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PRIVACY NOTICE

## Introduction

This Privacy Notice explains what information we gather about you, what we use that information for and who we give that information to. It also sets out your rights concerning your information and who you can contact for more information or queries. Click on the links below to take you to the more detailed sections of this statement:

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### **a. Who does this Privacy Notice apply to and what does it cover?**

This Privacy Notice is to let you know how MDB Group Limited and its subsidiaries, whether direct or indirect, (including MeDirect Bank (Malta) plc and Charts Investment Management Service Limited, but excluding MeDirect Bank SA<sup>1</sup>), hereinafter referred to as the MeDirect Group, promise to look after your personal information. This includes what you tell us about yourself, what we learn by having you as a customer, and your preferences about the marketing material you would like us to send you. This notice explains how we do this and tells you about your privacy rights and how the law protects you. We are committed to protecting your privacy and handling your information in an open and transparent manner.

This Privacy Notice sets out how we will collect, handle, store and protect information about you when:

- Providing services to you;
- You use "our Website" or
- Performing any other activities that form part of the operations of our business.

When we refer to "our Website" or "this Website" in this policy we mean the specific webpages of:

- MeDirect Bank (Malta) plc - <https://www.medirect.com.mt/>; and
- Charts Investment Management Services Limited - <https://www.charts.com.mt/>

When we refer to "we" or "us" this refers to any company forming part of the MeDirect Group.

This Privacy Notice also contains information about when we share your personal data with other third parties (for example, our service providers).

In this Privacy Notice, your information is sometimes called "personal data" or "personal information". We may also sometimes collectively refer to handling, collecting, protecting and storing your personal information as "processing" such personal information.

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<sup>1</sup> To refer to MeDirect Bank SA's privacy notice please visit the Bank's webpage at <https://www.medirect.be>

## b. What information do we collect?

We use many different kinds of personal information and group them as follows:

Type of personal information	Description
Financial	Your financial position, status and history. The products you hold with us, your risk appetite, your investment objectives, your investment horizon and your net worth.
Contact	Where you live, your telephone number, email address and how to contact you.
Socio-demographic	This includes details about your work or profession, nationality, education and where you fit into general social or income groupings.
Transactional	Details about payments to and from your accounts with us as well as details relating to any investments held with us.
Contractual	Details about the products or services we provide to you.
Locational	Data we get about where you are, such as that which may come from your mobile phone, the address where you connect a computer to the internet, or a shop where you transact with your card.
Behavioural	Details about how and when you use our products and services, and the channels of communication used in the course of our relationship.
Technical	Details on the devices and technology you use.
Communications	What we learn about you from letters, emails, meetings and conversations (including by way of telephone) between us.
Social relationships	Your family, friends, business partners, persons associated with you and other relationships.
Open data and public records	Details about you that are in public records, such as the Electoral Register, and information about you that is openly available on the internet.
Usage data	Other data about how you use our products and services.
Documentary data	Details about you that are stored in documents in different formats, or copies of them. This could include documents like your passport, driving license or birth certificate.
Special types of data	The law and other regulations treat some types of personal information as special. There are certain types of data which we will only collect and use, if the law allows us to do so. This data consists of: <ul style="list-style-type: none"> <li>• Political connections</li> <li>• Health data</li> <li>• Criminal convictions and offences</li> </ul>
Consents	Any permissions, consents or preferences that you give us. This includes things like how you want us to contact you, whether you would like to receive paper statements, or prefer e-statements, and whether you allow us to send you marketing and other promotional material.
National identifier	A number or code is attributed to you by a government to identify who you are, such as a National Identity number.
Information relating to the deceased customer's succession and the relative heirs	Wills, court decrees and other deeds relating to deceased customers' succession and the personal details of legatees, heirs and testamentary executors as nominated by the deceased. This also includes the contact details, personal relationship details and other information communicated by the notary or other legal representative duly authorised to represent the heirs/legatees/testamentary executors.

### c. What legal basis do we rely on for the purposes of processing this personal information?

We may collect or obtain such data because you give it to us (for example in a form on our Website), because other people give that data to us (for example your adviser) or because it is publicly available.

The General Data Protection Regulation (GDPR) states that we are permitted to use personal information only if we have a proper reason to do so. This includes sharing it outside MeDirect Group. The regulation states that we must have one or more of these reasons:

- To fulfil a contract we have with you
- When it is our legal duty
- When it is in our legitimate interest
- When you consent to it.

