

# Realkredit Danmark A/S' Privacy Notice – corporate customers

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03. August 2020

## 1. Introduction

This privacy notice applies to the processing of personal data in Realkredit Danmark A/S (Realkredit Danmark) in Denmark. Realkredit Danmark is the data controller for the processing of the personal data comprised by this privacy notice. Contact details: Realkredit Danmark A/S, CVR no. 13399174, Lersø Parkallé 100, DK-2100 København Ø. Realkredit Danmark A/S is a subsidiary of Danske Bank A/S and as such part of the Danske Bank Group.

In the course of our business, we process information about you (personal data).

This privacy notice applies to individuals who are connected with a business customer of Realkredit Danmark. You may be an authorised signatory, a beneficial owner, a director, an employee, a guarantor, a pledgor or another third party connected with a business customer.

This privacy notice sets out how and why Realkredit Danmark processes your personal data and protects your privacy rights.

## 2. What personal data do we process?

Depending on your connection with our business customer, we process different types of personal data, including

- personal details such as your name, social security number or other national ID number and proof of identity such as a copy of your passport, driver's licence and birth certificate
- contact information, including your address, telephone number and email address
- information about your education, profession, work, knowledge and experience
- details about the loans and services we provide to you
- how you use our services and products and your preferences in relation to them
- digital information related to your use of our websites, platforms and digital applications, including, traffic data, location data, behavioural data and other communication data
- information about the devices you use to access our websites as well as technical information, including the type of device and operating system
- information provided by you about preferences for various types of marketing and events
- information about your communication with us, either face to face via our offices, including video surveillance, or by telephone, including recordings of conversations

We process other personal data as necessary to provide you with specific products or services or if we are required by law to do so.

## 3. What we use your personal data for

Realkredit Danmark may process your personal data for any of the following purposes, depending on the capacity in which you interact with us:

- For potential customers to be able to offer relevant products and services, and, if they choose to accept one or more of our products or services and become a customer, for onboarding purposes in relation to identification and verification for anti-money laundering purposes.
- Customer services and customer relationship management, including advice, administration, recovery of outstanding debt, handling of complaints and to make information available to service providers authorised to request information about you.
- Communicating with you about your products and services for legal, regulatory and servicing purposes.
- To improve, develop and manage our products and services and setting fees and prices for our products and services, including using data analytics and statistics to improve products and services and to test our systems.

## Realkredit Danmark A/S' Privacy Notice – corporate customers

---

03. August 2020

- Marketing of our services and products, including marketing on behalf of other entities of the Danske Bank Group, if we have your permission for this or are allowed such marketing by law. We use cookies and similar technology on our website, including for marketing via digital channels and social media platforms such as Facebook. Please refer to our cookie policy for further information.
- To comply with applicable law and for other regulatory and administrative purposes, including identification and verification according to anti-money laundering legislation, risk management, and prevention and detection of money laundering, fraud and other types of financial crime. In relation to anti-money laundering, identification data is collected at regular intervals during our business customer's relationship with us as required by law.
- Security, including the use of video surveillance of the front of buildings, entrances to our branches and other premises, reception and customer areas, ATMs and counters.

#### 4. What is our legal basis for processing your personal data?

We must have a legal basis (lawful reason) to process your personal data. The legal basis will be one of the following:

- You have given us consent to use your personal data for a specific purpose, cf. the GDPR, art. 6.1(a)
- You have entered into or are considering entering into an agreement with us on a service or product, cf. the GDPR, art. 6.1(b)
- To comply with a legal obligation, cf. the GDPR, art. 6.1(c), for example, in accordance with
  - the Danish Anti-Money Laundering Act (*hvidvaskloven*)
  - the Danish Tax Control Act (*skattekontrolloven*)
  - the Danish Bookkeeping Act (*bogføringsloven*)
  - the Danish Credit Agreements Act (*kreditaftaleloven*)
  - the Danish Financial Business Act (*lov om finansiel virksomhed*)
  - the Danish Payments Act (*betalingsloven*)
  - the Danish Data Protection Act (*dataskyttelsesloven*)
  - the Danish Capital Markets Act (*lov om kapitalmarkeder*)
  - the Danish CPR Act (*CPR-loven*)
  - the Danish Mortgage-credit Loans and Mortgage-credit Bonds Act and associated regulations (*lov om realkreditlån og realkreditobligationer med tilhørende bekendtgørelser*)
  - the Danish Land Registration Act (*tinglysningsloven*)
- It is necessary to pursue Realkredit Danmark's or another third party's legitimate interest, cf. the GDPR, art. 6.1(f). For example, if Realkredit Danmark or the business customer that you have a connection with has a business or commercial reason, such as administration of the services and products that the customer has requested, to give you the required access to digital services, for documentation and security purposes, to prevent and detect money laundering, to prevent and detect fraud, abuse and loss, to strengthen IT and payment security and for direct marketing purposes. We will do so only if our legitimate interest in each case is not outweighed by your interests or rights and freedoms.

