APS Bank plc and explains how personal information is collected, used and disclosed by APS Bank and its subsidiaries (collectively, 'APS Bank', 'we', 'our' or 'us').

APS Bank is committed to respecting the privacy of your personal information. This policy describes the information we process to support the provision of our products and services.

This privacy policy covers any personal or commercial products or services you have with us such as savings, current, term deposits and other bank accounts, loans and overdrafts, investments and debit cards.

I. Definition of personal data

Personal data means any information that identifies you as an individual or that relates to an identifiable individual.

Whenever it is not possible or feasible for us to make use of anonymous and/or anonymised data (in a manner that does not identify any Users of the Site or customers of our services), we are nevertheless committed to protecting your privacy and the security of Your Personal Data at all times.

We collect Personal Data in various ways both digitally via the Site (either when you choose to provide us with certain data or in some cases, automatically or from third parties) as well as non-digitally (for example when you fill in a physical form to benefit from one or more of our services).

II. Information we collect

The personal information we collect depends on the products/services you are interested in. Such information may include current and historical information about you including:

- Core personal data e.g. name, contact information, gender, date and place of birth, identification documents (photo ID, passport, national ID card);
- Data about your education, profession or work;
- Details of your family members and other relationships;
- Financial information e.g. your credit rating or history and information provided for investment purposes;
- Other regulatory requirements e.g. country of taxation or foreign tax payer reference and anti-money laundering requirements;
- Market research e.g. information obtained from surveys and focus groups;
- Special categories of data concerning health and marital status required for insurance and loan products which may be passed on to third party companies for processing of such products and services;
- Other information including user login and registration data e.g. login credentials for internet and mobile banking applications and any other information provided during our interaction with whether face-to-face, online, by phone, email or otherwise

The collection of your personal information can occur during our customer due diligence process, at account opening stage or in response to additional information on a particular product/service in line with relevant laws and regulations. If you do not provide us with the personal information required we may not be able to process or assess your application to provide you with our products and services.

Personal information is in most instances collected directly from you. You are responsible for making sure the information you give us is accurate and up to date and inform us of any changes as soon as possible.

We may also collect information about you from publicly available sources such as, but not limited to information from credit rating agencies, the Central credit register maintained by the Central Bank of Malta and other databases provided by third party providers. We may use this information to keep your data up to date and to verify information we collect. Moreover, this information may be used to comply with our legal obligation including amongst others the prevention and detection of financial crime.

III. The purpose of handling your personal information

APS Bank will only process the personal information collected from you or from external sources when we have a lawful basis to process your personal information, in line with the EU General Data Protection Regulation ('GDPR'). We will process your personal information for the following purposes and lawful reasons:



- When we need to process your personal information to enter into or administer a contractual agreement we have with you - to provide you with the appropriate products and services, administer your accounts, process your transactions and instructions, provide you with online internet and mobile banking applications and communicate our policies and terms;
- When we need to process your personal information to comply with our legal obligations - to monitor the use of your accounts and services, carry out customer due diligence and screening in line with our legal obligations including the prevention or detection of financial crime and for audit purposes;
- When processing of your personal information is necessary for the performance of a task carried out in the public interest such as the prevention and detection of financial crime.
- When we have your consent to process your personal information for a specific purpose - we will ask for your consent to send you direct marketing material if you are not an existing customer of APS Bank

When we need to pursue our legitimate interest:

- in the defence and protection of our legal rights and interests;
- to manage our relationship with you and for product and business development to improve our product range and customer offerings;
- to provide you with information on our products and services we think may be relevant for you (unless you tell us otherwise);
- to undertake risk management;
- for customer profiling and data analytical purposes

We use various measures to keep your information safe and secure and require our staff to protect information and apply appropriate safeguards for the use and transfer of information.

Minors

The Site and Our services are not intended to be used by any persons under the age of eighteen (18) and therefore we will never intentionally collect any Personal Data from such persons. If you are under the age of consent, please consult and get your parent's or legal guardian's permission to use the Site and to use our services.

We shall consider that any Personal Data of persons under the age of eighteen (18) received by us, shall be sent with the proper authority and that the sender can demonstrate such authority at any time, upon our request.

Marketing and market research

Personal data is processed in the context of marketing, product and customer analysis. This processing forms the basis for marketing, product and business development to improve our product range and customer offerings. For this purpose we may contact you



via email or telephone to participate in online surveys and focus groups. We may also use your personal data to send you personal material and notifications by post, email, telephone, text messages and via the Bank's internet and mobile banking facilities.

If you do not want to receive any marketing communication and participate in market research you can opt out by contacting us on dataprotectionofficer@apsbank.com.mt or by filling in the marketing opt-out form available at our branches.

