

## **Bernstein Bank GmbH**

### **Data Privacy Statement**

**Version: 06 June 2017**

We are happy to see that you are interested in our range of services. Protection of your privacy and your personal data is an important issue for us. In order to provide you with the highest possible level of transparency and security, our following data privacy statement will provide you with information about the type, extent and purpose of collection, use and processing of information and data we collect.

#### **A. COLLECTED DATA**

We undertake to collect, process and use the personal data of our clients in accordance with the applicable German data protection laws, in particular in accordance with the German Federal Data Protection Act (Bundesdatenschutzgesetz – BDSG). The collection, storage, processing and use of data serves the purpose of establishing and implementing the contractual relationship and maintaining and proving compliance with the statutory requirements of the German Securities Trading Act (Wertpapierhandelsgesetz – WpHG) and the German Money Laundering Act (Geldwäschegesetz – GWG).

Reference is also made to third-party websites on our website. These are usually identified by declaration of the internet address. We have no influence on the content and design of these websites of other providers and are thus unable to extend the content of this data privacy statement to include such third-party websites.

We collect the following types of information:

- Data which we gain due to your visit to our website (see point 1 below),
- Information provided by the customer within the framework of our business relationship, in particular personal information and data within the framework of opening an account and in terms of use of bank, financial and investment services (see point 2 below),
- Data which we gain due to your use of our services.

#### **1. Data which we gain due to your visit to our website**

You can in principle visit our website without us knowing who you are. Only for statistical and internal system related purposes do we, in addition to your shortened IP address, also collect the time of access, the quantity of transferred data, which of the pages you visited on our website, which website you accessed our website from and which browser you use. If this information should allow conclusions to be drawn with regards to personal data, this is naturally subject to the legal regulations governing data security. No personalisation of data occurs.

In order to improve our web content, we use so-called cookies. Cookies are text files containing information which your web browser stores on your computer when you open one of our webpages. We use this cookie technology to tailor our website to preferred fields of interest. If you wish to prevent use of cookies, you can refuse to accept cookies in your browser. For details of how this works, please refer to the instructions of your browser producer.

Our website uses Google Analytics, a web analysis service of Google Inc. ("Google"). Google Analytics uses so-called "cookies", text files which are stored on your computer and which allow for analysis of your use of the website. Information generated by cookies about your use of this website (including your IP address, which is however anonymised in such a way that you can no longer be associated with a connection) is transferred to a Google server in the USA and stored there.

Google will use this information to evaluate your use of the website, to compile reports about activities on the website for the website operator and provide other services relating to use of the website and internet use. Google may also possibly pass on this information to third parties if required by law or if these third parties process this data on behalf of Google. Google will not under any circumstances associate your IP address with other data of Google. You can prevent installation of cookies by making the appropriate browser software settings; we would however like to draw your attention to the fact that in this case, it is possible that you will not be able to fully use all of functions of this website. By using this website, you agree to processing of data collected about you via Google in the manner described above and for the purpose specified above.

The Opt-out browser Add-on for Google Analytics gives website visitors more control over which data about visited websites is collected by Google Analytics. You can opt out of data collection via Google Analytics effective in the future by installing an Opt-out Add-on (<http://tools.google.com/dlpage/gaoptout?hl=de>) for your browser.

Furthermore, we use Google Analytics to evaluate data from AdWords and the DoubleClick cookie for statistical purposes. If you wish to opt out of this, you can deactivate this via the ad manager (<http://www.google.com/settings/ads/onweb/?hl=de>).

As an alternative to the browser Add-on or in browsers on mobile devices, please click on the following link to prevent collection by Google Analytics on this website in the future (Opt-out only works in this browser and only for this domain). By doing so, an Opt-out cookie will be stored on your device. If you delete your cookies in this browser, you will have to click on this link again. (Please click on the link: Opt Out of Google Analytics).

You can find more detailed information about this at <http://tools.google.com/dlpage/gaoptout?hl=de>. Information on terms of use and data protection can be found at <http://www.google.com/analytics/terms/de.html> or at <https://www.google.de/intl/de/policies/>.

### **Google +1**

Our web representation uses the "+1" button of the Google Plus social network which is operated by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, United States ("Google"). You can recognise the button by the symbol "+1" on a white background.