## Realkredit Danmark A/S' Privacy Notice – corporate customers

---

03. August 2020

### 5. Sensitive personal data

Some of the information we hold about you may be sensitive personal data (also known as special categories of data).

#### Types of sensitive personal data

In particular, we may process the following types of sensitive personal data:

- Information about your health and your genetic background, for example inherited health qualities
- Biometric data, for example via facial recognition technology
- Information about your religious or philosophical beliefs
- Information about your political opinions

We also process sensitive personal data that may appear in budget information you give us and transactions you ask us to execute.

#### Purposes for processing sensitive personal data

We will process sensitive personal data only when we need to, including

- for the purpose of a product or service we provide to you or the business customer that you have a connection with
- for identification and verification purposes
- for the prevention and detection of money laundering and other types of crime, including for fraud prevention and detection purposes
- to comply with legal requirements that apply to us as a financial institution

#### Legal basis for processing sensitive personal data

We may process sensitive personal data about you on the legal basis of

- your explicit consent, cf. the GDPR, art. 6.1(a) and 9.2(a)
- the establishment, exercise or defence of legal claims, cf. the GDPR, art 6.1(f) and 9.2(f)
- substantial public interest, cf. the GDPR, art. 6.1(c) or 6.1(f) and art. 9.2(g)

### 6. How do we collect the information we have about you?

#### Personal data collected from you

We collect information directly from you or by observing your actions, including when you

- fill in applications and other forms for ordering services and products
- submit specific documents to us
- participate in meetings with us, for instance as a representative of the business customer that you have a connection with
- talk to us on the phone
- use our website, mobile applications, products and services
- participate in our customer surveys or promotions organised by us
- communicate with us via letter and digital means, including e-mails, or social media

#### Voice recordings:

When you call us or when we call you at your request or to follow up on your inquiry, conversations may be recorded and stored for documentation and security purposes. Before an employee answers a call or before you enter the queue, you will be notified if the call will be recorded. In a few situations, for example in case of a long waiting time, your call may be redirected to a non-recorded employee without notification to you. If we talk with you about trading in bonds, we are obliged to record and store our telephone conversation. This does not apply, however, to discussions about disbursement or repayment in full of loans, including the signing of a fixed-price agreement

## Realkredit Danmark A/S' Privacy Notice – corporate customers

---

03. August 2020

### **Personal data collected from third parties**

We receive and collect data from third parties, including from

- The business customer that you have a connection with.
- The Danish Central Office of Civil Registration (CPR-kontoret) and other publicly accessible sources and registers. We process the data, for example for identification and verification purposes and to check data accuracy.
- Credit rating agencies and warning registers. We process the data to perform credit assessments. We update the data regularly.
- Other entities of the Danske Bank Group if we have your consent, for example to provide you with better customised products and services.
- Other entities of the Danske Bank Group if existing legislation allows or requires us to share the information, for example, if it is necessary to comply with group-based management, control and/or reporting requirements established by law, or the sharing of notifications to the State Prosecutor for Serious Economic and International Crime (SØIK) in accordance with anti-money-laundering legislation.
- External business partners, including other banks and mortgage credit institutions, subject to your consent to this effect, or if this is permitted under existing legislation. That may be, for example, when we register a mortgage, and therefore disclose information that is necessary to identify you and to execute our agreement with you or the business that you have a connection with. It may also be to prevent and detect money laundering, fraud, abuse and loss.

### **7. Third parties that we share your personal data with**

We will keep your information confidential but we may share it with the following third parties (who also have to keep it secure and confidential):

