

## GENERAL DATA PROTECTION REGULATION (GDPR) NOTICE

### Introduction

The General Data Protection Regulation (“**GDPR**”), which went into effect on May 25, 2018, is a comprehensive European data protection and privacy law that provides extensive data rights and protections for individuals within the European Union, including Banco Santander International customers, that we market our goods and services to, who are located in the European Union.

Your personal data is data which by itself, or with other data available to us, can be used to identify you. Banco Santander International (which also uses the brand name “**Santander Private Banking**”, together “we”, “us” and “our”), is the data controller. This GDPR Notice (hereinafter this “**notice**”) sets out how we will use your personal data. You can contact your Data Protection Officer (DPO) at 1401 Brickell Avenue, Suite 1500 - Miami FL 33131, USA, or at [privacy@pb-santander.com](mailto:privacy@pb-santander.com), T +1 (305) 530-2900 if you have any questions.

This notice relates to the use of personal data obtained to run our business and provide you with products and services. It covers the processing of personal data whether or not you become a customer and includes any processing of personal data before you apply for a product or service.

### The types of personal data we collect and use

Whether or not you become a customer, we will use your personal data for the reasons set out below, and if you become a customer we will use it to manage the account, product or service you have applied for.

We will collect most of this data directly during the account application process. The sources of personal data collected indirectly are mentioned in this notice. The personal data we use may be about you as a personal or business customer and may include:

- > Full name and personal details, including contact information (e.g. home and business address and address history, email address, home, business and mobile phone numbers);
- > Date of birth and/or age (e.g. to make sure that you are eligible to apply);
- > Financial details (e.g. salary and details of other income, and details of accounts held with other providers);
- > Records of products and services you have obtained or applied for, how you use them and the relevant technology used to access or manage them (e.g. mobile phone location data, IP address, MAC address);
- > Biometric data (e.g. fingerprints and voice recordings for TouchID and voice recognition);
- > Information from credit reference or fraud prevention agencies, electoral roll, court records of debt judgments and bankruptcies and other publicly available sources;

	<ul style="list-style-type: none"> <li>&gt; Family, lifestyle or social circumstances if relevant to the product or service (e.g. the number of dependents you have);</li> <li>&gt; Education and employment details/employment status for credit and fraud prevention purposes; and</li> <li>&gt; Personal data about other named applicants. You must have their authority to provide their personal data to us and share this notice with them beforehand together with details of what you have agreed on their behalf; and</li> <li>&gt; Contact details and information about your business if you are a prospective customer.</li> </ul>
<b>Providing your personal data</b>	<p>We will tell you if providing some personal data is optional, and we will ask for your consent to process it. In all other cases, you must provide your personal data so we can process your application and provide you with our products and services (unless you are a customer and we already hold your details).</p>
<b>Monitoring of communications</b>	<p>Subject to applicable laws, we will monitor and record your calls, emails, text messages, social media messages and other communications relating to your dealings with us. We will do this for regulatory compliance, self-regulatory practices, crime prevention and detection, to protect the security of our communications systems and procedures, to check for obscene or profane content, for quality control and staff training, and when we need to see a record of what has been said. We may also monitor activities on your account where necessary for these reasons, and this is justified by our legitimate interests or our legal obligations.</p>
<b>Using your personal data: the legal basis and purposes</b>	<p>We will process your personal data:</p> <ul style="list-style-type: none"> <li>&gt; As necessary <b>to perform our contract with you</b> for the relevant account, product or service: <ul style="list-style-type: none"> <li>- To take steps at your request prior to entering into a contract;</li> <li>- To decide whether to enter into a contract;</li> <li>- To manage and perform that contract;</li> <li>- To update our records; and</li> <li>- To trace your whereabouts to contact you about your account and recovering debt.</li> </ul> </li> <li>&gt; As necessary <b>for our own legitimate interests</b> or those of other persons and organizations, such examples include but are not limited to: <ul style="list-style-type: none"> <li>- For good governance, accounting, and managing and auditing our business operations;</li> <li>- To search credit reference agencies if you are over 18 and apply for credit;</li> </ul> </li> </ul>

- To monitor emails, calls, other communications, and activities on your account;
- For market research, analysis and developing statistics; and
- To send you marketing communications, including automated decision making relating to our products and services.

> **As necessary to comply with a legal obligation:**

- For compliance with legal and regulatory requirements and related disclosures;
- When you exercise rights under data protection law and make requests;
- For establishment and defense of legal rights;
- For activities relating to the prevention, detection and investigation of crime;
- To verify your identity, make credit, fraud prevention and anti-money laundering checks; and
- To monitor emails, calls, other communications, and activities on your account.