A legitimate interest is when we have a business or commercial reason to use your information. But even then, it must not unfairly go against what is right and best for you. If we rely on our legitimate interest, we will tell you what that is.

Here is a list of how we may use your personal information, and when relying on a legitimate interest, a description of the legitimate interest which we are pursuing. Here we also tell you what our legitimate interests are.

What we use your personal information for	Our reasons	Our legitimate interests
<ul style="list-style-type: none"> <li>• To manage our relationship with you or your business.</li> <li>• To develop new ways of meeting our customers' needs and to grow our business.</li> <li>• To develop and carry out marketing activities.</li> <li>• To study how our customers use products and services from us and other organisations.</li> <li>• To keep track of our customers' preferences, choices and decisions.</li> <li>• To provide advice, guidance or other information about our products and services.</li> <li>• To release deposits and/or investments held in the name of the deceased customer.</li> </ul>	<ul style="list-style-type: none"> <li>• Your consent.</li> <li>• Fulfilling contracts.</li> <li>• Our legitimate interests.</li> <li>• Our legal and regulatory duty.</li> </ul>	<ul style="list-style-type: none"> <li>• Keeping our records up to date, working out which of our products and services may interest you and tell you about them.</li> <li>• Developing products and services, and what we charge for them.</li> <li>• Defining types of customers for new products or services.</li> <li>• Seeking your consent when we need it, in order to contact you.</li> <li>• Being efficient about how we fulfil our legal duties.</li> <li>• Updating our records and contacting the heirs and/or legatees for the transfer of the estate of the deceased.</li> </ul>
<ul style="list-style-type: none"> <li>• To develop and manage our brands, products and services.</li> <li>• To test new products.</li> <li>• To manage how we work with other companies that provide services to our customers and us.</li> </ul>	<ul style="list-style-type: none"> <li>• Fulfilling contracts.</li> <li>• Our legitimate interests.</li> <li>• Our legal duty.</li> </ul>	<ul style="list-style-type: none"> <li>• Developing products and services, and what we charge for them.</li> <li>• Defining types of customers for new products or services.</li> <li>• Being efficient about how we fulfil our legal and contractual duties.</li> </ul>

<ul style="list-style-type: none"> <li>• To deliver our products and services.</li> <li>• To make and manage customer payments.</li> <li>• To manage fees, charges and interest due on customer accounts.</li> <li>• To collect and recover money that is owed to us.</li> <li>• To manage and provide treasury and investment products and services.</li> </ul>	<ul style="list-style-type: none"> <li>• Fulfilling contracts.</li> <li>• Our legitimate interests.</li> <li>• Our legal duty.</li> </ul>	<ul style="list-style-type: none"> <li>• Being efficient about how we fulfil our legal and contractual duties.</li> <li>• Complying with regulations that apply to us.</li> </ul>
<ul style="list-style-type: none"> <li>• To detect, investigate, report, and seek to prevent financial crime.</li> <li>• To manage risk for our customers and ourselves.</li> <li>• To obey laws and regulations that apply to us.</li> <li>• To respond to complaints and seek to resolve them.</li> </ul>	<ul style="list-style-type: none"> <li>• Fulfilling contracts.</li> <li>• Our legitimate interests.</li> <li>• Our legal duty.</li> </ul>	<ul style="list-style-type: none"> <li>• Developing and improving how we deal with financial crime, as well as fulfilling our legal duties in this respect.</li> <li>• Complying with regulations that apply to us.</li> <li>• Being efficient about how we fulfil our legal and contractual duties.</li> </ul>
<ul style="list-style-type: none"> <li>• To run our business in an efficient and proper way. This includes managing our financial position, business capability, planning, communications, corporate governance, and audit.</li> </ul>	<ul style="list-style-type: none"> <li>• Our legitimate interests.</li> <li>• Our legal duty.</li> </ul>	<ul style="list-style-type: none"> <li>• Complying with regulations that apply to us.</li> <li>• Being efficient about how we fulfil our legal and contractual duties.</li> </ul>
<ul style="list-style-type: none"> <li>• To exercise our rights, as set out in agreements or contracts.</li> </ul>	<ul style="list-style-type: none"> <li>• Fulfilling contracts.</li> </ul>	
<ul style="list-style-type: none"> <li>• In the context of the provision of investment services, to ensure appropriateness and suitability of our products and services with your investment objectives, risk appetite and investment horizon</li> </ul>	<ul style="list-style-type: none"> <li>• Fulfilling contracts</li> <li>• Our legitimate interests</li> <li>• Our legal duty.</li> </ul>	<ul style="list-style-type: none"> <li>• Complying with regulations that apply to us.</li> <li>• Being efficient about how we fulfil our legal and contractual duties.</li> </ul>

**Marketing**

We may use your personal information to tell you about relevant products and offers. This is what we mean when we talk about ‘marketing’. The personal information we have for you is made up of what you tell us, and data we collect when you use our products and services, or from third parties we work with.