- Other entities of the Danske Bank Group if we have your consent, for example to provide you with better customised products and services.
- Other entities of the Danske Bank Group if existing legislation allows or requires us to share the information, for example if it is necessary to comply with group-based management, control and/or reporting requirements established by law, or the sharing of notifications to the State Prosecutor for Serious Economic and International Crime (SØIK) in accordance with anti-money-laundering legislation.
- If you, or the business that you have a connection with, have asked us to register a mortgage or redeem a loan with another creditor, we disclose the information that is necessary to identify you and to execute the agreement.
- Guarantors, individuals holding a power of attorney, lawyers, accountants or others you have authorised us to share the information with.
- External business partners, including other banks and mortgage credit institutions, subject to your consent to this effect, or if this is permitted under existing legislation. That may be, for example, when we register a mortgage, and therefore disclose information that is necessary to identify you and to execute our agreement with you or the business that you have a connection with. It may also be to prevent and detect money laundering, fraud, abuse and loss.
- Our suppliers, including lawyers, accountants, consultants and courier services. We use courier services to deliver, for example, loan documents to you, and we disclose your name, address and telephone number to them, so you can receive the consignment.
- Data processors, including Danske Bank A/S, for example, in connection with procuring documentation in accordance with money laundering legislation, and IT providers in countries outside the EU and the EEA, for example, Danske Bank in India.
- Social media companies, such as Facebook.
- Public authorities as required by law or according to court orders or requests from the police, the bailiff or other authorities. This could include the State Prosecutor for Serious Economic

## Realkredit Danmark A/S' Privacy Notice – corporate customers

---

03. August 2020

and International Crime (SØIK) in accordance with the Danish Anti-Money Laundering Act, to the Danish tax authorities in accordance with the Danish Tax Control Act and the Danish central bank (Danmarks Nationalbank) for statistical and other purposes.

- Regulators, such as the Danish Financial Supervisory Authority (Finanstilsynet), law enforcement agencies and authorities in Denmark and other countries, including countries outside the EU and the EEA, in connection with their duties.
- Credit rating agencies. If you default on your obligations towards Realkredit Danmark and/or Danske Bank, we may report you to credit rating agencies and/or warning registers in accordance with applicable law.
- For social and economic research or statistics purposes, where it is in the public interest.

### **8. Transfers outside the EU and the EEA and international organisations**

Some third parties that we share personal data with may be located outside the EU and the EEA, including in Australia, Canada and India.

When Realkredit Danmark and/or Danske Bank transfers your personal data to third parties outside the EU and the EEA, we ensure that your personal data and data protection rights are subject to appropriate safeguarding by

- ensuring that there is an adequacy decision by the European Commission
- using standard contracts approved by the European Commission or the Danish Data Protection Agency

You can get a copy of the standard contract by contacting us (see contact details in section 13).

### **9. Profiling and automated decisions**

#### **Profiling**

Profiling is a form of automated processing of your personal data to evaluate certain personal aspects relating to you to analyse or predict aspects concerning, for example, your economic situation, personal preferences, interests, reliability, behaviour, location or movements.

We use profiling and data modelling to be able to offer you specific services and products that meet your preferences, prevent money laundering, determine prices of certain services and products, prevent and detect fraud, evaluate the likelihood of default risk and value assets and for marketing purposes.

#### **Automated decision-making**

With automated decision-making, we use our systems to make decisions without any human involvement on the basis of the data we have about you. Depending on the specific decision, we might also use information from public registers and other public sources.

We use automated decision-making, for example, to approve loans, to prevent and detect money laundering and to prevent and detect fraud. Automated decision-making helps us make sure that our decisions are quick, fair, efficient and correct, based on what we know.

In relation to loans, we consider information about your income, your expenses and how well you have kept up with payments in the past. This will be used to determine the amount we can lend you.

In relation to the prevention and detection of money laundering, we perform identity and address checks against public registers and sanctions checks.

You have rights relating to automated decision-making. You can obtain information about how an automated decision was made. You can ask for a manual review of any automated decision. Please see section 11, “Your rights” and “Automated decision-making”.

## Realkredit Danmark A/S' Privacy Notice – corporate customers

---

03. August 2020

### 10. For how long do we store your personal data?

We keep your data only for as long as it is needed for the purpose for which your data was processed. When your relations with us have terminated, or when the business relationship with the business customer that you have a connection with has terminated, we normally keep your data for another seven years. This is due primarily to our obligations under the Danish Bookkeeping Act, the Danish Anti-Money Laundering Act and requirements from the Danish Financial Supervisory Authority. In certain circumstances, we keep your information for a longer period of time. This is the case, for example

- if your personal information forms part of the calculation of our capital requirements, then we may keep your information for up to 20 years
- if the period of limitation is 10 years, then we may keep your information for up to 10 years
- if required due to your connection with our business customer
- if required due to other regulatory requirements

If the business you are connected with as a potential customer has asked for a loan calculation or a loan offer, but chooses not to have the loan disbursed and does not become a customer, personal data will normally be stored for six months, but may for some purposes be stored longer to comply with other legal obligations, for example, the Danish Anti-Money Laundering Act.

