

A) Privacy Declaration of MHB-Bank Aktiengesellschaft

The protection of your personal data is important to us.

Irrespective of the manner in which you enter into contact with MHB-Bank AG we will respect and safeguard your privacy.

On the following pages we will give you an overview, which personal data we collect about you and how we use the personal data.

We also inform you about your rights pursuant to the current data protection laws and name the contact address in case you may have questions in relation to our privacy policy.

Who is the data controller and whom may I contact?

MHB-Bank Aktiengesellschaft is a German credit institution with seat in Frankfurt Main.

The data controller is

**MHB-Bank Aktiengesellschaft
Niederuau 61-63
60325 Frankfurt Main
Germany**

The data controller takes all legally necessary measure to ensure the safety of your personal data.

In case of questions in relation to our privacy declaration please contact our data protection officer:

**MHB-Bank Aktiengesellschaft
Datenschutzbeauftragter / Data Protection Officer
Niederuau 61-63
60325 Frankfurt am Main
E-Mail: datenschutz@mhb-bank.de**

1) To whom does this data protection declaration apply?

If we speak about the processing of personal data, this means that we, e.g. collect, store, use, transfer or delete such data.

This data protection declaration applies only to individuals. This includes

- Customers and potential customers (prospects) of MHB-Bank AG
- Other individuals who enter into contact with the bank, e.g. representatives, other parties (e. g. third-party debtors, guarantors), couriers, holders of power of attorney or employees of legal entities
- Visitors of our website
- Beneficial owners of our customers

2) Which personal data do we collect about you?

We collect your personal data if you enter into contact with us, e.g. as prospect or customer. In particular in case that you are interested in our products or services, contact us via email or telephone or in case of an existing business relationship use our products or services.

We process personal data also derived from publicly available sources if these are necessary for our services.

Such data we collect legally, e.g. via land registers, register of debtors or trade registers and association registers. Personal data are also transmitted to us by other third parties (e.g. credit bureaus such as Creditreform or SCHUFA). We also use directories relating to certain persons in the context of the legally prescribed anti-money laundering checks.

We process the following personal data if we have collected it to establish a business relationship or a required credit check:

- Personal identification information
e.g., first and last name, address, date and place of birth, gender, nationality, identity card / passport number, e-mail address, telephone number, tax number, score of German credit rating agency Schufa, residential status (rent/property), occupation group key/type of partner (employed/self-employed), authentication data (e.g. signature sample)
- Order and sales data
e.g. IBAN, Payment Orders (Incoming Payments and Outgoing Payments), data arising in connection with the fulfilment of our contractual obligations (e.g. payment transaction data)
- Data about your financial situation
e.g. payroll, payment history, value of your property or other assets, credit history, current credit rating, entries with credit bureaus, late payments, information on income, third party data, quality data, tax information, information on any third party beneficiaries, documentation data (e.g. protocol on the financial advice – Beratungsprotokoll / offer), direct debit data, loan agreements (consumers and self-employed), creditworthiness documents (salary statements, income/surplus statements and balance sheets, tax documents, information/proof of assets and liabilities, guarantees assumed, account statements of third party banks' accounts, expenses), employer, type and duration of employment relationship, type and duration of self-employment, number of dependent children, matrimonial property regime, residence/work permit in the case of non-EU nationals, scoring/rating data, information/proof of intended use, collateral provided by the debtor or a third party: property documents (e.g. land register extracts, property valuations)
- Socio-demographic information
e.g. marital status and family situation
- Information about your interests and wishes, which you tell us
e.g. via letter, telephone or e-mail contact including (electronic) correspondence and, where applicable, information on participation in direct marketing activities

- Audiovisual data
e.g. Information from the video identification process.

In case of personal guarantees by third parties (collateral provided by a third party), we can impose comparable requirements on the respective guarantors for the disclosure of the economic and financial situation.

And other data comparable to these categories.

2.1) Sensitive Data

Particular categories of personal data known as sensitive data, e.g. information on religious affiliation is collected only when absolutely necessary. For example, to comply with the obligation to pay church tax.