We study this to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant to you.

We can only use your personal information to send you marketing material if we have either your consent or a ‘legitimate interest’. That is when we have a business or commercial reason to use your information. It must not unfairly go against what is right and best for you. You can ask us to stop sending you marketing material by contacting us at any time.

Whatever you choose, you will still receive statements and other important information such as changes and/or updates to your existing products and services.

We may ask you to confirm or update your choices if you take out any new products or services with us in future. We will also ask you to do this if there are changes in the law, regulation, or the structure of our business. If you change your mind, you can update your choices at any time by contacting us.

### **What if you choose not to give personal information?**

We may need to collect personal information by law, or under the terms of a contract, we have with you. If you choose not to give us this personal information, it may delay or prevent us from meeting our obligations. It may also mean that we cannot perform services needed to run your accounts or policies. It could mean that we cancel a product or service you have with us. Any data collection that is optional would be made clear at the point of collection.

#### **d. Where do we collect information from?**

In the course of providing products and services to you and performing Know Your Client (KYC) checks in connection with our products and services (or discussing possible products and services we might provide), we will collect or obtain personal data about you. We may also collect personal data from you when you use this Website.

We may collect personal information about you (or your business) from other companies within the MeDirect Group and the following sources:

##### **Data you give to us:**

- When you apply for our products and services (including when providing us with collateral in relation to such product/services)
- When you talk to us over the phone or meet us in person at our offices/branches
- When you use our websites
- Through secure messages (via e-banking), emails and letters
- During financial reviews and interviews
- During customer assessments
- During customer surveys
- When you participate in our promotions or attend an event organised by us.

##### **Data we collect when you use our products and services. This includes the amount, frequency, type, location, origin and recipients:**

- Payment and transaction data
- Profile and usage data. This includes the profile you create to identify yourself when you connect to our internet, mobile and telephone services. It also includes other data about how you use those services. We gather this data from devices you use to connect to those services, such as computers and mobile phones, using cookies and other internet tracking software.

##### **Data from third parties we work with or use:**

- Entities that introduce you to us
- Your legal and/or financial advisers, consultants and notaries
- Card associations
- Credit reference agencies
- Insurers
- Social networks and social media channels including Facebook, LinkedIn and YouTube
- Fraud prevention agencies
- Public information sources
- Agents working on our behalf
- Market researchers
- Central Credit Register
- Government and law enforcement agencies.

#### **e. How do we use information about you?**

We will use your personal data to provide you with products and services. In this context, we may use your personal data in the course of correspondence relating to the products or services. Such correspondence may be with you, our client, or your legal and/or financial advisers or duly appointed attorneys, other members of the MeDirect Group, our service providers or competent authorities. We may also use your personal data to conduct due diligence checks relating to the products or services we provide.

##### **How do we use your information in the course of automated processing?**

We sometimes use automated systems and processes to evaluate certain personal information we have about you or your business. This is known as profiling. This helps us to make sure our decisions are quick, fair, efficient, correct and lawful, based on what we know. No decision is solely based on such profiling.

Below are the types of profiling we undertake:

Tailoring products and services	We may place you in groups with similar customers. These are called customer segments. We use these to study and learn about our customers' needs and to make decisions based on what we learn. This helps us design products and services for different customer segments and manage our relationships and communications with them (including marketing).
Providing investment services	In order to comply with applicable regulation we may (if and as required) compile information about you and use this information to build an investor profile and ensure the suitability of the investment services being provided to you.
Preventing financial crime	As required by our legal and regulatory obligations and in line with our internal policies and procedures, we undertake a risk assessment on you and categorise you according.

### Credit Reference Agencies

We carry out credit and identity checks when you apply for products or services for you or your business. The Bank may access information from the Central Credit Register (in terms of Directive No. 14 "Central Credit Register" issued on the 15th February 2016 by the Central Bank of Malta) in order to verify information on your present credit records for the assessment of credit risk upon signing the "Information Request Notification Form".

