

LALUX GROUP - PRIVACY STATEMENT FOR POLICYHOLDERS, INSURED PERSONS, BENEFICIARIES AND PROSPECTIVE POLICYHOLDERS

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LALUX GROUP - PRIVACY STATEMENT FOR POLICYHOLDERS, INSURED PERSONS, BENEFICIARIES AND PROSPECTIVE POLICYHOLDERS

At LALUX Group, we make every effort to ensure that **your privacy is respected and that your personal data is protected**.

The purpose of this privacy statement is to set out the conditions under which the entities of LA LUXEMBOURGEOISE Group (hereinafter “LALUX Group”), collect, process and protect the personal data of prospective customers, policyholders, insured persons and insurance beneficiaries (hereinafter “you” or the “data subject(s)”), as well as their rights in this regard, in accordance with Article 24 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, known as the General Data Protection Regulation (hereinafter “GDPR”).

This privacy statement is subject to change. The date of the last update appears at the top of the document.

1. Data controller

The data controller is the LALUX Group entity with which the prospect has taken steps to obtain an insurance proposal or with which the policyholder has taken out an insurance contract.

In its capacity as data controller, each LALUX Group entity determines the purposes (the “why”) and the means (the “how”) of the processing of your personal data, and is your main point of contact (and that of the supervisory authorities) for any questions relating to the processing of your personal data.

Depending on the nature of the contract, the data controller is one of the following companies:

- LA LUXEMBOURGEOISE Société Anonyme d’Assurances (“LALUX NON-VIE”) ;
- LA LUXEMBOURGEOISE-VIE Société Anonyme d’Assurances (“LALUX VIE”) ;
- DKV LUXEMBOURG S.A. (“DKVL”) ;
- PECOMA Actuarial and Risk S.A. (“PECOMA”) ;
- APROBAT lalux-assurances S.A. (“APROBAT”) ;

hereinafter together “we”, the “Insurer”, or the “LALUX Group”.

2. Purposes of processing, legal basis and storage periods

The processing of personal data includes any action relating to such data, e.g. its collection, recording, use, communication, modification, archiving or deletion.

The legal basis and purpose of the processing of your data is first and foremost the establishment and performance of the insurance contract, as governed by the Law of 27 July 1997 on insurance contracts and the Law of 7 December 2015 on the insurance sector.

The tables below list the different purposes for which personal data is processed and their legal basis under the GDPR.

Purposes relating to the conclusion and performance of the insurance policy

| Purpose | | Legal basis ¹ |
|--|--|---|
| Studying the specific requirements and needs of each potential policyholder in order to make personalised recommendations and offer suitable policies in line with the insurer's obligation to provide pre-contractual information and advice. | | Preparing and concluding the insurance contract <i>Pre-contractual measures</i> Legal obligations <i>Law of 7 December 2015 on the insurance sector, as amended</i> <i>Law of 27 September 1997 on insurance contracts, as amended</i> <i>GDPR - article 9, paragraph 2, letter g) and paragraph 4 by invoking important public interest reasons when health data is concerned</i> |
| Assessment of insurance risks in order to determine pricing and verify insurability | | Preparing and concluding the insurance contract <i>Pre-contractual measures</i> |
| Analysis of the profiles of the people concerned (claims experience, history, etc.) in order to make commercial decisions during the contractual term (discounts, excesses, etc.) | | Management and performance of the insurance contract |
| Management of the relationship with data subjects, their requests and contractual documents (including amendments and termination) | | Management and performance of the insurance contract |
| Management of questions and requests from data subjects in relation to the contract (<i>Home Assistance</i> , etc.) | | Management and performance of the insurance contract |
| Management of reinsurance treaties | | Performance of the insurance contract |
| Management of premium payments and arrears | | Performance of the insurance contract |
| Management of the specific features of the supplementary pension scheme - company (PECOMA and LALUX VIE in group insurance only) | Calculation of entitlements and issue of employee certificates (affiliates) | Performance of the insurance contract |
| | Preparing financial information for the employer (policyholder) | |
| Management of claims | Management of relations with insurance adjusters | Performance of the insurance contract |
| | Compensation and fulfilment of contractual guarantees | Performance of the insurance contract |
| | Exchanging information with the judicial authorities (e.g. motor vehicle claims) | Legal obligation |
| Management of claims and litigation (including the exercise of rights of recourse for which the insurer is subrogated to the policyholder's rights under the policy) | | Performance of the insurance contract |
| Management of the online customer area (application) | Create an account | Management and performance of the insurance contract |
| Management of the online customer area (website) | Create an account | Management and performance of the insurance contract |