If you visit a website of our web representation which contains a button like this, your browser will establish a direct connection with Google servers. The content of the "+1" button is transferred directly from Google to your browser and integrated in the website from this. For this reason, we have no influence on the scope of data which Google collects with the button, although we assume that your IP address will be included.

Please find information about the purpose and scope of data collection and further processing and use of data by Google as well as your rights and configuration options for protection of your privacy in relation to this in the Google privacy policy for the "+1" button: [www.google.com: +1button](http://www.google.com: +1button)

If you are a member of Google Plus and do not want Google to collect data about you via our web representation and to link this to the membership data you have saved with Google, you must log out of Google Plus before visiting our web representation.

### **Facebook**

Our web representation uses Social Plugins ("Plugins") of the social network facebook.com, which is operated by Facebook Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA ("Facebook"). You can recognise the plugins by one of the Facebook logos (a white "f" on a blue tile or a "thumbs up" symbol) or they may be identified with the words "Facebook Social Plugin". You can view a list

of the Facebook Social Plugins and see what they look like here:  
<https://developers.facebook.com/docs/plugins/>

If you visit a website of our web representation which contains a plugin like this, your browser will establish a direct connection with Facebook servers. The content of the plugin is transferred directly from Facebook to your browser and integrated in the website from this. For this reason, we have no influence on the scope of data which Facebook collects with the aid of this plugin and would thus like to inform you of our level of knowledge with regards to this.

By integrating the plugin, Facebook gains the information that you have visited the respective page of our web representation. If you are logged in to Facebook, Facebook can associate the visit to your Facebook account. If you interact with the plugin, for example by pressing the Like Button or making a comment, the respective information is transferred from your browser directly to Facebook and stored there. If you are not a member of Facebook, the possibility exists despite this that Facebook will learn your IP address and save it.

Please find information about the purpose and scope of data collection and further processing and use of data by Facebook as well as your rights and configuration options for protection of your privacy in relation to this in the Facebook privacy policy: [www.facebook.com/policy.php](http://www.facebook.com/policy.php)

If you are a member of Facebook and do not want Facebook to collect data about you via our web representation and to link this to the data you have saved with Facebook, you must log out of Facebook before visiting our web representation.

#### **Twitter**

Functions of the Twitter service are integrated in our website. These functions are offered by Twitter Inc., 795 Folsom St., Suite 600, San Francisco, CA 94107, USA. By using Twitter and the "Re-Tweet" function, the websites you visit will be linked to your Twitter account and disclosed to other users. Data will also be transferred to Twitter in terms of this. Please note that we, in our capacity as the website provider, obtain no knowledge of the content of the transferred data or its use by Twitter. Further information regarding this can be found in the data privacy statement of Twitter at <http://twitter.com/privacy>. You can change your privacy settings on Twitter in account settings at <http://twitter.com/account/settings>.

#### **Social Icons**

So-called Social Icons (e.g. from YouTube, LinkedIn or Xing) are integrated in our website. These are only integrated in our website as a link to the respective services. After clicking on the integrated graphic symbol, you will be redirected to the respective provider, i.e. only then will the user information be transferred to the respective provider. Please find information about handling of your personal data when using these websites in the respective data protection regulations of the provider.

## **2. Collection of personal data**

We initially use and process the personal data provided for processing of the contract and for processing of your enquiries and requests. Personal data is constituted by details about your personal and material circumstances such as your name, your address or your e-mail address and your investment experience. Data like this will only be collected by us if you voluntarily and explicitly make it available to us and in this way show us that you agree to its use and processing. It of course goes without saying that only data which is absolutely necessary for implementation of these offers will be collected. If we ask you for further data, we do so exclusively for the purpose for example of facilitating communication with you or improving our services.

We are entitled to transmit the data collected from clients to third parties insofar as this is necessary for the fulfilment of duties resulting from the business relationship. Forwarding of data collected from the client may in particular be necessary in order to enable the execution of transactions involving financial instruments, open deposits, place orders or implement other investment and/or administrative measures. In this context – where required – the data provided by the client(s) upon establishment of the commercial relationship (basic personal data such as, e.g. name, address,

date of birth, marital status, profession, communication details such as, e.g. phone number, email address, basic contract data such as, e.g. portfolio details, transaction data, bank details, deposit number, authorisations, risk profile, investment preferences, skills and experience, financial circumstances or comparable data), the investment and product decisions and the resulting account and/or deposit transactions including tax data, exemption orders for capital gains, saving and payout schedules, deposit structures or comparable data are transmitted.