IV. Disclosing your personal information

We may share your personal information with others where lawful to do so in the following instances:

- During the provision of products and services and to fulfil our contractual obligations we may share your personal information with other companies to provide you with the products or services you require such as for insurance products/services, to transfer funds to/from your beneficiaries/originators, joint account holders, attorneys appointed through a power of attorney, fund managers, custodians and administrators, curators or executors, trustees, intermediaries, correspondent/agent banks, payment service providers, clearing houses, clearing or settlement systems;
- With our subsidiaries who assist us in the provision of your products and services;
- With any counterparties with respect to guarantees issued on your behalf;
- With other financial institutions and other third parties who have a security over any of your assets pledged in our favour;
- To correspond with lawyers, architects, surveyors and other third parties as required during the administration of accounts;
- With regulators, auditors, law courts, Central Bank of Malta, credit rating and fraud prevention agencies and other authorities as required for us to comply with our legal obligations and for reporting, compliance, auditing purposes;
- With third party marketing and printing companies for the purpose of carrying out surveys or printing promotional material on our behalf;
- Other parties in connection with litigation or asserting or defending legal rights and interests;
- With IT service providers who are contracted by us to carry out technical, support and maintenance on the data stored on our systems.

When sharing your personal information we will always ensure that we respect relevant banking secrecy obligations.

Transferring your personal information outside the European Economic Area ('EEA')

For the purpose of providing you with our products or services, to fulfil our legal obligations, to protect the public interest or for our legitimate interest we may be required to transfer your personal information to so called third countries i.e. countries outside the EEA. Such transfers can be made if any of the following conditions apply:



- (i) the EU Commission has determined that there is an adequate level of protection in the country in question; or
- (ii) other appropriate safeguards have been taken such as the use of standard contractual clauses approved by the EU Commission or the data processor has valid binding corporate rules in place, or
- (iii) in exceptional circumstances such as to fulfil a contract with you or subject to your consent to a specific transfer

V. Retaining your personal data

We will retain your personal information for as long as required for the purposes for which your data was collected and processed or required by laws and regulations. This means that we will keep your data in line with our retention policies which take into account are business, administrative, legal and other regulatory retention requirements.

VI. Your privacy rights

You as a data subject have rights in respect of personal data we hold on you. These rights include:

- Accessing personal information APS Bank holds about you and the information related to its processing;
- Requesting the rectification of data if it is incomplete or inaccurate;
- Requesting the erasure of data unless we are required to retain such data;
- Requesting the withdrawal of your consent for a specific processing activity;
- Receiving in a structured, widely-used format, the personal information related to you which you have provided to APS Bank and transfer them to another controller where technically possible (data portability);
- Objecting or restricting the processing of personal data in instances such as marketing and profiling;

All of the above requests may be forwarded, if applicable to third party processors involved in the processing of your personal data as previously listed.

You can exercise the above rights through a written communication as per details provided in Section VIII 'Contacting us or the Data Protection Authority'.

You may also file a claim with the Information and Data Protection Commissioner's Office (<https://idpc.org.mt>) or to the respective data protection regulator in your country particularly when you consider that the exercise of your rights has not been achieved satisfactorily.

VII. Automated decision making

If You are a prospective client or an existing client trying to apply for a loan with Us, You may be subject to decision making taken solely by automated means, including profiling



(at least at the first stage). The credit scoring program automatically generates a set of questions based on the number of clients/non-clients involved and the chosen product. If you are a client, some questions will be populated from our internal systems resulting from data given by You, internally or from third parties.

If you're a non-client, the information is given directly by You and further information is retrieved from third parties. According to the answers which are populated in the system, the score shall be automatically calculated (each answer tallies with a pre-determined score) and a result shall be determined according to the sum of the answers inputted.

According to predetermined score levels, You can either be rejected or accepted or, if the result is neither an acceptance or rejection, your request will be manually assessed by one of the Bank's representatives for an acceptance or rejection. A number of factors may lead to the rejection of your application, including but not limited to high commitments and lack of propensity to save. The credit scoring methods used are regularly tested to ensure that they remain fair, effective and unbiased. This is done by means of regular quality assurance checks and algorithmic auditing, amongst other methods.

Should Your loan application be rejected, You may have the right to contact the Bank for Your application to be reconsidered by means of human intervention by approaching the relevant Branch.

Since such processing solely by automated means is necessary for You to enter into a contract with Us (if for example, Your credit score is acceptable to Us), We will process Your Personal Data in this manner on the basis of Our Contractual Necessity without needing Your consent (as per Article 22 of the GDPR).

VIII. Cookies and other tracking technologies

We collect information about your usage and activity on our sites using certain technologies such as cookies and other technologies to provide a secure online environment and provide a better online experience, track our website performance and make our website content more relevant to you.

For further and more detailed information on how we use cookies and how you may disable such contacts please refer to our cookies policy located on our website.

IX. Changes to the Privacy Policy

The Privacy Policy may be updated from time to time. Please review the Privacy Policy available on our website to stay updated on any changes.

X. Contacting us or the Data Protection Authority

If you have any questions or concerns regarding our privacy policy you can contact our Data Protection Officer by sending an email to dataprotectionofficer@apsbank.com.mt or a letter to the Data Protection Officer, APS Bank plc, APS Centre, Tower street, Birkirkara BKR 4012, Malta.

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Approved and Issued by APS Bank plc, APS Centre, Tower Street, Birkirkara 4012. APS Bank is licensed to undertake the business of Banking and to conduct Investment Services business by the Malta Financial Services Authority and is enrolled in the Tied Insurance Intermediaries List under the Insurance Intermediaries Act 2006.

You can also lodge a complaint or contact the Data Protection Authority in any of the countries where we provide services or products to you.

Name & Surname

Signature

ID card