¹ The amended Law of 27 September 1997 on insurance contracts is not systematically repeated in the table

Marketing purposes

| Purpose | | Legal basis |
|--|---|--|
| Commercial canvassing (advertising messages, competitions, special rates, etc.) and customer loyalty campaigns | By electronic means ¹ concerning products and services not yet supplied or by telephone. | Legitimate interest <i>Offer insurance services that are in the public interest</i> |
| | | Consent (prospectus) |
| | By electronic means for products and services similar to those already supplied. | Legitimate interest <i>Send relevant news and personalised marketing communications to customers</i> |
| | By post | Legitimate interest |
| Mobile application and management of the online customer area (website) ^(*) | High-quality digital offer Personalising the Space | Legitimate interest <i>Meeting customer expectations. Manage the Space to display targeted advice (profiling)</i> |
| Management of customer registrations for conferences | | Legitimate interest <i>Identify customers to invite and follow up registrations</i> |

^(*) Cf. <https://www.lalux.lu/en/data-protection-1> for the information notice concerning cookies and <https://www.lalux.lu/en/data-protection-1/personal-data-protection-declaration> concerning the personal data protection declaration specific to the LALUX Group websites.

Purposes related to regulatory obligations or the insurance activity of the LALUX Group

| Purpose | | Legal basis |
|--|---|--|
| Compiling statistics and actuarial studies | | Legitimate interest <i>Développer ses missions et services, ainsi qu'améliorer la qualité de ces derniers</i> |
| Preventing and combating fraud | Detection and analysis of suspected fraud | Legitimate interest <i>Protecting the company's assets</i> |
| | Detection and proof of misrepresentation at the time of application (e.g. health questionnaire) | Legitimate interest <i>Protecting the company's assets</i> |
| | Qualifying a suspicion as relevant/confirmed, investigating and preparing the fraud file | Legitimate interest <i>Protecting the company's assets</i> |

¹ The services included in the notion of canvassing by electronic means are: traditional electronic mail (SMTP), short message service (SMS), multimedia message service (MMS), automatic calling machines and fax machines.

| Purpose | Legal basis |
|---|--|
| Combating money laundering and terrorist financing (LALUX VIE only) KYC, identification and management of customers subject to international sanctions, etc. | Legal obligation <i>Law of 12 November 2004 on the fight against money laundering and financing of terrorism</i> <i>Law of 19 December 2020 on the implementation of restrictive measures in financial matters</i> |
| Application of tax compliance | Legal obligation <i>Foreign Account Tax Compliance Act (FATCA), Normative Commune de Déclaration (NCD) and Common Reporting Standard (CRS)</i> |
| Fight against escheatment of insurance contracts (LALUX VIE only) | Legal obligation <i>Law of 30 March 2022 on dormant accounts, dormant safe-deposit boxes and unclaimed insurance policies</i> |
| Provision of information to the authorities concerning third-party auto insurance (LALUX NON-VIE only) | Legitimate interest / Legal obligation <i>Cooperate with the authorities and respond to their requests, provided they are legally founded</i> |

Purposes related to physical security, including video surveillance

| Purpose | Legal basis |
|---|--|
| Security of goods and people (visitors) at the LALUX Group headquarters | Legitimate interest <i>Protection of LALUX Group assets</i> |

Data protection purposes

| Purpose | Legal basis |
|---|--|
| Management of requests for access, rectification, erasure and other rights relating to personal data | Legal obligation <i>GDPR</i> |
| Destruction of archives and deletion or irreversible anonymisation of personal data once the storage periods are reached | Legal obligation <i>GDPR</i> |
| Handling requests from the supervisory authority (National Commission for Data Protection - NCDP) (enquiries, complaints, etc.) | Legal obligation <i>Law of 1 August 2018 on the organisation of the National Data Protection Commission</i> |

3. Categories of personal data processed by the LALUX Group

Personal data is any information that makes it possible to identify - directly or indirectly - a natural person (hereinafter referred to as “personal data”). Anonymised or aggregated information that does not (or no longer) allow(s) a specific person to be identified is not considered personal data.

The personal data collected and processed by the LALUX Group is provided by the policyholder, the insured person, the beneficiary of the insurance or any third party, either with a view to taking out and/or performance of an insurance contract, or as part of the management of a claim. It may also be collected on the LALUX Group’s websites.

The personal data collected varies according to the nature of the contract taken out (property insurance, life insurance, health insurance, etc.), and the LALUX Group entity concerned only collects and processes data which is relevant and strictly necessary for the formation of a contract, to achieve the objective pursued by such a contract or to manage a subsequent claim.

