

# Notice on the recording of telephone and electronic communications

## I. Purpose

The purpose of this notice is to provide with transparent information on the recordings of business communications and communications to the internal security desk that EFG Bank (Luxembourg) has implemented with regard to its clients or persons acting on behalf of clients as well as EFG Bank (Luxembourg) staff or representatives.

When a call is recorded, the Data controller collects:

- a digital recording of the telephone conversation;
- the telephone number of both parties (external and internal).

Personal data revealed during a telephone call will be digitally recorded for example name and contact details to deliver appropriate services. Occasionally 'special category' personal information may be recorded where an individual voluntarily discloses health, religious, ethnicity or criminal information to support their request for advice and/or services.

## II. Data Controller

All personal data are processed by EFG Bank (Luxembourg) (hereinafter to as "EFG"), whose registered address is located at 56 Grand-Rue, L-1660 Luxembourg, and registered with the Trade and Companies Register under number B113375.

Should the Branches of EFG be contacted, they also act as Data controller in this respect.

The Data controllers may be contacted, through its respective DPO, at the following email address:

- Luxembourg: [dpoluxembourg@efgbank.com](mailto:dpoluxembourg@efgbank.com)
- Greece: [dpogreece@efgbank.com](mailto:dpogreece@efgbank.com)
- Portugal: [dpoportugal@efgbank.com](mailto:dpoportugal@efgbank.com)

## III. Purposes and legal basis of processing

EFG collects and processes the personal data required to carry out its activities:

### **III.1. For the performance of a legal obligation to which it is subject (art. 6, §1, lit. c GDPR)**

EFG records business communications to prove their existence and the terms of any orders and transactions placed during those communications, including the provision to clients of the information provided for by the Directive MiFID 2, and other similar European or International legislation or derivatives thereof, as well as related Luxembourg legislation and regulations.

### **III.2. For the purposes of the legitimate interests pursued by EFG (art. 6, §1, lit. f GDPR)**

EFG records communications for the purposes of its legitimate interests, in particular in order to improve its risk management and defend its interests in legal proceedings, which includes processing such as:

- documenting the existence and terms of a commercial transaction, including the provision of information required by law and which forms an integral part of the transaction;
- listening back to an instruction to avoid material errors;
- tracing a transaction in the event of a material error or a dispute;
- establishing and retaining proof of operations and transactions;
- establishing and retaining proof of any business communication;
- to investigate and resolve complaints;
- to assist in the quality monitoring of staff performance;
- preventing internal and external fraud.

#### **IV. Categories of data processed and origin**

The data processed include:

- audio recordings of incoming and outgoing telephone calls and associated data such as the caller number, the number called, the date and duration of the call; and
- if applicable, incoming and outgoing electronic messages.

#### **V. Categories of recipients of processed data**

As a credit institution, EFG is bound by the banking professional secrecy, as laid down in Article 41 of the Law of 5 April 1993 on the financial sector, and, consequently, may only share data under strict conditions or with the Data subject's consent.

EFG may share data with its subcontractors and service providers, in accordance with the law and solely for the purposes of the services entrusted to them.

EFG is also required to share data when professional confidentiality is lifted by law and in particular with regard to tax authorities and supervisory authorities (CSSF, CNPD, etc.) as well as the competent police or judicial authorities acting in the context of criminal proceedings, as well as civil or commercial proceedings, if EFG is required to defend its interests in court.

#### **VI. Retention period**

Data is retained for a maximum period of 5 years, which may be extended to 7 years upon the request of the competent authorities.

These periods may be extended in the event of legal action or ongoing proceedings. In this case, the data are retained until the end of the legal proceedings and then archived according to the applicable legal limitation periods.

#### **VII. Miscellaneous & Exercise of rights**

This specific notice may be altered from time to time to best protect the Data subject's personal data.

The latest version in force is available on EFG's website:  
<https://www.efginternational.com/lu/legal/luxembourg.html>

The Data Subject will also find on this website, how to exercise his/her rights related to the data recording.