

## **BANCO DO BRASIL S.A. - GRAND CAYMAN BRANCH**

**(the *Bank*)**

### **DATA PROTECTION PRIVACY NOTICE**

Confidentiality is intrinsic to the Bank's business and we take data protection very seriously. This notice is provided to enable you to better understand our processing of your personal data and prove our commitment to process your personal data in accordance with the Cayman Islands Data Protection Law, and any applicable, regulations and standards in the Cayman Islands. It also informs you of your rights regarding your personal data.

#### **Data Controller**

Banco do Brasil S.A., operating in the Cayman Islands from offices at 2nd Floor Waterfront Centre, 28 North Church Street (P.O. Box 1360 KY1-1108) Grand Cayman, Cayman Islands, is acting as a data controller with respect to your personal data. The Bank is responsible for ensuring that your personal data is processed in compliance with the Cayman Islands Data Protection Law and to provide you with this notice. If you have any questions or concerns about your personal data or this privacy notice or you wish to make a complaint about how we process your personal data, or you wish to exercise any of your rights as a data subject please contact the Bank by email at [grandcayman@bb.com.br](mailto:grandcayman@bb.com.br).

We are usually able to resolve privacy questions or concerns promptly and effectively. If you are not satisfied with the response you receive from us, you may escalate concerns to the Cayman Islands Office of the Ombudsman - <https://ombudsman.ky/data-protection>.

#### **Types of personal data collected**

The Bank may collect and process the following types of personal data:

- (a) identification data (eg name, surname, addresses, alias, place and date of birth, professional information, proof of identity (such as passport, photograph, identity card) and proof of address, results of fraud, criminal record checks, sanction screening, numeric data including tax identification numbers, bank details, signature, contact information, social security details and FATCA/CRS details, politically exposed persons checks and any other checks required by anti-money laundering and counter terrorist financing regulations;
- (b) professional data (eg position, company);
- (c) administrative data (eg language, tax identification numbers, bank details, signature, contact information, social security details); or
- (d) financial data (eg tax data, FATCA/CRS details, transactional data, investment preferences, investment history).

The Bank will also process personal data relating to business contacts, staff of the Bank's service providers, authorised signatory lists, staff of a third party who may become involved in a transaction/contract with the Bank.

Personal data will also relate to individuals connected with corporate clients or potential corporate clients and entities related to them or controlled by them (including without limitation the directors, officers, individual representatives, legal representatives, trustees, settlors, signatories, shareholders, unitholders, investors, nominees, employees, beneficial owners, and/or any relevant person(s)).

## **Sources of personal data**

This data may be provided directly by you, other Banco do Brasil group companies or branches, other third party data sources or, through your authorised intermediaries, directors, officers, individual representatives (including, without limitation, legal representatives), signatories, shareholders, nominees or employees. The Bank may also collate and hold data found from the results of internet searches and other sources in the public domain in the course of the client due diligence process and in providing the services that the Bank is engaged to provide.

The Bank processes the following documents that may also contain your personal data: employment history, bank references, register of members, register of directors, financial statements, controlling persons list, authorised signatories lists, minutes and resolutions. In the course of your dealings with the Bank you may provide us with further information; all of this information will be kept securely by us.

When the Bank does not collect personal data directly from you, it must tell you the categories of personal data that it processes which have been collected from other sources. The Bank processes the following categories of your personal data that are not collected directly from you:

- (a) Identity and other information from other Banco do Brasil group companies and branches;
- (b) identity/address and other information from sanctions screening, fraud prevention agencies or credit reference agencies.

The Bank will notify you should any further personal data be collected from third parties.

## **Purposes of processing**

The Bank may process your personal data in accordance with the Cayman Islands Data Protection Law and solely for one or more necessary legal purposes (as described below).

In particular, the data supplied by you is processed for the purpose of:

- (a) providing banking and financial services and fulfilling instructions;
- (b) complying with applicable anti-money laundering and counter terrorist financing rules, performing legal requirements under FATCA, the Common Reporting Standard (CRS) or similar laws and regulations;
- (c) general business administration, decision making in relation to the Bank, business strategy, monitoring and management of IT systems and improving products and services;
- (d) fulfilling the Bank's contractual obligations with third parties;
- (e) internal and external audits and, where necessary, investigations or establishing, exercising or defending legal claims; or
- (f) the legitimate interests pursued by the Bank, or by the third parties.