If you have explicitly and voluntarily agreed to your data being passed on to third parties, we will pass on this data in this scope to these parties for the purpose of presentation of financial services such as investment or financial products or information events and newsletters.

We are in addition entitled to disclose the data provided by the client to authorities in the EU and the EEA and other foreign or supra- or international authorities if this is required for compliance with statutory provisions or international agreements.

A forwarding of the aforementioned data may also be required if we delegate the performance of individual services and activities (e.g. IT services, information events, newsletters, agency and/or consultancy services) to a third party. In this event, we ensure in each individual case, e.g. by means of data processing commissions, that adequate technical and organisational measures to safeguard and maintain banking secrecy and data protection are implemented with regard to the personal client data.

The client also releases us from banking secrecy with regard to the aforementioned uses of data. However, this does not constitute a general release from banking secrecy.

We will obtain the client's consent, explaining the planned purpose of use, in each individual case of data transactions which concern the client and which are not included in the aforementioned types of data use.

If you would like to subscribe to our newsletter, you must provide your e-mail address to which we can send the newsletter as well as your first name and surname. By providing your e-mail address, you provide your consent to our using this to send you the newsletter and to us sending you information about our products and services. We will save your e-mail address and the first name and surname provided until you cancel your subscription to the newsletter. Saving of this data only serves the purpose of allowing us to send you a personalised newsletter. We also save your IP address and the time when you register or provide confirmation in order to prevent misuse of your personal data.

By registering, you provide your consent to being sent and receiving a newsletter tailored to suit your personal interests. This is achieved by evaluation of user behaviour on the basis of web beacons (tracking pixels) and your e-mail address which are linked to a unique ID. In doing so, we register when you read our newsletter, which links you click on in this and deduce from this your possible personal interests. We link this data with the activities you perform on our website. This information is not consolidated with other information you provide.

For sending our newsletter, we use the MailChimp component. MailChimp is a service provided by The Rocket Science Group, LLC, 512 Means Street, Suite 404, Atlanta, GA 30318, USA. Your data saved during registration for the newsletter (e-mail address and where applicable your name, IP address and the date and the time of your registration) will be transferred to a server of The Rocket Science Group in the USA. Further information about data protection in the case of MailChimp can be found here: <http://mailchimp.com/legal/privacy/>.

You can withdraw your consent to sending and receiving the newsletter at any time by clicking on the respective button in the newsletter you receive, by e-mail at [info@bernstein-bank.com](mailto:info@bernstein-bank.com) or by using the contact details provided in the newsletter. This will lead to deletion of the collected user data.

## **B. Change to the data privacy statement**

As a result of the ongoing development of the internet, it will be necessary to adapt this data privacy statement to meet the requirements of the changing situation. Notice will be provided of such change in good time on this website.

## **C. Security advice**

Please note that 100% security cannot be guaranteed with regards to data transfer over the internet. Data transfer via our website in principle takes place via SSL encryption and thus offers a high level of security.

Furthermore, communication by e-mail poses the risk of e-mails being spied out in an unauthorised manner by a third party and confidentiality cannot thus be guaranteed. In addition to this, counterfeiting and falsification cannot be recognised in terms of communication via e-mail. Even if the customer provides an electronic, advanced electronic or qualified electronic signature for their e-mails pursuant to the Signatures Act of 16 May 2001, we are not technically able to verify this.

## **D. Information, cancellation, comments**

Subject to written request, we will be happy to provide you more detailed information as to whether and which personal data we have saved about you. Should your personal data be incorrect, you can have it corrected immediately. Provision of information or where applicable change to your data is of course free of charge. You are also entitled to withdraw your consent to use of your data in the future in part or in full. Should you wish to do so, we will delete or block the corresponding data. In order to exercise this right or in the event of any questions, comments or complaints in relation to this data privacy statement, please contact:

### **Bernstein Bank GmbH**

Maximilianstr. 13, 80539 München, Germany

Telephone: +49 (0) 89-2154 310 – 0

Fax: +49 (0) 89-2154 310 – 99

E-mail: [privacy@bernstein-bank.com](mailto:privacy@bernstein-bank.com)