> **Based on your consent:**

- When we process any special categories of personal data about you at your request (e.g. my racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, data concerning my health, sex life or sexual orientation);
- When you request that we disclose your personal data to other people or organizations such as a company handling a claim on your behalf, or otherwise agree to disclosures; and
- To send you marketing communications where we have asked for your consent to do so.

**You are free at any time to change your mind and withdraw your consent, however, the consequence of such action might be that we can't provide you with certain services.**

### Sharing of your personal data

Subject to applicable data protection law we may share your personal data with:

- > Banco Santander S.A., Santander group companies and associated companies in which we have shareholdings and employees, officers, agents or professional advisors of these companies;
- > Sub-contractors and other persons who help us provide our products and services;
- > Companies and other persons providing services to us;
- > Our legal and other professional advisors, including our auditors;

	<ul style="list-style-type: none"> <li>&gt; Fraud prevention agencies, credit reference agencies, and debt collection agencies when we open your account and periodically during your account or service management;</li> <li>&gt; Other organizations who use shared databases for income verification and affordability checks and to manage/collect arrears;</li> <li>&gt; Government bodies and agencies in the US and overseas;</li> <li>&gt; Courts, to comply with legal requirements, and for the administration of justice;</li> <li>&gt; Other parties where necessary in an emergency or to otherwise protect your vital interests;</li> <li>&gt; Other parties where necessary to protect the security or integrity of your business operations;</li> <li>&gt; Other parties connected with your account e.g. directors, shareholders, beneficial owners or any named official who will see your transactions;</li> <li>&gt; Other parties when we restructure or sell our business or its assets or have a merger or re-organization;</li> <li>&gt; Market research organizations who help to improve our products or services;</li> <li>&gt; Payment systems (e.g. American Express, Visa or MasterCard) and if we issue cards linked to your account, who may transfer your personal data to others as necessary to operate your account and for regulatory purposes, to process transactions, resolve disputes and for statistical purposes, including sending your personal data overseas; and</li> <li>&gt; Anyone else where we have your consent or as required by law</li> </ul>
<p><b>International Transfers</b></p>	<p>Your personal data may be transferred outside the US and the European Economic Area. While some countries have adequate protections for personal data under applicable laws, in other countries, steps will be necessary to ensure appropriate safeguards apply to it. These include imposing contractual obligations of adequacy (including Standard Data Protection Clauses) or requiring the recipient to subscribe or be certified with an 'international framework' of protection (including US Privacy Shield and Binding Corporate Rules).</p> <p>Further information regarding international transfers are available below:</p> <ul style="list-style-type: none"> <li>&gt; <a href="https://privacyshield.gov/welcome">privacyshield.gov/welcome</a></li> <li>&gt; The published list of Binding Corporate Rules is available here: <a href="https://ec.europa.eu/justice/data-protection/international-transfers/binding-corporate-rules/bcr_cooperation/index_en.htm">ec.europa.eu/justice/data-protection/international-transfers/binding-corporate-rules/bcr_cooperation/index_en.htm</a></li> </ul>
<p><b>International Corridors</b></p>	<p>Where you may have international business needs, we will share information relating to your company, products and accounts, including transactional information, with Banco Santander S.A., Santander group companies and other partner</p>

	<p>banks who may be based in other countries, to better support the international operations of your company and decide whether to offer your company other products and services. For more information on who those other Santander group companies or other partner banks are, you can contact your personal banker.</p> <p>The data shared will include information on your company's financial position, its auditable accounts, its directors and shareholders and any information held about the company by Santander, such as information about transactions carried out on your accounts with Santander and information regarding any other products and services that we provide to you. We will do this on the basis of our legitimate interests. <b>If you do not want us to share your data in this way, you can contact us.</b> Unless you have agreed otherwise, if we believe you may have international business needs we will check whether you have accounts held with other Santander group companies. If there are products or services that we or our group of companies or partner banks think may meet your needs we may tell you about these products and services. <b>You can change your marketing preferences at any time by contacting us.</b></p>
<p><b>Data anonymization and aggregation</b></p>	<p>Your personal data may be converted into statistical or aggregated data which cannot be used to identify you, then used to produce statistical research and reports. This aggregated data may be shared and used in all the ways described above.</p>
<p><b>Identity verification and fraud prevention checks</b></p>	<p>The personal data we've collected from you at the account application or at any stage might be shared with fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify your identity. If fraud is detected, you could be refused certain services, finance or employment in future. We may also search and use our internal records for these purposes. We may also hold all the personal information you give to us (i.e. name, address, date of birth, nationality, etc.) to undertake periodic due diligence checks which banks are required to undertake to comply with U.S. legislation and regulation.</p> <p>The personal data we have collected from you at the account application or at any stage might be shared with other financial institutions or applicable credit agencies in order to conduct an investigation pertaining to your credit standing and business conduct. If an investigation is conducted, you understand that you have the right to make a written request to us within a reasonable period of time for a complete and accurate disclosure of the nature, scope, and findings of the investigation.</p>
<p><b>Automated decision making and processing</b></p>	<p>Automated decision making involves processing your personal data without human intervention to evaluate your personal situation such as your economic position, personal preferences, interests or behavior, for instance in relation to transactions</p>

