

## **VTB Capital Plc**

### **Privacy Notice**

**Effective Date:** November 2018

#### **How We Use Personal Data**

To provide Investment Banking services, VTB Capital Plc (“VTB”, “we”, “us” or “our”) may collect and process personal data relating to individuals associated with corporate clients or counterparties, and visitors to our website. Personal data means any information identifying directly or indirectly an individual. This notice provides information as to how, when and why VTB Capital Plc may process personal data.

VTB is the controller and responsible for the collection and use of your personal data for the purposes described in this Privacy Notice, and its contact details can be found in the “Contact Information” section below.

#### **Who we collect personal data about:**

VTB collects and processes personal data on visitors to our website, individuals using our products and services, and individuals associated with institutional clients and counterparties, including but not limited to:

- Individual directors, company secretaries or other equivalent individual office holders and beneficial owners of the client or counterparty;
- Any employees, contractors, representatives, officers or agents of the client or counterparty;
- Legal representatives and other individuals authorised to act on behalf of the client or counterparty;
- Individuals associated with the directors and beneficial owners of the client's business; and
- Guarantors and third-party security providers.

We will collect this personal data directly from the client institution, from publicly available sources or third parties providing services to us. This includes (without limitation) recruitment agencies, market data suppliers and screening tool suppliers.

#### **Personal data we collect:**

The personal data we collect includes: name; professional address; professional telephone number; professional email address; copies of documents attesting to an individual's identity, date and place of birth; government identifiers; information about the role and position with the corporate client; and any other personal data that is provided to us where this is necessary to comply with regulatory or legal requirements imposed on VTB. We may also process personal data provided to us on our website.

We collect certain personal data by automated means when you visit us online, through the use of "cookies" and other similar technologies. This collection is described further in the ‘Cookie’ section below.

#### **What we do with the personal data:**

We will only use personal data when permitted by applicable law. We will rely on the following legal bases to process personal data:

- Where we need to perform the contract we are about to enter into or have entered into with an individual;
- Where it is necessary for our legitimate interests and an individual's interests and fundamental rights do not override those interests; and
- Where we need to comply with a legal or regulatory obligation.

A list of purposes for which this processing is performed and the legal basis for doing so can be found below.

Processing purpose	Legal basis
Client/Counterparty relationship management and account administration	<ul style="list-style-type: none"> <li>▪ Legal obligation</li> <li>▪ Legitimate interests of VTB to manage its operations and third party relationships and to keep our records updated.</li> </ul>
Transaction processing, registering of trades, monitoring and analysis activities to develop and manage our products and services	<ul style="list-style-type: none"> <li>▪ Legal obligation</li> <li>▪ Performance of a contract</li> <li>▪ Legitimate interests of VTB to provide its services, manage its business operations, strategic growth and product / service development.</li> </ul>
Undertaking client due diligence checks for the prevention and detection of financial and other crimes and undertaking checks, including on related parties, in relation to identity verification, application checks, anti-money laundering, compliance and risk screening. Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.	<ul style="list-style-type: none"> <li>▪ Legal obligation</li> <li>▪ Legitimate interests of VTB to prevent and investigate fraud, money laundering and other crimes and to verify the Client's/Counterparty's identity in order to protect its business.</li> </ul>
Communicating with (including marketing materials) the client/counterparty and related parties from time to time about products, services, events offered by VTB Capital Plc or VTB affiliates, and other communications such as research and insights that may be of interest to the client/counterparty and related parties.	<ul style="list-style-type: none"> <li>▪ Legitimate interests of VTB to manage third party relationships, make suggestions and recommendations about goods or services that may be of interest, to develop its products/services and grow its business. Subject to applicable law, we obtain consent to send these communications.</li> </ul>
Complying with legal obligations to which it is subject and co-operating with regulators and law enforcement bodies	<ul style="list-style-type: none"> <li>▪ Legal obligation</li> </ul>
Monitoring and recording of communication and activity, including telephone call, emails and CCTV images, subject to applicable law.	<ul style="list-style-type: none"> <li>▪ Legal obligation</li> <li>▪ Legitimate interests of VTB for provision of administration and IT services, network and premises security, to prevent fraud and criminal activity.</li> </ul>

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that personal data when requested, we may not be able to perform the contract we have or are trying to enter into with you.

We will only use personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we plan to use the personal data provided to us for other purposes than those described above, we will provide information about that processing at the time of collection.

**How we share your personal data:**

We may provide personal data about you to any VTB affiliates or third parties for the purpose of processing transactions, payments or settlements, or in connection with the provision of other services. A list of VTB affiliates can be found at: <https://www.vtbcapital.com/about/contacts/> We will only do this where permitted by applicable law.

We may have to provide personal data to regulatory, judicial, tax and supervisory authorities to meet our legal obligations, subject to applicable law. Personal data may also be passed to law enforcement agencies if we identify or suspect criminal activity.