2.2) Data from Children

We only collect information about children if you open an account for minors.

3) What do we use your data for - and on what legal basis?

3.1) We process your data so that you can use our products and services, i.e. to fulfill contractual obligations (Art. 6 (1) (b) GDPR)

In order to fulfill our contracts, we have to process your data. This also applies to pre-contractual action and information that you take/provide us with in the context of concluding a contract or applying for a contract. The purposes of the data processing depend primarily on the respective product (e.g. checking account, credit) and may include, but are not limited to, needs assessments, advice and the execution of transactions. Further details on the purpose of data processing can be found in the respective contract documents and terms and conditions.

For the execution of the contract we need your address, your telephone number or your e-mail address in order to contact you.

For example, we accept order data for the settlement of payment services and, in accordance with the order, transfer payment data to payer, payee and their banks.

We also need your personal information to check if we can and can offer you a product or service.

In the context of a subsequent sale of receivables, pursuant to Art. 6 I b GDPR the purchaser of receivables is entitled to transfer the following personal data to a refinancing party:

- personal data for determining income (e. g. payroll accounting);
- personal data (identity card, tax number, certificate of residence);
- personal data of the loan agreement entered into with the lender;
- scoring/rating data in accordance with Sec. 31 of German Federal Data Protection Act (Bundesdatenschutzgesetz – BDSG);
- consultation of and data exchange with credit agencies (e.g. German SCHUFA) to determine creditworthiness and default risks;

- prevention of crime.

3.2) We require your consent to the use of your data (Article 6 (1) (a) GDPR)

If you have given us consent to process your personal data for specific purposes, the processing of such data is lawful on the basis of such consent.

You can withdraw your consent at any time.

This also applies to the withdrawal of declarations of consent, which you have submitted to us before the validity of the GDPR (General Data Protection Regulation), i.e. before May 25, 2018.

The withdrawal of consent is only effective for the future and does not affect the legality of the data processed until the revocation.

3.3) We also process your data on the basis of legal requirements or in the public interest (Article 6 (1) (c) and (1) (e) GDPR)

As a bank, we are subject to numerous legal requirements (e.g. from the Anti-Money Laundering Act (Geldwäschegesetz), the Banking Act (Kreditwesengesetz), the Securities Trading Act (Wertpapierhandelsgesetz) or the tax laws). We also have to fulfill banking supervisory requirements (e.g. from institutions such as the German Federal Financial Supervisory Authority (BaFin), the German Bundesbank, the European Central Bank or the European Banking Authority).

Among other things, the processing of data fulfills the following purposes: assessment of creditworthiness, identity and age checks, the fulfillment of tax control and reporting obligations, the prevention of fraud and money laundering and the assessment and management of risks.

3.4) We process your data for the purposes of legitimate interests (Art. 6 para. 1 lit. f GDPR)

To the extent necessary, we process your data beyond the fulfillment of contractual obligations to protect the legitimate interests of us or third parties.

- consultation of and data exchange with credit agencies (e.g. German SCHUFA) to determine creditworthiness and default risks;
- review and optimisation of procedures for needs assessments and direct customer approach (including customer segmentation and calculation of closing probabilities);
- advertising or market and opinion research, insofar as you have not objected to the use of your data;
- assertion of legal claims and defence in legal disputes;
- ensuring IT security and IT operations;
- prevention of crime;
- measures for business management and further development of services and products;
- risk management.

4) Who receives your data (and why)?

4.1) Processing of your personal data within MHB-Bank AG

Within the bank, only those entities gain access to your data that need these to protect our legitimate interests or to fulfill our contractual and contractual or legal obligations. Service providers and vicarious agents employed by us may also receive and process personal data for these purposes if they maintain banking secrecy and our written data protection instructions. These are essentially companies from the categories listed in Section 4.2.

