

Last Updated: March 2021

Privacy Notice – English Version

We respect your Privacy

Mizuho Securities Europe GmbH ("MHEU") collects, holds, uses, verifies and discloses ("processes") information about individuals which may constitute Personal Data (as defined below), under the General Data Protection Regulations EU/2016/679 ("GDPR") and any Personal Data provided to or obtained by MHEU will be treated with confidence, and processed in accordance with the rights provided to individuals under GDPR.

This Privacy Notice is addressed to individuals outside our organisation with whom we interact, including customers, personnel of corporate customers and vendors, and other recipients of our services ("you" and/or "your").

This Privacy Notice sets out the basis on which we will process any Personal Data collected from you or that you provide to us. The notice provides information on what Personal Data we collect and use and for what purpose, with whom we share Personal Data, and your rights in relation to this Personal Data.

Responsibility for the Personal Data processing

The data controller ("controller") determines the purposes for which and the means by which Personal Data is processed. The controller for your Personal Data is:

Mizuho Securities Europe GmbH
Taunustor 1
60310 Frankfurt am Main
Germany

Telephone: +49 69 42729 3000

If you would like to contact the Data Protection Officer ("DPO") or contact to make a request in relation to any of the rights explained in this notice or if you would like to raise any other questions relating to privacy, you may write to the DPO at the address above or alternatively send an email to data.protection@eu.mizuho-sc.com.



What is Personal Data?

Personal Data is any information that relates to an identified or identifiable living individual. Different pieces of information, which collected together can lead to the identification of a particular person, also constitute Personal Data.

Personal Data that has been de-identified, encrypted or pseudonymised but can be used to re-identify a person remains Personal Data and falls within the scope of the GDPR.

Personal Data that has been rendered anonymous in such a way that the individual is not or no longer identifiable is no longer considered Personal Data.

What are the purposes and legal basis for which we use Personal Data?

We process your Personal Data in compliance with the provisions of GDPR and the applicable local data protection law.

For the performance of contractual obligations (Article 6 (1) point (b) GDPR)

The processing of Personal Data is carried out in order to perform banking transactions and financial services pursuant to contracts with our clients or to take steps at your request prior to entering into a contract.

For compliance with a legal obligation (Article 6 (1) point (c) GDPR) or in the public interest (Article 6 (1) point (e) GDPR)

As a financial institution, we are subject to various statutory obligations, in particular - but not limited to - the German Banking Act (Kreditwesengesetz – KWG), the German Money Laundering Act (Geldwäschegesetz – GWG), the German Securities Trading Act (Wertpapierhandelsgesetz – WpHG), and the German Tax Act (Abgabenordnung – AO) as well as regulatory requirements imposed by the German Federal Financial Supervisory Authority (Bundesanstalt für Finanzdienstleistungsaufsicht – BaFin) and the German National Bank (Deutsche Bundesbank). All of the aforementioned require us to process Personal Data, e.g. for anti-money laundering purposes (Know your Customer – KYC), the satisfaction of tax law related identification requirements, the fulfilment of reporting obligations and the assessment and management of risks.

For the purposes of safeguarding legitimate interests (Article 6 (1) point (f) GDPR)

Where necessary, we process your Personal Data above and beyond the actual performance of our contractual obligations in order to safeguard the legitimate interests pursued by us or by a third party, e.g. supervisory authorities. Examples are, but are not limited to:

- Asserting legal claims and mounting a defence in the event of litigation; or
- Ensuring the confidentiality, integrity and availability of our IT security and IT operations.



On the basis of your consent (Article 6 (1) point (a) GDPR)

Insofar as you have granted us consent to the processing of Personal Data for specific purposes (e.g. transfer of Personal Data within the Mizuho Financial Group), the lawfulness of such processing is based on your consent. Any consent granted may be revoked at any time.

What data protection rights do you have?

Subject to applicable law, you may have a number of rights regarding the processing of your Personal Data, including:

- The right of access to, or a copy of, your Personal Data that we process or control (Article 15 GDPR);
- The right to rectification (Article 16 GDPR) - If any of the Personal Data we have stored is incorrect, we would certainly be happy to correct it;
- The right to erasure (Article 17 GDPR) - Should you wish your Personal Data to be deleted, we will comply with your request as far as legally permissible. If Personal Data must be stored for legal reasons, it will be blocked, i.e. the Personal Data is then no longer available for further use;
- The right to restriction of processing (Article 18 GDPR) - Should you wish to restrict use, we will comply with your request as far as legally permissible;
- The right to data portability (Article 20 GDPR) – You have the right to have your Personal Data that we process or control transferred to another Controller, to the extent applicable.
- The right to object (Article 21 GDPR) - If your Personal Data is being processed on the basis of legitimate interests pursuant to Article 6 (1) point (e) or point (f) GDPR, you have the right to object to the processing of your Personal Data if there are reasons for doing so arising from your particular situation;

The right of access and right to erasure are subject to the restrictions under sections 34 and 35 Bundesdatenschutzgesetz (“BDSG”). Data subjects also have a right to lodge a complaint with a supervisory authority (Article 77 GDPR in conjunction with section 19 BDSG).

You may revoke your consent to the processing of your Personal Data at any time.

Is Personal Data transferred to a third country or to an international organisation?

Your Personal Data may be transferred to a destination outside the European Union (“EU”) and if this is required, we will take all appropriate steps to assure ourselves that the appropriate level of protection for your Personal Data is maintained in order to safeguard your fundamental rights.

When we transfer your Personal Data to a third country or an international organisation, we will do so on the basis of:

- An adequacy decision granted by the European Commission on the basis of Article 45 GDPR;



- European Commission approved standard contractual clauses for data transfers between EU and non-EU countries; or
- Other valid transfer mechanisms.

If you wish to receive more information about the safeguards applied to international transfers of Personal Data please contact the DPO.

How long will your Personal Data be stored?

We process and store your Personal Data as long as it is necessary for the performance of our contractual and statutory/regulatory obligations.

If the Personal Data are no longer required for the performance of our contractual and statutory obligations, they are regularly deleted, unless their further processing (for a limited time) is necessary for the following purposes:

- Compliance with records retention periods under commercial and tax law, such as the German Commercial Code (Handelsgesetzbuch – HGB); the Abgabenordnung; the Kreditwesengesetz; the Geldwäschegesetz ; and the Wertpapierhandelsgesetz. The records retention periods prescribed therein range from two to 10 years.
- Preservation of evidence within the scope of statutes of limitations. Under section 195 of the German Civil Code (Bürgerliches Gesetzbuch – BGB), these limitation periods may be up to 30 years, whereby the regular limitation period is three years.

Privacy complaints

You have the right to lodge a complaint with our data protection competent Supervisory Authority.

Der Hessische Beauftragte für Datenschutz und Informationsfreiheit
Postfach 3163
65021 Wiesbaden

<https://datenschutz.hessen.de/service/beschwerde>

Are you obliged to provide Personal Data?

Within the scope of our business relationship, you must provide Personal Data which is necessary for the initiation and execution of a business relationship and the performance of the associated contractual obligations or which we are legally obligated to collect.

In accordance with the aforementioned statutory and regulatory obligations, if you do not provide us with the necessary information and documents, including Personal Data, we will not be allowed to enter into or continue your requested business relationship.



Do we conduct automated decision-making?

As a rule, we do not make decisions based solely on automated processing as defined in GDPR Article 22 to establish and implement any business relationship with you.

Changes to our Privacy Notice

MHEU reserves the right to make written changes to this Privacy Notice at any time which will then be published.