

Mizuho Bank Europe N.V.

Privacy Notice

1. Introduction

Mizuho Bank Europe N.V. is a Dutch financial institution and is subject to the data protection obligations set out in the EU General Data Protection Regulation 2016/679 that came into force on May 25, 2018 (“**GDPR**”). This Privacy Notice applies to Mizuho Bank Europe N.V. and its branch offices (together referred to as “MBE”, “us”, “we” or “our”). Protecting the information entrusted to us by our valued customers is one of our fundamental responsibilities. MBE takes privacy very seriously and is committed to ensuring that it processes (personal) data in a fair and lawful manner.

This Privacy Notice is to inform you and any of your directors, employees, affiliates, and/or directors or employees of these affiliates (together referred to as “you”) on what Personal Data we may gather about you, how we process it, how we protect it, and for how long we keep records of this Personal Data.

This Privacy Notice sets out the basis on which we will process any Personal data collected from you or that you provide to us. This Privacy Notice provides for greater transparency with regards to how and why Personal Data is collected and processed, strengthens **your rights** and this Privacy Notice regulates the permitted use of your Personal Data in accordance with the GDPR, as amended from time to time. Please take time to read and understand this Privacy Notice.

2. Terminology in this Privacy Notice

As used in this Privacy Notice:

“Consent of the Data Subject”: any freely given, specific, informed and clear indication from you, the Data Subject, about the processing of Personal Data.

“Data Controller”: the legal person who determines with the relevant public authority or agency the purposes and means of processing the relevant Personal Data. For this Privacy Notice, the Data Controller of your Personal Data is:

Mizuho Bank Europe N.V.
Amsterdam Atrium, 3rd Floor
Strawinskylaan 3053
1077 ZX Amsterdam - The Netherlands

“Data Processor”: a natural or legal person which processes Personal Data on behalf of us, and as instructed by us, the Data Controller.

“Data Processing” (or **“Processing”**): any operation performed upon Personal Data, such as collection, recording, storage, transmission or use of the Personal Data in the broadest sense.



“Data Protection Officer”: our internal designated officer responsible for MBE’s compliance with the GDPR. Our data protection officer can be reached at the following address: MBE.DPO@mizuhoemea.com.

“Data Subject”: an identified or identifiable natural person.

“Mizuho Financial Group”: the ultimate holding company, Mizuho Financial Group, Inc. incorporated in Japan.

“Mizuho group entity”: any entity with Mizuho Financial Group as its (in)direct shareholders

“Personal Data”: any information relating to an identified or identifiable natural person, being the Data Subject. Examples of Personal Data may be your name, address, or identification number.

“Personal Data Breach”: a breach of the Data Processing agreement between you and us that could lead to the accidental or unlawful sharing, destruction, loss, alteration, unauthorized disclosure of, or access to, Personal Data.

“Sensitive Personal Data”: special categories of Personal Data, revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation.

The material scope of the GDPR is limited to Personal Data. Its territorial scope is broad; the GDPR is applicable not only to EU based legal entities, but also to any non-EU/ third country company targeting EU residents.

3. Types of Personal Data

Depending on the nature of our interaction with us, some examples of Personal Data which we may collect from you include, without limitation:

- personal particulars (name, address, date and place of birth, TIN number and nationality);
- data concerning your credentials (e.g. ID data – passports, driver licenses, national IDs);
- authentication data (e.g. template signature);
- order data (e.g. payment order);
- data from the fulfilment of our contractual obligations (e.g. sales data in payments processing);
- telephone recordings (in case of deals where a recording obligation exists) and other with these categories comparable data;
- contact details (e.g. business email addresses and phone numbers);
- financial details (e.g. bank account numbers, transaction details);
- electronic identifying data (e.g. IP addresses, cookies, online identifiers and geolocation data).

Sensitive Personal Data

In general, MBE does not process any Personal Data which falls under the definition of the “Sensitive Personal Data”, except for the TIN number of some individuals. In the Netherlands, the TIN number (*Burgerservicenummer* or “**BSN**”) is considered as a Sensitive Personal Data. MBE only processes

Sensitive Personal Data when it is mandatory by law or another legal basis for processing is satisfied (e.g. to fulfil DGS regulatory requirements).

Please note that the above is not exhaustive. MBE reserves the right to process additional Personal Data, subject to compliance with all applicable laws.

4. Collection of Personal Data

We collect Personal Data about you from a variety of sources for the purpose of commencement and execution of a business relationship and the associated contractual duties. Information may be provided by yourself, either directly sent to us or through indirect sources (e.g. social media that you choose to be publicly visible), personal data that we lawfully obtain from publicly available sources (e.g. debtor registers, land registers, commercial registers and registers of association (e.g. the Dutch trade register (*Kamer van Koophandel*, “**KvK**”), press, internet) or that is legitimately provided to us by other companies within the Mizuho group or other third parties (e.g. credit agencies). We may also process personal data that we receive from third parties who provide it to us in their capacity of employer, client, credit reference agency, (government) authorities or our clients in connection with our business relationship.

