

Data Protection Notice (SNBL) – job applicants and candidates

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SMBC Nikko Bank (Luxembourg) S.A., a public limited company governed by Luxembourg law, registered with the Luxembourg Register of Trade and Companies under number B 11809, having its registered office at 2, rue Hildegard von Bingen, L-1282 Luxembourg (the “**Bank**”, “**we**”, “**us**”, “**SNBL**”) processes personal data relating to job applicants and candidates to manage the and for purposes of the application process. We treat the privacy of job applicants and candidates’ personal data very seriously and we take appropriate security measures to safeguard the privacy of your personal data. The Bank recognises and complies with your data privacy rights as set out in the General Data Protection Regulations (GDPR) and EU country-specific regulations.

This Data Protection Notice (the “**Notice**”) explains how we - as a data controller within the meaning of GDPR - protect and manage the personal data you share with us and the information which we retain, including how we process your personal data, and your individual personal data rights.

Personal data means any information that relates to an identified or identifiable individual, for example: a first and last name, a home or other physical address, an email address or other contact information, bank details and further information.

What information does the Bank process?

The Bank processes, in particular, personal details, (future) employment terms and conditions, application and employment history data, nationality, residence and work permit data, data on knowledge, skills and propriety (Senior Managers and Certification Regime and comparable regimes), certification employee / senior manager regulatory status data, conflicts of interest data and data relating to criminal convictions and offences.

Where do we get this information from?

We collect this information in a variety of ways. For example, data is collected through application forms, CVs or resumes, from forms completed by you prior to employment, from correspondence with you, or through interviews, meetings or other assessments, as well as from documents provided by you as part of the pre-employment screening process, including an extract from the criminal record.

Much of the information we process will have been provided directly by you. We may also obtain certain personal data about you from third parties, where necessary and in accordance with applicable law, including recruitment agencies and pre-employment screening providers.

Information obtained from third parties may include, in particular, your CV and other application information received from recruitment agencies, and information relating to qualifications and pre-employment screening received from pre-employment providers.

We may also obtain information from publicly available online sources in connection with the recruitment process (for example, professional social networks such as LinkedIn).

For which purposes and on which legal basis do we process personal data?

We process personal data (e.g. your name, address) for the purposes of the job application process and the conclusion of a (potential) future employment contract with the job applicant on the basis of pre-contractual measures taken at your request, pursuant to Art. 6(1)(b) GDPR. As an employer, the Bank needs to process information about its job applicants to be able to evaluate if the respective

applicants are suited for the respective job they apply for and to make an informed decision regarding the individual application.

As part of its pre-employment screening, the Bank processes information relating to criminal convictions and offences to assess candidate's suitability and integrity and, where applicable, compliance with legal and regulatory fit and proper requirements pursuant to Art. 6(1)(b) and/or Art. 6(1)(c) GDPR, as applicable, and in accordance with Art. 10 GDPR and applicable Luxembourg law.

We process personal data for legitimate purposes based on Art. 6(1) sentence 1 lit. f GDPR. For example, we might process personal data of applicants with which we do not enter into an employment contract also after the conclusion of the application process for a limited period of time to defend against legal claims brought against us (by such applicants). Where the Bank relies on legitimate interests as a reason for processing data, we have considered whether or not those interests are overridden by the rights and freedoms of the data subject.

We might process personal data if the job applicant gives us respective consent on the basis of Art. 6(1) sentence 1 lit. a GDPR or on the basis of Art. 9(2) lit. a GDPR (within the scope of the respective consent given).

We also process personal data, where applicable, for the following purposes:

- Ensure effective recruitment and related business administration (Art. 6(1)(f) GDPR – legitimate interests: effective administration of the recruitment process);
- Maintain and promote equality in the recruitment process (Article 6(1)(c) – compliance with a legal obligation: non-discrimination and equal treatment).

Storage of your personal data

Insofar as no other storage period is specified by other provisions of this Data Protection Notice, personal data will generally only be stored for as long as is necessary in order to achieve the respective processing purpose, and thereafter only to the extent and insofar as we are obliged to do so due to mandatory statutory storage obligations. If we no longer require your data for the purposes described above, then storage will only take place during respective statutory retention periods and there will be no processing for other purposes.

For successful candidates, relevant application data may be transferred to and retained in the employee's personnel file in accordance with the applicable employee retention periods. For unsuccessful candidates, application data are retained for 6 months after the end of the recruitment process and, where the candidate agrees to be considered for future opportunities, for up to 2 years.

These retention periods take into account the length of time we need to store personal data to run the business and manage our relationship with (potential) future employees effectively during the recruitment process, as well as any legal, statutory and regulatory obligations.

Which third parties access to personal data?

