

To Whom it May Concern:

## **The General Data Protection Regulation and Data Protection Notice from BNP Paribas**

### ***Background***

Beginning on 25 May 2018, the European Union's General Data Protection Regulation (EU) 2016/679 (the '**GDPR**') will replace the EU's current data protection regime as established by Directive 95/46/EC (the '**Directive**').

In contrast to the Directive, the GDPR will have a direct effect throughout the EU. The GDPR is broad in scope, and although it continues to include many of the principles from the Directive, it also introduces a series of new provisions on personal data that will have a significant impact on data controllers, data processors, and data subjects.

### ***Brief summary of the most significant changes***

- Improved standardisation of the EU's data protection regime;
- Expansion of the territorial scope;
- The data controller must demonstrate compliance with the GDPR;
- The scope of activity has increased for supervisory authorities;
- The conditions for obtaining consent have become stricter;
- A focus based on risk has been adopted for compliance with the GDPR's requirements (accountability);
- Mandatory adoption of principles such as 'privacy by design' and 'by default'; and
- Expanded rights for data subjects on access to their data and its rectification or erasure.

At BNP Paribas Securities Services, we have three specific areas of focus for managing the GDPR's entry into force:

- a) Implementing a stronger, more specific policy and promoting a culture of data privacy protection through training programmes for employees;
- b) Ensuring that the IT applications we use for processing personal data comply with the new legislation, especially in terms of data security, traceability, and storage periods;
- c) Updating contractual clauses for the agreements established with clients and vendors. New agreements and renewals will already include updated clauses in accordance with the GDPR's requirements, and when existing agreements need to be adapted for compliance with the GDPR, the updated clauses can be incorporated at the client's request.

### ***Data Protection Notice from BNP Paribas***

The GDPR specifically implements the principle of transparency, by requiring that data controllers must provide data subjects with specific information about the processing of their personal data.

BNP Paribas guarantees both compliance with the principle of transparency and the rights of the data subjects in relation to processing of their personal data. For more information, you can view the legal notice on data protection available at our website (<http://securities.bnpparibas.com/data-protection-notice-sp.html>), along with the periodic modifications we will be making to it (the '**Data Protection Notice**').

The Data Protection Notice provides information about the legal basis on which the personal data is processed; the sources and categories of the personal data collected; transfers of personal data and

the corresponding recipients; and the criteria used to determine the storage periods for personal data.

***Information regarding processing of the data your Business provides to us***

By means of this letter your Business is being informed, on its own behalf, that it is possible for BNP Paribas, as the data controller:

- (a) to make use of a variety of means to record, store, use, and process records or information about your Business, its subsidiaries, and any other third-party whose personal data is provided to BNP Paribas on behalf of your Business or its subsidiaries (the '**data subjects**') (including data from the special categories referred to in Articles 9 and 10 of the GDPR); and
- (b) to make use of and process the information about your portfolio, investments, assets, accounts, and transactions with BNP Paribas,

to provide you with banking and/or investment services and other auxiliary services reasonably associated with them, or as established in any other manner in our Data Protection Notice and/or to comply with any laws that may be applicable.

Before providing BNP Paribas with personal data related to the data subjects, your Business is declaring and guaranteeing that it has made those data subjects aware of the information contained in the attached Data Protection Notice and in this letter, and it is accepting that BNP Paribas and/or any other business belonging to BNP Paribas' corporate group may process the personal data related to the data subjects in accordance with the Data Protection Notice and this letter.

Unless they are legally or contractually obligated to do so, your Business, its subsidiaries, and the data subjects are not subject to any obligation to provide their personal data to BNP Paribas or to any business belonging to BNP Paribas' corporate group. However, access to and use of any banking and/or investment services provided by BNP Paribas, or by any business belonging to its corporate group, may not commence or continue if your Business, its subsidiaries and/or the data subjects do not provide the personal data requested.

If you have any questions about the Data Protection Notice or would like to receive a copy of it in your language, please contact:

[derechosprotecciondatos\\_bp2s@bnpparibas.com](mailto:derechosprotecciondatos_bp2s@bnpparibas.com)

[DPOdeskSpain@bnpparibas.com](mailto:DPOdeskSpain@bnpparibas.com)

Exercise of Rights (GDPR 2016/679)  
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Yours faithfully,

BNP Paribas Securities Services, Sucursal en España