



NLFI PRIVACY STATEMENT

November 2018



1. INTRODUCTION

This is the NLFI Privacy Statement for customer, supplier and business partner data. This Privacy Statement provides information on the processing of personal data by Stichting Administratiekantoor Beheer Financiële Instellingen, hereafter NLFI, **we** or **us**. NLFI, a not-for-profit organisation with a statutory mandate, was established to ensure a clear separation of interests, a credible exit strategy and a commercial, non-political corporate governance. According to article 3.5 of the articles of association of NLFI the taking of fundamental or important decisions (*principieel of zwaarwegende beslissingen*) relating to the performance of duties of NLFI is subject to prior approval of the Minister of Finance.

2. WHEN DOES THIS PRIVACY STATEMENT APPLY?

This Privacy Statement is applicable to the processing by NLFI of all personal data of (candidate) members of the management board, (candidate) members of the supervisory board of its participations. This Privacy Statement does not address the processing of personal data of employees in the context of their employment relationship with NLFI.

This Privacy Statement may be changed over time.

3. WHO IS RESPONSIBLE FOR YOUR PERSONAL DATA?

NLFI is the controller of the processing of all personal data that fall within the scope of this Privacy Statement.

4. FOR WHICH PURPOSES DO WE PROCESS YOUR PERSONAL DATA?

4.1 In respect of the appointment of members of the management board and the appointment of members of the supervisory board of NLFI's participations

(i) What does this purpose entail?

In its role as shareholder NLFI has the right to appoint members of the management board and/or members of the supervisory board, as the case may be, of its participations.

On the basis of the relationship contracts entered into with its respective participations, NLFI may have further rights (the "**Further Rights**"), such as, the right:

- to advise in respect of the appointment of members of the management board; or
- to render its opinion in respect of the nomination by the supervisory board of a candidate member of the management board; or
- to advise in respect of the appointment of the chairman of the supervisory board; or
- to appoint the chairman of the supervisory board.

(ii) Which personal data do we process for this purpose?

For this purpose, we process: name, birth date, contact details, curriculum vitae, function and/or salary details, of candidate members of the management board and candidate members of the supervisory board, and all other information disclosed by the respective participation to NLFI for such purpose.

(iii) **On what legal ground do we process personal data for this purpose?**

We process your personal data based on our responsibility to conduct the management under private law of our participations as laid down in article 2 of the NLFI Act (*Wet Stichting Administratiekantoor Beheer Financiële Instellingen*). The right to appoint members of the supervisory board and/or members of the management board, as the case may be, follows from the respective articles of association of the respective participations. Furthermore there are the Further Rights (as defined above) that follow, as the case may be, from the relationship contracts with the respective participations.

(iv) **For what period do we retain your personal data for this purpose?**

NLFI retains your personal data for a retention period in accordance with the Archiefwet (archiving law). After such retention period, your personal data will be deleted from our systems.

4.2 To evaluate the functioning of the management board and the supervisory board of its participations.

(i) **What does this purpose entail?**

It has been agreed with the respective participations that NLFI meets on a regular basis with the chairman of the management board and the chairman of the supervisory board on the evaluation of the functioning of the management board and the supervisory board.

(ii) **Which personal data do we process for this purpose?**

For this purpose we process, name and/or function information regarding the functioning of individual members of the management board and the supervisory board and regarding the functioning of the management board and the supervisory board as a whole.

(iii) **On what legal ground do we process personal data On what legal ground do we process personal data for this purpose?**

We process your personal data for this purpose based on our legitimate interest to execute our responsibility to conduct management under private law of our participations as laid down in article 2 of the NFLI Act. It follows from the relationship contracts with the respective participations, that on a regular basis, meetings with the chairman of the management board and the chairman of the supervisory board will be held regarding the functioning of the management board and the supervisory board as a whole.

(iv) **For what period do we retain your personal data for this purpose?**

NLFI retains your personal data for a retention period in accordance with the Archiefwet (Archiving law). After such retention period, your personal data will be deleted from our systems.

4.3 To analyse and prepare reports in respect of its participations for the Minister of Finance and the Ministry of Finance

(i) **What does this purpose entail?**

According to article 3.5 of the articles of association of NLFI the taking of fundamental or important decisions (*princiepelijk of zwaarwegende beslissingen*) relating to the performance of duties of NLFI is subject to prior approval of the Minister of Finance. These include, *for example*

- the right to appoint the chairman of the supervisory board or the opportunity to advise in respect of the appointment of the chairman of the supervisory board, as the case may be;
- the right to advise or the right to reveal its opinion on the decision to appoint a CEO/CFO of a participation, as the case may be;

(ii) **Which personal data do we process for this purpose?**

For this purpose, we process: name, birth date, contact details, curriculum vitae, and all other information disclosed by the respective participations to NLFI for the purposes set out in paragraph 4.1 (i) and 4.2 (ii) above.