You are obliged to provide us with all the data necessary for the establishment and performance of the commercial relationship, as well as for the fulfilment of the contractual obligations associated with it. Without this data, we will not be able to conclude a contract with you or to perform it by paying out benefits.

The personal data processed by the LALUX Group relates to the following data subjects:

- in the case of individual insurance: to the policyholder(s), insured person(s) and/or beneficiary(ies) named;
- in the case of group insurance: affiliated employees and, where applicable, third-party beneficiaries and the contact person(s), authorised representative(s) and beneficial owner(s) of the legal entity (policyholder); and
- in the event of claims management (in non-life insurance): to the policyholder(s), the insured person(s) and the third party(ies) involved;
- users of the LALUX Group websites.

In addition to the personal data that you have entrusted to us and of which you are already aware, we inform you that there are also personal data that may be collected indirectly by the LALUX Group depending on the particular circumstances of your situation and are detailed in the table below.

| Personal data | | Collected indirectly / Source of collection | Processing entity(ies) |
|---------------------|--|--|---|
| Categories | Details | | |
| Identification data | Last name, first name, date of birth, telephone number, e-mail address, postal address, etc. | The personal data of the insurance beneficiary may be collected from the policyholder, who may be the employer | LALUX VIE LALUX NON-VIE DKVL PECOMA APROBAT |
| | Social security number | | LALUX VIE (as group insurance) DKVL PECOMA |
| | Marital status, nationality, etc. | Public information available on company websites, professional directories, etc. | LALUX VIE DKVL PECOMA |

| Personal data | | Collected indirectly / Source of collection | Processing entity(ies) |
|--------------------------------|---|--|--|
| Categories | Details | | |
| Identification data | Other data required to manage the nature of the contract concluded (number plate, etc.) | Characteristics of material goods supplied by garages in the case of Auto insurance | LALUX NON-VIE |
| | Income, financial situation, tax situation, date of retirement, etc. | The beneficiary's personal data may be collected from the policyholder, who may also be the employer | LALUX VIE |
| | Salary and bonus amounts, position held (joining, leaving), etc. | | LALUX VIE (as group insurance) PECOMA |
| Judicial data | Information from the Public Prosecutor's Office relating to claims, offences, etc. | | LALUX NON-VIE |
| | | Public information available on the Internet and provided by tools used for anti-money laundering and financing of terrorism | LALUX VIE LALUX NON-VIE |
| | Guardianship, provisional administration, etc. | | LALUX VIE |
| Data relating to working life | Profession, business sector, etc. | The personal data of the insurance beneficiary may be collected from the policyholder, who may be the employer. Public information available on the Internet and social media | LALUX VIE |
| Data relating to personal life | Lifestyle habits | Public offices held | LALUX VIE DKVL |
| Health or claims data | Medical report, expert's report, doctors' bills, etc. | Rapports médicaux de médecins ou laboratoires | LALUX VIE DKVL |
| | Information relating to an accident with damage/injuries, doctors' reports and invoices in the event of injuries, etc.) | Information from other insurers, experts, authorities, doctors, hospitals, laboratories, travel agencies or travel assistance providers, paramedical partners, etc. | LALUX VIE LALUX NON-VIE DKVL |

Personal data is only stored for as long as is necessary for the purposes for which it was collected, generally until the end of the performance of your contract or the resolution of the claim, and sometimes longer (legal obligation, dispute, legitimate interest, etc.).

Where there is a legal obligation to retain data for a certain period, this generally varies from 5 to 30 years for customers, depending on the type of personal data. For commercial prospecting, the period generally varies from 2 to 5 years.

4. To whom is the personal data collected transmitted?

The LALUX Group is located exclusively in the Grand Duchy of Luxembourg. Personal data is processed internally for the above-mentioned purposes by duly authorised persons, within the limits of their respective responsibilities and in accordance with the 'need to know' principle.

The LALUX Group shares personal data with its branch network and its other sub-processors in compliance with the professional secrecy provisions to which it is subject under Article 300 of the Law of 7 December 2015 on the insurance sector.

The LALUX Group may transmit your personal data to the following categories of external recipients, to the extent strictly necessary and for the purposes specific to their respective activities:

- Suppliers, subcontractors, external service providers of the LALUX Group (e.g. assistance providers abroad, third-party payment service providers abroad, IT service providers, legal advisers, medical consultants, experts, repairers, garage owners, fiduciaries, communication agencies, collection companies, reinsurers, secure document destruction companies, other insurance companies in the event of a claim, companies seeking the beneficiaries of unclaimed life insurance policies);
- Other intermediaries involved in the management of insurance contracts and commercial partners (e.g. banks involved in life insurance contracts, mutual insurance companies, analysis laboratories);
- Any party that may be involved in the future in the restructuring, transfer or acquisition of one or more entities of the LALUX Group;
- Competent administrative and judicial authorities in their capacity as authorised third parties, such as tax authorities.

