

Fair Processing Notice regarding the collection of personal data

I. Introduction

This Fair Processing Notice is made available by the National Bank of Fujairah PJSC (hereinafter **“the Bank”**) to its (prospective) clients located in the European Union (hereinafter each such client is referred to as **“the Company”**) and the natural persons owning, representing or employed by the Company (**“you”**).

In the context of its activities as a financial institution and financial services provider, the Bank collects, holds, discloses and/or otherwise processes personal data (meaning any type of information relating to identified or identifiable individuals). You or the Company have also been requested to provide certain personal data of yourself and/or the Company’s representatives to the Bank in connection with an application for financial services.

The Bank values the right to privacy and strives to protect the personal data it collects and uses in accordance with applicable data protection legislation and more specifically with the EU General Data Protection Regulation 2016/679 (**“GDPR”**) and relevant national legislation. In this Fair Processing Notice, the Bank will therefore elaborate on the collection, processing, and usage of your personal data (collectively referred to as **“processing”**), on the purposes for which these data are used, the parties having access to these data, the legal rights of the individuals concerned, etc.

From time to time, the Bank will need to amend or update this document. In such case, the Company and/or you will be notified hereof in an appropriate manner. The most recent version of this Fair Processing Notice is always available on the website www.nbf.ae/en/tools-and-support/customer-support/downloads

II. Name and address of the Data Controller and its European representative

In accordance with the GDPR and other national data protection laws of the EU member states, as well as other data protection regulations, please find below the contact details of the Bank as “Data Controller” for the processing activities listed in this Fair Processing Notice:

National Bank of Fujairah PJSC
Hamad Bin Abdulla Street
P.O. Box 887
Fujairah, United Arab Emirates

The Bank’s European representative and your primary contact person for data protection matters in the EU is:

NBF Antwerp Representative Office
Mariana Lupascu
Senior Manager Compliance
Schupstraat 15,
2018 Antwerp, Belgium
Phone: +32 3 202 86 82

E-mail: mariana.lupascu@nbf.ae

III. Types of personal data processed and purposes of the processing

The Bank processes the following types of personal data for the following purposes:

Purpose	Types of personal data processed for this purpose
(1) proper identification of authorized operators of Bank accounts and facilities	<ul style="list-style-type: none">- full name- address- personal characteristics such as birth date- function/title and relationship with the customer of the Bank- contact details such as e-mail address or telephone number-copy of ID Card or Passport
(2) proper identification of significant beneficial owners or controllers of legal entities that are customers of the Bank	<ul style="list-style-type: none">- full name- address- personal characteristics such as birth date- function/title and relationship with the customer of the Bank- copy of ID card or Passport- contact details such as e-mail address or telephone number
(3) fulfilling the legal obligations of the Bank pursuant to Anti Money Laundering and Counter Terrorism Financing legislation applicable in the United Arab Emirates	<ul style="list-style-type: none">- full name- address- personal characteristics such as birth date- function/title and relationship with the customer of the Bank- copy of ID card or passport- political affiliation only in the event that you are identified as a 'Politically Exposed Person'. We do not ask you for information regarding your political affiliation.- criminal convictions only in the event that you are included on registers maintained for AML and CTF purposes as having relevant convictions. We do not ask you to disclose criminal convictions.- contact details such as e-mail address or telephone number
(4) assessment of credit worthiness of the owners of a company where credit support from the owners is required in order to make the financial services available to the company	<ul style="list-style-type: none">- full name- address- personal characteristics such as birth date- function/title and relationship with the customer of the Bank- copy of ID card or passport- details of financial position- details of assets and their values- contact details such as e-mail address or telephone number
(5) contract administration, accounting and follow-up of payments	<ul style="list-style-type: none">- full name- address

	- contact details such as e-mail address or telephone number
(6) management of disputes, claims and legal proceedings	- full name - address - contact details such as e-mail address or telephone number

Except as disclosed above, the Bank does not collect, process or use “sensitive” personal data within the meaning of the GDPR (health related information, biometric data, religious or political data, etc.).

These purposes are fundamental to the provision of financial services to the Company and you confirm and acknowledge that:

- (a) you are aware of the request for financial services from the Company,
- (b) you have agreed to the request for the provision of financial services,
- (c) you are aware of the fact that this entails the collection of certain personal data (as described above) by the Bank, and
- (c) failure to provide complete and accurate details will result in the request for financial services being refused.

IV. Legal basis for the processing of personal data

Art. 6(1)(b) GDPR is the legal basis for processing your personal data insofar as it relates to taking steps prior to entry into a contractual relationship with the Company and to the further management of the contractual relationship (including client administration and accounting).

Insofar as the processing is necessary to ensure a rightful interest of the Bank or a third party and if the freedoms, rights and interests of the affected person do not override this rightful interest, Art. 6(1)(f) GDPR is the legal basis for the processing (e.g. for the data needed for the management of disputes, claims and legal proceedings). The legitimate interests of the Bank moreover include its obligations as a financial institution to assist the public authorities in the fight against terrorism and the prevention of money laundering. In this respect, the Bank is required to collect and process certain personal data (as listed above) to comply with anti-money laundering legislation in the United Arab Emirates. In order to limit any interference with the rights and freedoms of data subjects, this data processing only includes limited and strictly necessary information, in accordance with the standard practices in the financial services industry, and is very similar to the processing undertaken by Belgian banks having to comply with equivalent Belgian anti-money laundering legislation.