As a licensed credit institution, we are also bound to provide information on our existing customers (in terms of Directive No. 14 "Central Credit Register" issued on the 15th February 2016 by the Central Bank of Malta) by reporting to the Central Bank of Malta the end-of-month balances of exposures exceeding €5000 of each customer, which information will include personal data such as ID card or passport numbers.

We may also use other Credit Reference Agencies (CRAs) such as Credit Info to help us with this. If you use our services, from time to time, we may also search information that the CRAs have, to help us manage those accounts.

**We will share your personal information with CRAs, and they will give us information about you. The data we exchange can include:**

- Name, address and date of birth
- Credit application
- Details of any shared credit
- Financial situation and history
- Public information, from sources such as the electoral register and company registrars.

**We'll use this data to:**

- Assess whether you or your business can afford to make repayments
- Identify any court order and/or judgments or other claims against you and your business
- Make sure that what you've told us is true and correct
- Help detect and prevent financial crime
- Manage accounts with us
- Trace and recover debts
- Make sure that we tell you about relevant offers.

We will go on sharing your personal information with CRAs for as long as you are our customer. This will include details about your settled accounts and any debts not fully repaid on time. It will also include details of funds going into the account, and the account balance. If you borrow, it will also include details of your repayments and whether you repay in full and on time. The CRAs may give this information to other organisations that want to check credit status. We will also tell the CRAs when you settle your accounts with us.

When we ask CRAs about you or your business, they will note it on your credit file. This is called a credit search. Other lenders may see this, and we may see credit searches from other lenders.

If you apply for a product with another entity, we will link your records with theirs. We will do the same if you tell us you have a spouse, partner or civil partner – or that you are in business with other partners or directors.

You should tell them about this before you apply for a product or service. It is important that they know that your records will be linked together, and that credit searches may be made on them.

CRAs will also link your records together. These links will stay on your files unless one of you asks the CRAs to break the link. You will normally need to give proof that you no longer have a financial link with each other.

For more information about CRAs please visit the websites of the main credit agencies:

- <https://ccr.cbm.org.mt/>
- <https://mt.creditinfo.com/>

#### **Use of personal information collected via our Website**

In addition to the purposes connected to the operation of our business, as outlined above, we may also use your personal data collected via our Website:

- To manage and improve our Website
- To tailor the content of our Website to provide you with a more personalised experience and draw your attention to information about our products and services that may be of interest to you
- To manage and respond to any request you submit through our Website.

#### **f. Who do we disclose your information to?**

We may share your personal information with companies within the MeDirect Group and these organisations:

- Credit reference agencies
- Financial intelligence agencies
- Law enforcement agencies
- Tax authorities
- Other competent authorities (including competent courts and tribunals and other authorities regulating us such as the Malta Financial Services Authority and the European Central Bank)
- Depositor Compensation Scheme
- Any party linked with you or your business's product or service
- Individuals who are legally entitled to receive such information
- Companies with which we have a joint venture or agreement of co-operation
- Entities that introduce you to us
- Entities that we introduce you to
- Market researchers
- Our independent financial and legal advisors
- Companies and other persons you ask us to share your data with
- Third parties that provide services to the MeDirect Group
- Any other company forming part of the MeDirect Group

We may need to share your personal information with other organisations to provide you with the products or services you have chosen:

- If you require transactions effected via SWIFT (Society for Worldwide Interbank Financial Telecommunication), SEPA (Single Euro Payments Area) or via any other payment method, we will share transaction details with the relevant payment institutions.
- SEPA (Single Euro Payments Area)
- If you have a secured loan or mortgage with us, we may share information with other lenders who also hold a charge on the property.

#### **Aggregated/anonymised information:**

We may share non-personal, de-identified, anonymised and aggregated information with third parties for several purposes, including data analytics, research, submissions, thought leadership anonymised and promotional purposes.

We may also share your personal information if the make-up of MeDirect Group changes in the future:

- We may choose to sell, transfer, or merge parts of our business, or our assets. Or we may seek to acquire other businesses or merge with them.
- During any such process, we may share your data with other parties. We'll only do this if they agree to keep your data safe and private.
- If the change to our Group happens, then other parties may use your data in the same way as set out in this notice.

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## Sending data outside of the EEA

Please note that some of the recipients of your personal data referenced above may be based in countries outside of the European Economic Area (EEA) whose laws may not provide the same level of data protection. In such cases, we will ensure that there are adequate safeguards in place to protect your personal data that comply with our legal obligations. Where the recipient is not a member of the MeDirect Group, the adequate safeguard might be a data transfer agreement with the recipient based on standard contractual clauses approved by the European Commission for transfers of personal data to third countries. You are welcome to contact us for more information regarding the adequate safeguards we have in place in relation to such data transfers.