(iii) **On what legal ground do we process personal data for this purpose?**

We process your personal data for this purpose based on our legitimate interest to execute our responsibility to conduct management under private law of our participations as laid down in article 2 of the NFLI Act. According to article 5 of the NLFI Act (*Wet stichting administratiekantoor beheer financiële instellingen*), upon request, NLFI provides the Minister of Finance, through the Ministry of Finance, with all the information required for the performance of its duties. In this respect, the Minister of Finance may demand access to all business data and documents, if such is reasonably necessary for the performance of its duties. When providing information, NLFI will indicate which data are of a confidential nature, where necessary, which confidential nature will ensue from the nature of the data or from the fact that natural persons or legal entities provided these data to NLFI on the proviso that these are to be deemed confidential.

(iv) **For what period do we retain your personal data for this purpose?**

NLFI retains your personal data for a retention period in accordance with the Archiefwet (Archiving law). After such retention period, your personal data will be deleted from our systems.

5. COOKIES

We also collect information through the use of cookies. Cookies are small files of information which save and retrieve information about your visit to this website – for example, how you entered our site, how you navigated through the site, and what information was of interest to you.



6. WHO HAS ACCESS TO YOUR PERSONAL DATA?

6.1 Access to your personal data within NLFI

NLFI employees are authorised to access personal data only to the extent necessary to serve the applicable purpose and to perform their jobs.

6.2 Access to your personal data by third parties

The following third parties have access to your personal data, where relevant, for supervisory reasons or for the provisioning of their products or services to NLFI:

- The Dutch Central Bank (Nederlandsche Bank)
- The European Central Bank
- Authority on Financial Markets
- Authority on Consumers and Markets and related reporters
- The Minister of Finance and the Ministry of Finance
- The Netherlands Court of Auditors
- Insurance companies, located in The Netherlands or Europe, as the case may be.
- IT suppliers, located in The Netherlands or the United Kingdom, as the case may be.
- Accountants, located in The Netherlands.

When third parties are given access to your personal data, NLFI will take the required contractual, technical and organisational measures to ensure that your personal data are only processed to the extent that such processing is necessary. The third parties will only process your personal data in accordance with applicable law.

If your personal data are transferred to a recipient in a country that does not provide an adequate level of protection for personal data NLFI will take measures to ensure that your personal data are adequately protected, such as entering into EU Standard Contractual Clauses with these third parties.

In other cases, your personal data will not be supplied to third parties, except where required by law.

6.3 The use of your personal data by data processors

When a third party processes your personal data solely following NLFI instructions, it acts as a data processor. We enter into an agreement with such a data processor for the processing of personal data. In this agreement we include obligations to ensure that your personal data are processed by the data processor solely to provide services to us.

7. HOW ARE YOUR PERSONAL DATA SECURED?

NLFI has taken adequate safeguards to ensure the confidentiality and security of your personal data. NLFI has implemented appropriate technical, physical and organisational measures to protect personal data against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorised disclosure or access as well as all other forms of unlawful processing (including, but not limited to, unnecessary collection) or further processing. Examples are IT security policies, staff training and secure servers.

8. YOUR RIGHTS

Under applicable data protection and privacy laws, you may have rights to:

- Access your personal data

You may ask us whether we process any personal data that relates to you. If this is the case, you may ask us to provide you with a copy of the personal data we process of you insofar as required by applicable data protection laws.

- Correct and erase your personal data

You may request us to correct any inaccurate personal data we process of you. Also, you may ask us to erase the personal data that relate to you if they are no longer necessary for the purposes for which we processed them, if you have withdrawn your consent and we do not have another legal ground for processing your personal data, if your personal data have been unlawfully processed, if your personal data have to be erased following applicable EU or EU member state laws, or if it concerns a child's personal data processed in relation to offering information society services.

- Request the restriction of processing

You may request the restriction of the processing of your personal data if you have contested the accuracy thereof, if the processing is unlawful and you prefer restriction over erasure, if we no longer need your personal data for a purpose but you need them for the establishment, exercise or defence of legal claims, or while your exercised your right to object is being reviewed.

- Object to processing your personal data

You may object to our processing of your personal data based on our legitimate interest. We will then no longer process your personal data for this purpose, unless we have an overriding legitimate interest to do so. You may also ask us to erase your personal data, unless there is an overriding legitimate interest for the processing.

You may also opt out from processing your personal data for direct marketing purposes.

- Withdraw your consent to processing your personal data

You may withdraw your consent to the processing of your personal data (where NLFI is processing your personal information based on your consent).



- Data portability

You may request receipt or transmission to another organisation, in a machine-readable form, of the personal information that you have provided to NLFI.

- Lodge a complaint with supervisory authority

If you feel that we do not comply with the applicable privacy laws, you have the right to lodge a complaint with your local supervisory authority.

9. CONTACT INFORMATION

If you have any questions regarding the processing of your personal data, send a request relating to any of your data protection rights, please contact media@nlfi.nl