In particular, we inform you of the use of the following service providers:

- Among the Luxembourg service providers with PSF approval and therefore subject to professional secrecy, the LALUX Group uses a service provider to manage the enveloping and mailing of insurance documents and a telecommunications operator to provide the office automation environment for its branch network;
- IT service providers may include cloud service providers within the meaning of circular LC 21/15 'Cloud computing' of the Commissariat aux Assurances of 5 August 2021, which meet the conditions of the said circular and satisfy the requirement of encrypted storage of personal data in the European Union under the control of the LALUX Group (Microsoft Azure and Microsoft Office 365 for the branch network);
- Among the assistance service providers, the LALUX Group uses the services of Tyrol Air Ambulance GmbH, located in Austria, with which it shares the information required to take care of its policyholders. The LALUX Group also uses the service provider IMA Benelux located in Belgium for travel assistance, home assistance and health assistance. The LALUX Group continues to use DKV Servicios for health assistance in Spain;
- The service provider Almerys located in France for the third-party payment process for eligible persons;

In order to fulfil its legal obligations or to protect its rights and interests, the LALUX Group may also communicate personal data, in strict compliance with applicable law, to the competent administrative and judicial authorities in their capacity as authorised third parties, such as tax authorities. More specifically, the following transmissions of personal data are concerned:

- Transmission to the Commissariat aux Assurances in the context of the Law of 7 December 2015 on the insurance sector;

- Transmission to external auditors in the context of work required by the Law of 8 December 1994 on the annual accounts and consolidated accounts of insurance and reinsurance companies governed by Luxembourg law;
- Transmission to the Cellule de Renseignement Financier (CRF) in accordance with the Law of 12 November 2004 on the fight against money laundering and financing of terrorism;
- Transmission, in the context of legal proceedings, to lawyers, magistrates and appointed experts, of data required to defend the legitimate interests of the LALUX Group;
- Transmission to police authorities in the context of third-party auto insurance (LALUX Non-Vie only);
- Transmission to the courts;
- Transmission to the Administration des Contributions Directes for communication to the foreign competent authority of the tax domicile of the person concerned, in accordance with the Law of 18 December 2015 on the automatic exchange of information on financial accounts in tax matters (LALUX Vie only);
- Transmission to the Inspection Générale de la Sécurité Sociale (IGSS) in accordance with the Law of 8 June 1999 on supplementary pension schemes (LALUX Vie and PECOMA only);
- Transmission to the Caisse de Consignation in accordance with the Law of 30 March 2022 on dormant accounts, dormant safe-deposit boxes and escheated insurance policies (LALUX Vie only);
- Transmission to the Ministry of Finance under the Law of 19 December 2020 on restrictive measures and international sanctions;
- Transmission to the National Commission for Data Protection in the context of the GDPR;

In principle, the LALUX Group does not transfer personal data outside the European Union. However, such a transfer is possible in the event of a claim occurring in a third country, even if the third country is not the subject of an adequacy decision, provided that the transfer remains occasional and is necessary for the performance of the insurance contract taken out by the policyholder.

5. Automated decisions (including profiling)

The LALUX Group does not carry out automated processing, including profiling, which produces legal effects without human intervention in the decision-making process.

The LALUX Group may use automated decision support systems, for example when carrying out checks to prevent the risk of fraud, money laundering or the financing of terrorism. As a result, additional supporting documents may be requested by the Insurer and the latter has the right not to accept the subscription.

There is profiling for the purpose of targeted marketing campaigns, but which does not involve any decision and does not bind the data subject in any way to the LALUX Group.

6. Security of personal data

Personal data collected by the LALUX Group is processed by the staff and agents of the LALUX network who require it in the course of their work. All these persons are bound by an obligation of professional secrecy, non-compliance with which is punishable by law and may result in disciplinary action.

The LALUX Group undertakes to implement appropriate technical and organisational security measures to protect personal data against any loss, misuse, unauthorised access or distribution, alteration or destruction. The LALUX Group has implemented an information security policy in line with the best international standards. You remain responsible for the use of your identifiers to access the applications and personal space made available by the LALUX Group.