## g. How do we protect your personal information?

We use a range of physical, electronic and managerial measures to ensure that we keep your personal data secure, accurate and up to date. These measures include the following:

- Education and training of relevant staff to ensure they are aware of our privacy obligations when handling personal data
- Administrative and technical controls to restrict access to personal data on a 'need to know' basis
- Technological security measures, including firewalls, encryption and anti-virus software
- Physical security measures, such as staff security passes to access our premises
- In line with our information security policy, various security measures are in place to protect the group's data from unauthorised disclosure, unauthorised modification and unauthorised loss
- In line with our incident management procedure, employees are guided on the steps which need to be followed in the event of a security and/or a data privacy breach
- Where data is processed by a third-party organisation as outlined in this Privacy Notice, we ensure that such third parties provide sufficient guarantees to implement appropriate technical and organisational measures in such a manner that any processing by them meets the GDPR requirements including the protection of your rights. Furthermore we also ensure that processing by third parties is governed by an agreement between us and the third party which includes the necessary contractual clauses to meet the relevant GDPR requirements.

Although we use appropriate security measures once we have received your personal data, the transmission of data over the internet (including by e-mail) is never completely secure. We endeavour to protect personal data, but we cannot guarantee the security of data transmitted to us or by us.

## h. How long do we retain your information for?

We will retain your personal data on our systems for the longest of the following periods:

1. As long as you are a customer of MeDirect Group
2. Any retention period that is required by law
3. The end of the period in which litigation or investigations might arise in respect of the product and services.

After you stop being a customer, we may keep your data for up to 10 years for one of these reasons:

- To respond to any questions or complaints
- To show that we treated you fairly
- To maintain records according to rules that apply to us.

We may keep your data for longer than ten years if we cannot delete it for legal, regulatory or technical reasons. We may also keep it for research or statistical purposes. If we do, we will make sure that your privacy is protected and only use it for those purposes.

## i. What are Your rights?

You have various rights in relation to your personal data. In particular, you have a right to:

- Obtain confirmation that we are processing your personal data and request a copy of the personal data we hold about you
- Ask that we update the personal data we hold about you, or correct such personal data that you think is incorrect or incomplete
- Ask that we delete personal data that we hold about you, or restrict the way in which we use such personal data
- Withdraw consent to our processing of your personal data (to the extent such processing is based on consent)
- Receive a copy of the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format and to transmit such personal data to another party (to the extent the processing is based on consent or a contract)
- Object to our processing of your personal data.

To exercise any of your rights, or if you have any other questions about our use of your personal data, please email [dataprotection@medirect.com.mt](mailto:dataprotection@medirect.com.mt) or write to us at the address below:

Data Protection Officer, Level 2, The Centre, Tigne Point, Sliema TPO 0001, Malta

You may also use these contact details if you wish to make a complaint to us relating to your privacy.

Should your requests in exercising your abovementioned rights be manifestly unfounded or excessive, in particular because of their repetitive nature, we reserve the right to charge you a reasonable fee which shall be determined at our sole discretion, taking into account the administrative costs incurred by us to provide the information or communication or taking the action requested by you. We shall communicate to you in advance the fee amount that will be charged in the given circumstances.

Read more on the [EU Data Protection site](#)

[https://ec.europa.eu/commission/priorities/justice-and-fundamental-rights/data-protection/2018-reform-eu-data-protection-rules\\_en](https://ec.europa.eu/commission/priorities/justice-and-fundamental-rights/data-protection/2018-reform-eu-data-protection-rules_en)

#### **j. How can you avail of your right to complain?**

If you are unhappy with the way we have handled your personal data or any privacy query or request that you have raised with us, you have a right to complain to the Office of the Information and Data Protection Commissioner. Find out on the IDPC website how to [send a compliant](#). <https://idpc.org.mt/en/Pages/contact/complaints.aspx>.

#### **k. Changes to this Privacy Notice**

We may modify or amend this Privacy Notice from time to time. To let you know when we make changes to this Privacy Notice, we will amend the revision date at the top of this page. The new modified or amended Privacy Notice will apply from that revision date. Therefore, we encourage you to periodically review this statement to be informed about how we are protecting your information.

#### **l. Cookies**

To find out more about how we use cookies, please see our Cookie Notice online. <https://www.medirect.com.mt/cookie-policy>