Only insofar as the Bank’s legitimate interests would not suffice for the purpose of compliance with the anti-money laundering legislation of the United Arab Emirates, the explicit consent of the data subjects is sought as ‘secondary’ legal ground. A consent form will be submitted to you for this purpose. You are free to sign such form.

V. Storage Period

Your personal data will not be stored for longer than is necessary in relation to the purposes for which we process them (see above). More specifically, the personal data collected will

be deleted upon expiry of the minimum period provided by law, which is defined as 7 years after the financial services relationship with the Company has ended.

However, when we are legally obliged to, or where this is necessary for defending our interests in the context of judicial proceedings (e.g. in case of a dispute), we will store the personal data for longer periods, as required.

VI. Rights of the data subject

Under the GDPR (articles 15-22) and under certain conditions, you have the following legal rights:

1. Right to information and access

You may at any time request more information on our data processing activities and the personal data that we are keeping from you. You may also request access to, and a copy of such data.

2. Right to rectification

You have the right to rectification and/or completion if your processed personal data is incomplete or incorrect. The Bank will rectify and/or complete the personal data without undue delay.

3. Right to deletion of your personal data ('right to be forgotten')

You may request the Bank to delete (part of) your personal data in the following situations:

- when the processing is no longer necessary for achieving the purposes for which they we collected or otherwise processed ;
- when the processing was based on your consent and you have decided to withdraw that consent;
- when you have other reasonable grounds to object to the processing of your personal data;
- when we would unlawfully process your personal data; or
- when your personal data must be erased in compliance with a legal obligation directed to us.

We note that in some cases, we may refuse to delete your personal data, e.g. for exercising the right of freedom of expression and information, for compliance with a legal obligation to which the Bank is subjected, or for when the Bank needs to keep the data for the establishment, exercise or defense of legal claims.

4. Right to restriction of the processing

You may request us to (temporarily) restrict the processing of your personal data in the following situations:

- when you have contested the accuracy of your personal data, for a period enabling us to verify this accuracy;
- when the processing appears to be unlawful and you request us to restrict the use of your data instead of the deletion of this data;

- when we no longer need the personal data for the purposes of the processing, but you need them for the establishment, exercise or defence of legal claims; or
- pending verification whether our legitimate grounds override yours in the framework of an objection.

5. Right to object to the processing of your personal data

You may under certain circumstances object to the processing of your personal data, when such processing is based on our “legitimate interests”. If we agree, we will no longer process your personal data, unless we have compelling legitimate grounds to do so, or because such a processing is necessary. Where we process your personal data for direct marketing purposes, you may at any time object to the processing thereof or withdraw your consent thereto. You also have the right not to be subject to profiling for direct marketing purposes or to automated-decision making.

6. Right to data portability

In some cases, you have the right to receive all your personal data in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller. This right applies:

- in case the processing is based on consent or on the necessity for the performance of a contract; and
- in case the processing is carried out by automated means.

7. Right to lodge a complaint with the supervisory authority

You have the right to complain to your supervisory authority, especially in the member state where you reside, work, or where the alleged breach or GDPR violation has taken place. The supervisory authority informs the complainant about the status and results of the complaint, including the possibility of a judicial remedy.

More information on your legal rights can be found on the website of the Belgian Data Protection Authority (<https://www.gegevensbeschermingsautoriteit.be/de-verschillende-rechten> / <https://www.autoriteprotectiondonnees.be/les-differents-droits>). In principle you may exercise these rights free of charge. Only where requests are manifestly unfounded or excessive, we may decide to charge a reasonable fee.

We always aim to respond to your query as quickly as possible. We may also request a proof of identity in advance in order to double-check your request.

VII. Security

The Bank has taken reasonable technical and organisational measures to protect your personal data against loss, change, theft or unauthorised access by third parties and to ensure a level of security appropriate to the specific risks that we have identified.

Further, we seek to ensure that we keep your personal data accurate and up to date. In view thereof, we kindly request you to inform us of any changes to your personal data (such as a change in your contact details).

More information on our IT security practices and policies is available upon request.

VIII. Place of Processing and (international) transfers of personal data

As the Bank is established in the United Arab Emirates, your personal data will necessarily be processed in the United Arab Emirates.

You will be requested to sign a consent form, whereby you acknowledge and consent to the transfer of your personal data to the United Arab Emirates, while knowing and acknowledging that the legal protection of personal data in such country is not deemed adequate by the European Commission and may entail confidentiality and security risks.

IX. Contact

If you have any questions, comments or complaints in relation to this Fair Processing Notice or the processing of your personal data by the Bank, please feel free to contact the Bank or its European representative via the contact details provided above.