Personal data collected in the context of the processes described in this Data Protection Notice will not – subject to other cases described in this Data Protection Notice – be passed on to third parties or transmitted in any other way without the data subject's consent.

- We disclose your personal data to third parties if we are legally obliged to do so (such as at the request of a court or law enforcement agency). The legal basis for such processing is Art. 6 (1) sentence 1 lit. c GDPR (legal obligation).

- We also use technical service providers who process personal data on our behalf (e.g. IT service providers). These service providers process the corresponding personal data exclusively according to our instructions (processor; Art. 28 GDPR).
- We disclose information about you to third parties if you give us respective consent / ask us to do so and make a respective request based on Art. 6(1) sentence 1 lit. a GDPR (consent).
- We disclose information about you to third parties if we or the third party has a legitimate interest in doing so based on Art. 6(1) sentence 1 lit. f GDPR.
- We disclose personal data to third parties if this is required for the initiation or fulfilment of a contract of which the data subject is or intends to be a party on the basis of Art. 6 (1) sentence 1 lit. b GDPR (contract or contract initiation).

Where necessary for managing your application, for the operation of the Bank, or where required by law or regulation, we may disclose your personal data to third parties. Such third parties may process personal data as independent controllers, joint controllers or processors for the Bank.

We also share information about you with other SMBC group companies where necessary for the recruitment process, including for group recruitment coordination and, where applicable, regulatory or management assessment of the application. SNBL has entered into a Data Sharing Agreement with its parent company SMBC Bank EU AG, which also covers relevant data sharing with other SMBC group affiliates through SMBC Bank EU AG.

Where we transfer your personal data outside the EEA, we will ensure that it is protected in a manner that is consistent with how your personal data will be protected by us in the EEA. This can be done in a number of ways, for instance:

- the country that we send personal data to might be approved by the European Commission as offering an adequate level of data protection (this applies for example regarding a transfer of personal data to Japan with regard to which the EU Commission has issued a decision on the adequacy of the level of data protection); or
- the recipient might have signed up to a contract based on “standard contractual clauses” approved by the European Commission, obliging them to protect your personal data.

In all cases, we will ensure that any transfer of your personal data outside the EEA is compliant with data protection law (chapter V of the GDPR).

You can obtain more details about the protection given to your personal data when it is transferred outside the EEA (including where applicable, information on the relevant safeguards) by contacting us in accordance with the “Important Information” section below.

How does the Bank protect my data?

The Bank takes the security of your personal data seriously. The Bank has internal policies and controls in place to ensure confidentiality, availability and integrity of your personal data. For example, respective policies describe processes so that your personal data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Where the Bank engages third parties as data processors to process personal data on its behalf, they do so based on written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

What are my rights in relation to personal data?

You have the right to obtain from us confirmation as to whether or not personal data concerning you are being processed and, where that is the case, access to such personal data and to the information required under Articles 13 and 15 GDPR. You also have the right to obtain a copy of the personal data undergoing processing.

If the legal requirements are met, then you will also have rights to have us correct, delete or restrict the processing of the relevant personal data, the right to object to our processing of your personal data and to receive from us the personal data relating to you that you have provided to us in a structured, standard and machine-readable format (you may transmit this data or have it transmitted to other bodies).

If you have given your consent to the use of personal data, then you can revoke that consent at any time for the future, without affecting the lawfulness of processing based on your consent before its withdrawal.

If you believe that our processing of personal data concerning you violates applicable data protection law, then you may lodge a complaint with the *Commission nationale pour la protection des données* (CNPD), 15, Boulevard du Jazz, L-4370 Belvaux, Luxembourg (www.cnpd.lu).

Important Information

If you would like to invoke any of the above rights with us, have any questions or queries which are not answered by this Data Protection Notice, or have any potential concerns about how we may use the personal data we hold you can address such issues towards us.

With regard to data privacy queries, you may also contact the SNBL's Head of Legal under LEGAL@smbcnikko-lu.com. You can also reach out to the Head of Legal at this address: Head of Legal, SMBC Nikko Bank (Luxembourg) S.A., 2, rue Hildegard von Bingen, L-1282 Luxembourg; or via phone: +352 44 28 28 1.

What if I do not provide (relevant) personal data?

If you do not provide the Bank with certain data during the application process (such as, e.g., data regarding your prior work experience, contact details, information on your right to work in a specific country) it is unlikely that the Bank will enter into an employment agreement with you. Providing this information is necessary for us to conduct the recruitment process and is a prerequisite for the possible conclusion of an employment contract.

Data Protection Notice changes

This Data Protection Notice is regularly reviewed. This is to make sure that we continue to meet the highest standards and to protect your privacy. We reserve the right, at all times, to update, modify or amend this Notice.