Surveillance videos are deleted 30 days after they were made in accordance with applicable law. In certain circumstances, and in connection with a specific case, the information may be stored for a longer period.

### 11. Your rights

Your rights in relation to personal data are described below. To exercise your rights, you can

- submit a request to [dpofunction@rd.dk](mailto:dpofunction@rd.dk)
- contact us on our main telephone number (+45 70 15 15 16)
- contact your adviser directly if you have one

See section 13 for more information on how to contact Realkredit Danmark about data protection.

#### **Right to access your personal data**

You may request access to the personal data we process and information about where it comes from and what we use it for. You can obtain information about the period for which we store your data and about who receives data about you, to the extent that we disclose data in Denmark and abroad. Your right of access may, however, be restricted by legislation, protection of other persons' privacy and consideration for our business and practices. Access to video surveillance may be restricted due to the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to employees. Our know-how, business secrets as well as internal assessments and material may also be exempt from the right of access.

You may submit a request for access to [dpofunction@rd.dk](mailto:dpofunction@rd.dk).

#### **Rights related to automated decision-making**

You can obtain information on how an automated decision was made and the effects of the decision, you can express your point of view, you can object to the decision, and you can request a manual review of any automated decision.

## Realkredit Danmark A/S' Privacy Notice – corporate customers

---

03. August 2020

### **Right to object**

In certain circumstances, you have the right to object to the processing of your personal information. This is the case, for example, when the processing is based on our legitimate interests.

### **Objection to direct marketing**

You also have the right to object to our use of your personal information for direct marketing purposes, including profiling that is related to such purpose.

### **Right to rectification of your data**

If data is inaccurate, you are entitled to have the data rectified. If data is incomplete, you are entitled to have the data completed, including by means of providing us with a supplementary statement.

### **Right to erasure ('right to be forgotten')**

You are entitled to have your data erased, if the data is no longer necessary in relation to the purposes for which it was collected.

However, in the following cases, we may or are required to keep your data:

- For compliance with a legal obligation, for instance if we are obliged by law to hold your data for a certain period of time, for example according to anti-money laundering legislation or the Danish Bookkeeping Act. In such situations, we cannot erase your data until that time has passed.
- For the performance of a task carried out in the public interest.
- For establishment, exercise or defence of legal claims.

### **Restriction of use**

If you believe that the data we have registered about you is incorrect or if you have objected to the use of the data, you may demand that we restrict the use of the data to storage until the correctness of the data can be verified or it can be checked whether our legitimate interests outweigh your interests.

If you are entitled to have the data we have about you erased, you may instead request us to restrict the use of the data to storage. If we need to use the data solely to assert a legal claim, you may also demand that any other use of the data be restricted to storage. We may, however, be entitled to use the data for other purposes, for instance to assert a legal claim or if you have granted your consent to this.

### **Withdrawal of consent**

Where consent is the legal basis for a specific processing activity, you may withdraw your consent at any time. Please note that if you withdraw your consent, we may not be able to offer you specific services or products. Note also that we will continue to use your personal data, for example to fulfil an agreement we have made with you or if we are required by law to do so.

### **Data portability**

If we use data based on your consent or as a result of an agreement and the data processing is automated, you have the right to request a copy of the data you have provided in a digital machine-readable format.

## **12. Changes to this privacy notice**

We may change or update this privacy notice on a regular basis. In case of a change, the "effective from" date at the top of this document will be amended. If changes to how your personal data is processed will have a significant effect on you personally, we will take reasonable steps to notify you of the changes to allow you to exercise your rights (for example to object to the processing).

## Realkredit Danmark A/S' Privacy Notice – corporate customers

---

03. August 2020

### **13. Contact details and how to complain**

You are always welcome to contact us if you have questions about your privacy rights and how we process personal data.

You can contact us on our main telephone number (+45 70 15 15 16). You are also welcome to contact your adviser directly.

You can contact our Data Protection Officer by email at [dpofunction@rd.dk](mailto:dpofunction@rd.dk).

If you are dissatisfied with how we process your personal data and your dialogue with the Data Protection Officer has not led to a satisfactory outcome, you can contact our complaints handling unit: Realkredit Danmark, Legal, Lersø Parkallé 100, DK-2100 København Ø, email: [legal@rd.dk](mailto:legal@rd.dk). You can also lodge a complaint with the Danish Data Protection Agency: Datatilsynet, Carl Jacobsens Vej 35, DK-2500 Valby, email: [dt@datatilsynet.dk](mailto:dt@datatilsynet.dk).