

# Client Data Protection Notice

*Public / Without Personal Data*

Nomura values the personal information entrusted to us. This Client Data Protection Notice sets out, in accordance with the EU General Data Protection Regulation 2016/679 (the "General Data Protection Regulation"), applicable from 25 May 2018, and any other local laws or regulations relating to data protection, the basis on which we will process any personal information collected from you or that you provide to us via email, via our websites or by other means.

As used throughout this Client Data Protection Notice:

- the terms "the Company", "Nomura", "we" "us" or "our" refer to Nomura Bank (Luxembourg) S.A. and/or its subsidiaries in Luxembourg, including Global Funds Management SA;
- the terms "the Client" or "you" refer to each customer, holding a bank account with the Company or, more generally, having a business relationship with the Company.

Terms defined in the General Data Protection Regulation shall have the same meanings when used in this Client Data Protection Notice.

## 1. The role of Nomura

The Company acts as data controller while managing the business relationship with the Client. The Company or another Nomura company processes the Client's personal data in accordance with its Nomura Group Privacy Policy, which can be viewed at <http://www.nomuraholdings.com/policy/privacy.html>.

## 2. Processing of your personal data

The Client is informed that:

- (a) The Company may, in connection with these Client Data Protection Notice or any investments or transactions entered into by the Company with the Client or for the Client, process personal data about the Client (if the Client is an individual), the Client's employees and other individuals whose details the Client or a person acting on the Client's behalf provide to the Company, including but not limited to contact details of individuals (such as telephone numbers and e-mail addresses) and personal identifiers, such as copies of identification documents ("Client Personal Data") as described in sub-clauses 3 and 4;
- (b) The Client shall provide to the Company all relevant personal data required by the Company for the purpose of the Company's compliance with any anti-money laundering laws, such as passport details for know your client ("KYC") and anti-money laundering checks from time to time. Failure to provide this personal data could mean that the Company is unable to provide or to continue to provide services to the Client until such time as all relevant checks are completed; and
- (c) For the purposes of completing all relevant KYC and customer due diligence checks, the Company may obtain Client Personal Data from various sources (including publicly available sources) which may be included in the information the Company holds about the Client (or relevant employees).

### 3. Purposes for processing of your personal data

The Company or another Nomura company may process the Client Personal Data for the following purposes:

- (a) For the provision of the services to the Client and the administration, operation and development of the Client's accounts, investments and transactions by staff from across the Nomura group acting on behalf of the Company;
- (b) For the management of the Client's wider relationship with the Company and any entity of Nomura group;
- (c) For the prevention of money laundering or terrorist financing in accordance with the anti-money laundering laws and the conduct of all relevant customer due diligence or enhanced due diligence required by such regulations from time to time;
- (d) For other credit control, fraud prevention and legal, tax or regulatory compliance purposes, including (without limitation) any KYC or other background checks carried out in relation to the Client or a person connected to the Client; and
- (e) To provide further information to the Client in relation to the business or activities of the Nomura group from time to time.

In accordance with the General Data Protection Regulation, the Company confirms that it will process the Client Personal Data on the basis of either taking steps to enter into a contract or for the performance of a contract or for compliance with legal or regulatory obligations or for the Nomura group's legitimate interests in providing services to the Client as the Company's client (including for the purposes of the prevention of fraud) and such other grounds for processing that apply to the Company's use of the Client Data from time to time.

### 4. Sharing and transfer of your personal data

The Company may share the Client Personal Data with any entity within the Nomura group and service providers acting on the Company's behalf in order to provide the services to the Client (including where required for the purpose of the Nomura group's internal business management systems and internal controls) and where required, to regulators, governmental agencies, credit reference agencies and other organisations that help the Company and others to make credit decisions and reduce the incidence of fraud, but only to the extent reasonably required for the purposes set out in sub-clause 3.

The processing referred to in this Client Data Protection Notice may include transfers of Client Personal Data to countries outside the European Economic Area, which do not have data protection laws as strict as those in the Grand Duchy of Luxembourg. Where this is the case, we will put appropriate safeguards in place to protect the transferred Client Personal Data in accordance with the General Data Protection Regulation, including the use of standard contractual clauses or such other methods as the Company considers appropriate for such transfers.

### 5. Your duties and rights

The Client shall:

- (a) Ensure that, before the Client or a person acting on the Client's behalf provide the Company with Client Personal Data relating to any individual, that individual has been given the information set out in this Client Data Protection Notice and informed that they have rights of access to, and correction or restriction of, their information, or to request that the Company erase their information or that the Company do not use their information to send to the Client marketing materials, which the Client may exercise by contacting the Company in writing;

- (b) Ensure that such information as is set out in sub-clause (a) above is provided to all those individuals whose information has already been provided to the Company for the purpose of any client relationship the Company has had with the Client under previous general terms and conditions or other applicable contractual documentation;
- (c) Provide the Company with such information as is necessary to keep the Client Personal Data accurate and up to date;
- (d) Immediately notify the Company of any notice of non-compliance with applicable data protection law which the Client receives and which may be relevant to the Company's processing of the Client Personal Data;

## **6. Contact and other information**

If the Client has any concerns around the use of the Client Personal Data as provided in this Client Data Protection Notice Contact, it shall contact its usual contact at the Company, who is the Data Privacy Manager on [Dept\\_Data-Privacy-lu@lu.nomura.com](mailto:Dept_Data-Privacy-lu@lu.nomura.com).

The Client has the right to lodge a complaint with the Company in relation to our use of Client Personal Data in accordance with the Customer Complaints Procedure or with the relevant supervisory authority under the General Data Protection Regulation 2016/679 which is the National Commission for the Data Protection in the Grand-Duchy of Luxembourg.

The Company shall hold the Client Personal Data for such period as the Client is a client of the Company or Nomura group and/or for as long as is necessary for the relevant processing activity and otherwise in accordance with all relevant statutory or other regulatory requirements, including the General Data Protection Regulation and in the case of information provided under the anti-money laundering laws for such period specified from time to time in that Directive and applicable Regulations.

**Dated: May 2018**