4.2) Processing of your personal data outside MHB-Bank AG

We have committed ourselves in our terms and conditions to apply the banking secrecy with regard to all customer related facts and assessments. We may only disclose information about you if we are required by law to disclose information or you have given your consent or we are authorized to provide banking information and/or processors contracted by us (Art. 28 GDPR) guarantee compliance with banking secrecy and the requirements of the GDPR as well as the German Federal Data Protection Act (Bundesdatenschutzgesetz) in the same way

Under these conditions, recipients of personal data can be, for example:

- Public authorities and institutions, supervisory authorities and bodies, such as tax authorities, the Banking Supervision e. g. Deutsche Bundesbank (independent central bank of Germany), Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin - German Federal Financial Supervisory Authority), European Banking Authority (EBA), European Central Bank (ECB), tax authorities, Bundeszentralamt für Steuern (German Federal Central Tax Office), Zentrale Zulagenstelle für Altersvermögen (German Central Allowance Office for Retirement Assets), in the event of a statutory and/or official obligation
- Courts/law enforcement agencies, such as the police, prosecutors, courts
- Lawyers and notaries, such as in insolvency proceedings
- Auditors

In order to fulfill our contractual obligations we work together with other companies. These include:

- Specialists in the financial or credit services industry, comparable institutions and processors contracted by us to whom we transfer personal data in order to carry out the business relationship with you
- Credit brokers
- Deposit brokers

These are also legally obliged to treat personal data with the necessary care. Some examples:

- SWIFT for the secure exchange of financial transactions
- Corresponding banks / financial service providers abroad as well as other banks

When you order payments to accounts of other banks we are required to disclose personally identifiable information about you to other banks (e.g. your name or your IBAN).

- Service providers who support us (support/maintenance of IT applications, address identification, archiving, document processing, call center services, compliance services, controlling, data screening for anti-money laundering purposes, data destruction, real estate appraisals, loan processing services, collateral management, collection, customer administration, letter shops, marketing, media technology, reporting, mail processing, research, risk controlling, telephony, website management, auditing services, payment transactions, supplement management)

In all cases mentioned above, we ensure that third parties only have access to personal data necessary for the performance of individual tasks.

5) Transfers of your personal data to a third country or an international organisation

Data will only be transferred to countries outside the EU or the EEA (so-called third countries) if this is necessary for the execution of your orders (e.g. payment orders), if it is legally required (e.g. reporting obligations under tax law), if you have given us your consent or within the framework of order data processing. If service providers are used in a third country, they are obliged to comply with the data protection level in Europe in addition to written instructions through the agreement of the EU standard contract clauses.

Particularly important:

Under no circumstances we will sell your personal data to third parties.

6) Why are your rights important to us?

We will respond to all your privacy concerns as soon as possible. However, sometimes it can take up to a month before you receive an answer from us - if this is legally permissible. If we need more than a month for a final clarification, we will let you know in advance how long it will take.

In some cases we may be allowed to provide information or prohibited from providing information.

In so far as this is legally permissible, we always inform you promptly in this case of the reason for the refusal. You have the right to file a complaint.

7) What rights do you have as an interested party or customer of MHB-Bank AG when it comes to the processing of your data?

The details are described in the respective provisions of the General Data Protection Regulation (GDPR) in Articles 15 to 21.

7.1) You have the right of access (Article 15 GDPR), information and rectification (Article 16 GDPR)

You can request information about your personal data processed by us. If your details are no longer correct, you can request a rectification.

If your data is incomplete, you can request the completion of the data. If we have shared your information with third parties, we will inform those third parties of your rectification - if required by law.

7.2 You have the right to have your personal data erased (Art. 17 GDPR)

You may request the immediate erasure of your personal data for the following reasons:

- If your personal information is no longer needed for the purposes for which it was collected
- If you revoke your consent and there is no other legal basis
- If you object to processing and there are no overriding reasons for processing worthy of protection
- If your personal information has been processed unlawfully
- If your personal information needs to be deleted to comply with legal requirements

Please note that a claim for erasure depends on whether there is a legitimate reason that requires the processing of the data.