Subcontractors act on the instructions of the LALUX Group, within the framework of a confidentiality agreement, according to the terms defined in the contract which links them to the Group entity(ies) and which guarantees equivalent security. Only strictly necessary data is shared.

Data protection by design and data protection by default are also a priority within the LALUX Group. This principle means that data protection is taken into account not only during the development of our projects and products, but also throughout their life cycle, and that we endeavour to process only the data that is necessary throughout its life cycle. In the event of processing presenting a high risk to the rights and freedoms of individuals, the LALUX Group assesses the need to carry out a personal data protection impact assessment of the operations envisaged.

Despite the data protection measures put in place, undesirable data breach situations (human error, IT problems, etc.) may still occur and, for example, result in the unintentional exposure of your data. We have put in place a process to deal with such situations and handle them in accordance with the obligations of the GDPR. This includes notifying the NCDP of the breach according to the level of risk to your rights and freedoms and also notifying you in the event of a high risk.

7. Rights of data subjects

In accordance with the GDPR, you have the following rights, free of charge, unless the request is manifestly unfounded or excessive, in which case the LALUX Group reserves the right to charge a fee or refuse the request:

Access rights

- The right to access the personal data concerning you, and to be informed in an intelligible form of the personal data that is being processed, at your request, accompanied by a copy of your identity card or passport (if it is not possible to identify you unambiguously by other means), to the address indicated in the section below entitled “How to exercise your rights?”.

Right of rectification

- The right to ask us to correct or complete your personal data if you find that it is inaccurate or incomplete.

Right to erasure (“right to be forgotten”)

- The right to request the deletion of personal data in our possession in the following cases, in particular:
 - your data is no longer necessary for the purposes for which we collected it;
 - the processing of your data is based exclusively on your consent and you decide to withdraw your consent.
- It should be noted that the right to be forgotten does not apply insofar as the processing is necessary for compliance with a legal obligation to which the Insurer is subject or is necessary for the establishment, exercise or defence of legal claims.

Right to restrict processing

- The right to ask us to restrict the processing of your personal data in certain cases, e.g. when you dispute its accuracy or when the unlawful nature of the processing is invoked.

Right to object

- You have the right to object to future processing of your data with immediate effect, in particular if it is based on our legitimate interests, such as direct marketing or profiling for direct advertising (opt-out). You may contact your preferred agent.
- We may refuse your request to object if there are compelling legitimate grounds for continuing the processing or if the processing is justified for the establishment, exercise or defence of legal claims.

Right to withdraw consent

- The right to withdraw consent at any time where the legal basis for processing your personal data is your consent and not the performance of the contract. It should be noted, however, that such withdrawal has no retroactive effect and therefore does not entail the deletion of data previously processed on the basis of consent.
- The right to withdraw consent always applies when personal data is processed for commercial prospecting purposes.

Right to portability

- The right to the portability of your personal data when the processing is automated and based on your consent or on a contract with the LALUX Group.

Right not to be subject to an automated individual decision

- The LALUX Group does not take decisions based exclusively on automated processing, including profiling, which produce legal effects. Human intervention is required before a decision is taken, as indicated above.

8. How to exercise your rights

The LALUX Group has appointed a joint Data Protection Officer (DPO) for the various entities of the LALUX Group mentioned above. Data subjects may exercise their rights by contacting the DPO:

- By e-mail, sent to the following addresses, namely for LALUX NON-VIE, LALUX VIE, DKVL and APROBAT dpo@lalux.lu or, for PECOMA, dpo@pecoma.lu;
- By post to the following address: LALUX NON-VIE/LALUX VIE/DKVL/PECOMA/APROBAT, for the attention of DPO, 11-13 rue Jean Fischbach, L-3372 Leudelange.

The Data Protection Officer will send you a form to complete and a request for proof of identity before we can process your request. A reply will be sent to you within one month of receipt of the request, unless its complexity or the number of requests to be processed requires a further month, in which case we will inform you within one month of your request.

For more information on how your personal data is managed or how you can exercise any of the above rights, please contact the Data Protection Officer at one of the above addresses.

9. Complaints

Although the LALUX Group makes every effort to ensure compliance with the Data Protection Regulation, if you believe that there is a breach of the rules applicable to the protection of your personal data, you are invited to contact the Data Protection Officer of the LALUX Group, whose contact details are given above.

If you consider the response to be unsatisfactory, you may also lodge a complaint with the supervisory authority - National Commission for Data Protection - NCDP - the registered office of which is at 15, boulevard du Jazz, L-4370 Belvaux.

The NCDP provides an online complaint form:

<https://cnpd.public.lu/fr/particuliers/faire-valoir/formulaire-plainte.html>