The above purposes are based on at least one of the following legal basis:

- (a) the processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- (b) the processing is necessary for compliance with a legal or regulatory obligation to which Bank is subject;
- (c) the processing is necessary for the purposes of the legitimate interests pursued by the Bank such as the better administration of its business so long as the rights of data subjects are not overridden; or
- (d) the data subjects have given their explicit consent (this basis is used only exceptionally).

## **Personal data provided to third parties**

The manner in which the Bank operates requires us to share, disclose or provide personal data to third parties to: provide our services to you (including acting on instructions), perform our contracts with third party service providers or as may be necessary for legal/regulatory reasons, such as anti- money laundering and counter terrorist and proliferation financing laws and regulations. Third parties may include: any Banco do Brasil group company or branches, any third party that provides services to the Bank, professional advisors or any lender to the Bank, including without limitation such third parties respective service providers, and any of the foregoing respective agents, delegates, affiliates, subcontractors and/or their successors and assigns generally.

A non-exhaustive list of potential disclosures includes:

- (a) collecting and sending documents when acting on instructions from you or a Bank client;
- (b) collecting and sending documents for external audits;
- (c) collecting and sending documents for external audits of third party service providers;
- (d) publications onto the public record, such as companies registries or beneficial ownership registers;
- (e) publications with regulators;
- (f) FATCA/CRS filings onto approved external platforms;
- (g) sending information to external parties such as: depositaries, notaries, administrators, domiciliation agents, banks, consultants, distributors, managers and other advisors (including, but not limited to, legal advisors), other financial intermediaries and professionals of the financial sector acting on behalf of the Bank and providing services to the Bank, and supervisory or governmental bodies.

Third parties and their respective service providers, directors or management bodies and the Bank may require information on you for their own due diligence assessment and to comply with relevant laws and regulations, therefore we and our processors may share the information you provide to us with them for this purpose.

## **Transfer of personal data out of the Cayman Islands**

Your personal data may be shared with third parties and their sub-processors located outside the Cayman Islands. In particular your personal data may be shared with Banco do Brasil and its group companies in Brazil as well as other jurisdictions in which Banco do Brasil and its group companies and branches operate. In such circumstances the Bank will ensure there are appropriate safeguards and agreements in place between the Bank and the third party to protect your data to compliant standards. Should you require further information please contact us.

Following the transfer of personal data to third parties, your rights remain enforceable and effective legal remedies are ensured.

## **Retention and destruction of personal data**

Your personal data will be kept securely by the Bank. Your personal data will be held for the period stated in applicable law and/or for as long as is required to perform our contract with you after which it will be securely destroyed. We may keep it longer where:

- (a) there is litigation or an investigation;
- (b) where we are obliged to by any applicable law or regulation;

- (c) it may be required to assist with the mitigation of any future tax or regulatory query or enquiry into the transactions or other affairs undertaken by the Bank; or
- (d) at your request (in which case there may be a charge).

### **Your rights**

As a data subject, in addition to lodging a complaint with the Cayman Islands Office of the Ombudsman noted above, you have further specific rights set out below, which you may choose to exercise:

- (a) the right to ask us to confirm whether or not we hold any personal data about you;
- (b) the right to ask us to provide you with copies of your personal data we hold;
- (c) the right to ask us to correct any inaccuracy or incompleteness in your personal data we hold;
- (d) the right to ask us to stop handling your personal data or to not begin the handling of your personal data;
- (e) the right to ask us not to subject you to automated decision-making that uses your personal data; and
- (f) the right to object to us using your personal information for direct marketing purposes.

Please note that the rights you have in respect of your personal data are not absolute and are subject to a range of legal conditions and exemptions.

If and to the extent a relevant legal condition or exemption applies, we reserve the right not to comply with your request. Additionally, while the rights you have can normally be exercised free of charge, the law allows us to charge you in certain limited circumstances. In such cases, we reserve the right to charge you a fee for processing your request.

### **Privacy Breaches**

The Bank takes the security of personal data very seriously. Nevertheless, should a privacy breach occur we will notify you directly as soon as possible following identification of the breach.

This notification will include the nature of the breach, its consequences, the measures proposed by the Bank to address it and the measures recommended to you to mitigate its adverse effects.

### **Governing law and jurisdiction**

This notice will be governed by and interpreted according to the laws of the Cayman Islands. All disputes arising under the note will be subject to the exclusive jurisdiction in the Cayman Islands.

### **Change to this notice**

We may update this notice to reflect changes in the law or our privacy practice.