	<p>on your accounts, your payments to other providers, and triggers and events such as account opening anniversaries and maturity dates.</p> <p>We may do this to decide what marketing communications are suitable for you, to analyze statistics and assess lending risks. All this activity is on the basis of our legitimate interests, to protect our business, and to develop and improve our products and services, except as follows; when we do automated decision making including profiling activity to assess lending risks, this will be performed on the basis of it being necessary to perform a contract with you or to take steps to enter into a contract.</p>
<p><b>Your marketing preferences and related searches</b></p>	<p>We will use your home address, mailing address, phone numbers, and email address, and other personal details you provided to us, to contact you according to your preferences. <b>You can change your preferences, opt-in or opt-out at any time by contacting us.</b> If you are over 18, we may search the files at credit reference agencies before sending marketing communications to you about credit. <b>The credit reference agencies don't record this particular search or show it to other lenders and it won't affect your credit rating.</b> We do this as part of our responsible banking and lending obligations which is within our legitimate interests.</p>
<p><b>Criteria used to determine retention periods (whether or not you become a customer)</b></p>	<p>The following criteria are used to determine data retention periods for your personal data:</p> <ul style="list-style-type: none"> <li>&gt; Retention in case of queries. We will retain your personal data as long as necessary to deal with your queries (e.g. if your application is unsuccessful);</li> <li>&gt; Retention in case of claims. We will retain your personal data for as long as you might legally bring claims against us; and</li> <li>&gt; Retention in accordance with legal and regulatory requirements. We will retain your personal data after your account, policy or service has been closed or has otherwise come to an end based on our legal and regulatory requirements.</li> </ul> <p><b>Your rights under applicable data protection law</b></p> <p>Your rights are as follows (noting that these rights don't apply in all circumstances and that data portability is only relevant from May 25, 2018):</p> <ul style="list-style-type: none"> <li>&gt; The right to be informed about our processing of your personal data;</li> </ul>

- > The right to be informed about our processing of your overdraft to any persons with a legal or equitable interest in the security, while the overdraft remains in force;
- > The right to have your personal data corrected if it is inaccurate and to have incomplete personal data completed (“right to recertification”);
- > The right to object to processing of your personal data;
- > The right to restrict processing of your personal data;
- > The right to have your personal data erased (the “right to be forgotten”);
- > The right to request access to your personal data and information about how we process it (“data subject access requests”);
- > The right to move, copy or transfer your personal data (“data portability”); and
- > Rights in relation to automated decision making including profiling.
- > To request a right to recertification, you can contact us at: [privacy@pb-santander.com](mailto:privacy@pb-santander.com)
- > To opt in or opt-out of marketing and market research you can contact us at: [privacy@pb-santander.com](mailto:privacy@pb-santander.com)
- > To make a formal data subject access request you can contact us at: [privacy@pb-santander.com](mailto:privacy@pb-santander.com)
- > Automated processing and decision-making: In some instances we will undertake automated processing and decision-making to decide which of our other products or services might be of interest to you. You have a right not to have a decision made based solely on automated processing (including profiling) that produces legal or similar effects. This does not apply where the processing is necessary for the performance of a contract, is authorized by law, or where you have given your consent to the processing (though you may revoke your consent thereafter). Where you have been adversely affected by an automated decision, and/or you think we have made a mistake, or you have further information to support your case, we have a reconsideration process in place. We cannot guarantee to reverse a decision, but we will always be happy to reconsider your application if you believe you have been wrongly declined.
- > To ask us to reconsider your application you can contact us at: [privacy@pb-santander.com](mailto:privacy@pb-santander.com)
- > Complaints: You have the right to complain to the Spanish Data Protection Agency, our Lead Supervisory Authority, more information is available on their site at [www.agpd.es](http://www.agpd.es). It has enforcement powers and can investigate compliance with data protection law. You may also file a complaint with your local data protection regulator.
- > For more details on all the above you can contact our Data Protection Officer (contact information provided at the beginning of this notice).