We may provide personal data to our service providers and agents (including their sub-contractors). This includes (but is not limited to) organisations that host our IT systems and data, our legal advisors and accountants. Where we engage with a supplier or agent to process client and related parties' information on our behalf, we will undertake due diligence, monitoring and assurance activities to ensure that the personal data is appropriately protected, and contractual clauses will be agreed between the parties to ensure that data protection and confidentiality is maintained in accordance with the requirements of applicable law.

In addition, we may disclose personal data in the event we sell or transfer all or a portion of our business or assets (including in the event of a reorganisation, dissolution, or liquidation).

**Data transfer:**

We may transfer to and store the personal data we collect in countries other than the country in which the personal data was originally collected, including countries outside the European Economic Area (“EEA”), in accordance with applicable law. Those countries may not have the same data protection laws as the country in which the personal data was provided. When we transfer personal data to other countries, we will protect the personal data as described in this Privacy Notice and comply with applicable legal requirements providing adequate protection for the transfer of personal data to countries outside the EEA. This includes by entering into the European Commission’s EU Standard Contractual Clauses with the data importer, or ensuring that the data importer has certified to the EU-U.S. Privacy Shield Framework, or has implemented Binding Corporate Rules. To obtain a copy of the safeguards we have put in place, please contact us as indicated in the ‘Contact Information’ section below.

**Retention of personal data:**

We retain personal data for as long as necessary to fulfill the purposes for which we collect it, except if required otherwise to retain the personal data for longer for legal, regulatory and fraud prevention purposes.

**Rights of individuals in relation to their personal data:**

Subject to applicable law, you have the right to request access to the personal data we maintain about you, rectification of your personal data if it is inaccurate or outdated, or erasure of your personal data in certain circumstances specified in the law. You may also request the restriction of the processing of your personal data or object to that processing on grounds relating to your particular situation. Also subject to applicable law, you have the right to receive a copy of your personal data in a structured, commonly used, machine readable format, including a right to have that personal data transmitted to another organisation.

Please refer to the ‘Contact Information’ section for details on how to exercise these rights. In order to exercise these rights we may require proof of identity.

## **Cookies:**

We may use cookies and similar technologies on our websites and in emails. Cookies are text files that hold small amounts of information, which an individual's computer or mobile device stores when they visit a website or use a mobile app. We use the following categories of cookies on our website:

### **A. Strictly Necessary Cookies**

These cookies are necessary for our website to operate properly and facilitate your use of its features. Without these cookies, certain services cannot be provided. These cookies help us understand information, such as your session ID and other server authentication information. This category of cookies should not be disabled. If you use your browser settings to block them, we cannot guarantee your security or predict how our website will perform during your visit.

### **B. Analytics Cookies**

These cookies collect information about how visitors interact with our website, such as what pages you visit and if any errors have occurred. The information is used to improve how our website function. We use Google Analytics to generate statistical data on how visitors use our website. You can opt out by visiting [tools.google.com/dlpage/gaoptout](https://tools.google.com/dlpage/gaoptout).

## **How to manage cookies:**

You can manage cookies through your web browser. Most browsers will tell you how to stop accepting new cookies, how to be notified when you receive a new cookie, and how to disable existing cookies. You can find out how to do this for your particular browser by clicking "help" on your browser's menu or by visiting [www.allaboutcookies.org](http://www.allaboutcookies.org). Please note, however, that without cookies you may not be able to take full advantage of all our website features.

The following external links will explain how to manage cookies for the most common browsers:

[Internet Explorer](#)

[Microsoft Edge](#)

[Google Chrome](#)

[Firefox](#)

[Safari](#)

In addition to the browser-based controls, you can manage third-party cookies by visiting [www.aboutads.info/choices/](http://www.aboutads.info/choices/) and [www.youronlinechoices.eu/](http://www.youronlinechoices.eu/).

## **Updates to our privacy notice**

This Privacy Notice may be updated periodically at our discretion to reflect changes in our privacy practices or relevant laws. We will make any changes to this Privacy Notice by updating this page and notifying you of these changes where required by applicable law. You should check this page from time to time to ensure that you are happy with any changes. This Privacy Notice is effective from the date specified in the 'Effective Date' section at the top of this page.

**Contact information:**

Below are the contact details for any complaints or any access, correction or other requests in respect of the personal data we hold about individuals:

Data Privacy Coordinator

VTB Capital Plc

14 Cornhill

London

EC3V 3ND

Email: [data.privacy@vtbcapital.com](mailto:data.privacy@vtbcapital.com)

**Complaints**

We are committed to working with individuals to obtain a fair resolution of any complaint or concern about privacy. If, however, individuals believe that VTB has not been able to assist with their complaint or concern, they have the right to make a complaint to the data protection authority.