7.3 You have the right to restrict the processing of your personal data (Art. 18 GDPR)

You have the right to request a restriction of the processing of your personal data for one of the following reasons:

- If the accuracy of your personal information is disputed by you and we had the opportunity to verify its accuracy
- If the processing is not lawful and you require a restriction of use instead of deletion
- If we no longer need your information for processing purposes, you need it for assertion, exercise or defense against legal claims
- If you have objected as long as it is not certain that your interests prevail

7.4) You have the right to object to the processing of data (Art. 21 GDPR)

We may process your data for legitimate interests or in the public interest. In these cases, you have the right to object to the processing of your data. Please see our separate note in section B: "Information about your right of objection".

7.5) You have a right to raise complaint

In some cases, you may not be satisfied with our response to the concern you raised. Then you are entitled to file a complaint with the data protection officer of MHB-Bank AG as well as the responsible data protection supervisory authority (article 77 GDPR in connection with Section 19 of the German Data Protection Act).

7.6) You have the right to data portability (Art. 20 GDPR)

You have the right to receive personally identifiable information you have given us in a portable format.

8) Are you obliged to provide MHB-Bank AG with certain personal data?

As part of our business relationship we require the following personal data from you:

- Data needed to initiate, establish, conduct and terminate a business relationship
- Data necessary for the fulfillment of the associated contractual obligations
- Data that we are legally obliged to collect

The Anti-Money Laundering Act (Geldwäschegesetz) requires us to identify you using your identity documents before entering into any business relationship. For this purpose we use the Postident procedure or a video identification procedure.

Your name, place of birth and date, nationality, address and identity card information will be collected and recorded.

If any changes occur during the course of our business relationship, you are obliged to notify us immediately.

If you do not provide us with the necessary information and documents, we must neither take up the business relationship you are seeking nor continue.

9) In which cases do we process data automatically?

We sometimes process your data automatically with the aim of evaluating certain personal aspects (so-called profiling).

This applies, for example, to the following case:

- Due to legal and regulatory requirements, we are obliged to certain measures to combat money laundering, terrorist financing and other offenses related to assets. In these cases data evaluations (among others in payment transactions) are carried out. These measures are taken in particular for your protection.

Other automated profiling methods are currently not used by MHB-Bank.

10) How long do we store your data?

We do not process or store your data longer than they are necessary for the fulfillment of our contractual and legal obligations

It should be noted here that our business relationship is a contractual relationship which is usually designed to remain in force for several years.

If the data is no longer required for the fulfillment of contractual or legal obligations, this data is deleted, unless their temporary storage or further processing is still necessary.

Reasons for such addition storage can be e.g. the following:

- The fulfillment of obligations under commercial law or tax laws:

In particular, the Commercial Code (Handelsgesetzbuch), the Tax Code (Abgabenordnung), the Banking Act (Kreditwesengesetz) and the Anti-Money Laundering Act (Geldwäschegesetz) should be mentioned.

The deadlines for storage and documentation specified there are up to ten years.

- The storage of evidence for legal disputes within the framework of the statutory statutes of limitations:

Statutes of limitation under Civil Law may be up to 30 years. However, the regular limitation period is three years.

B) Information on your right to object pursuant to Art. 21 GDPR

1) Individual case-related right of objection

You have the right, for reasons arising out of your particular situation, to object at any time against the processing of your personal data, which is based on the Art. 6 (1) lit e) GDPR (data processing in the public interest) and Art. 6 (1) lit f) GDPR (data processing on the basis of a balance of interests); this also applies to profiling within the meaning of Art. 4 (4) GDPR

In case you object, we will no longer process your personal data unless we can prove compelling reasons for the processing that outweigh your interests, rights and freedoms, or the processing is for the assertion, exercise or defense of legal claims.

2) Right to object to the processing of data for advertising purposes

In individual cases we process your personal data in order to operate direct advertising. You have the right at any time to object to the processing of your personal data for the purpose of such advertising; this also applies to profiling, insofar as it is connected with such direct advertising. If you object to the processing for purposes of direct marketing, we will no longer process your personal data for these purposes.

Addressee of the objection

Your contradiction can be done informally and shall be addressed to the following address:

MHB-Bank Aktiengesellschaft
Datenschutzbeauftragter / Data Protection Officer
Niederneu 61-63
60325 Frankfurt Main
E-Mail: datenschutz@mhb-bank.de