We are also legally obliged to collect this information to comply with local laws and regulations, such as KYC requirements established on the 6th EU AML Directive. For instance, we are specifically obliged to identify you using your identification document prior to the establishment of any business relationship.

5. Data processing of Personal Data

We may process your Personal Data on the basis of:

- **Consent:** by you to process the Personal Data for one or more specific purposes¹. This consent can be withdrawn at any time by sending a notification of such request to your relationship manager².
- **Necessary for performance of contract:** that you are party of or in order to take steps at the request of the Data Subject to entering into a contract³.
- **Compliance with legal obligations:** that we are subject to, as set out below⁴.
- **Legitimate interests:** We will process Personal Data required in order to safeguard our own, or a third party's legitimate interest, unless outweighed by your interest in the protection of your Personal Data⁵. The Personal Data can also be processed for MBE's legitimate interest after conducting a Legitimate Interest Impact Assessment and no exposure to high risks for the Data Subjects are identified.

No single data processing lawful basis is 'better' or more important than the others, and processing may be done on several legal bases depending on the purpose and our relationship with you.

¹ Art. 6(1)(a) GDPR.

² This also applies to the withdrawal of consent granted to us prior to the entry into force of the GDPR. Withdrawal of your consent does not affect the lawfulness of the data processed until the consent was withdrawn, but it may affect our ability to service you as our customer. For example, we may ask for your consent for processing Personal Data and sharing it within the Mizuho Financial Group for direct marketing purposes.

³ Art. 6(1)(b) GDPR.

⁴ Art. 6(1)(c) GDPR, or in the public interest Art 6(1)(e) GDPR.

⁵ Art. 6(1)(f) GDPR.

When processing the Personal Data, this will be done to the minimum required to carry out the services we provide. Meanwhile we always observe the 'Data Protection by Default' and 'Data Protection by Design' principles.

Data processing of Sensitive Personal Data is in principle prohibited. It is only allowed when one of the exceptions stipulated in the GDPR applies, for instance:

- in case of explicit consent.
- the processing relates to information that was already made public by you.
- the processing is necessary for reasons of substantial public interest on the basis of EU or member state law.

MBE does not seek to process any of your Sensitive Personal Data, except where the processing is mandatory by law or another legal basis for processing is satisfied.

Statutory legal obligations

As a licensed credit institution incorporated in the Netherlands with branches in Germany, France and Spain, we are subject to various legal obligations, but not limited to:

- Dutch Financial Supervision Act (*Wet op het financieel toezicht*, "**Wft**") and the underlying regulations;
- Dutch Act on Anti-Money Laundering and Terrorism Finance (*Wet ter voorkoming van witwassen en financieren van terrorisme*, "**Wwft**");
- Dutch Bankruptcy Act (*Faillissementswet*);
- German Banking Act (*Kreditwesengesetz*, "**KWG**");
- German Money Laundering Act (*Geldwäschegesetz*, "**GWG**");
- German Securities Trading Act (*Wertpapierhandelsgesetz*, "**WpHG**");
- German Tax Act (*Abgabenordnung*, "**AO**");
- French Banking Anti-Money Laundering law (Decree of 3 November 2014);
- French Monetary and Financial Code and tax laws;
- Spanish Banking Regulations;
- Spanish Prevention of Money laundering and Financing of Terrorism law (Ley 10/2010, de 28 de abril, de prevención del blanqueo de capitales y de la financiación del terrorismo);
- Spanish Tax Laws;
- European Securities Regulations;

as well as other regulatory requirements imposed by the local regulatory regulators in the Netherlands, Germany, France and Spain.⁶

All of the aforementioned require us to process Personal Data in order to fulfil the satisfaction of legal related identification requirements, the reporting obligations and other purposes including credit checks, identity checks, prevention of fraud and money laundering, and the evaluation and management of risks within MBE and the Mizuho Group

⁶ Dutch Central Bank (*De Nederlandsche Bank*, "**DNB**"), the Dutch Authority for the Financial Markets (*Autoriteit Financiële Markten*, "**AFM**"), German Federal Financial Supervisory Authority (*Bundesanstalt für Finanzdienstleistungsaufsicht*, "**BaFin**"), German National Bank (*Deutsche Bundesbank*), French National Bank (*Banque de France*), French Authority for the Financial Markets (*Autorité des marchés financiers*, "**AMF**"), Spanish National Bank (*Banco de España*) and the National Securities Market Commission (*Comisión Nacional del Mercado de Valores*, "**CNMV**").

6. Automated decision-making and profiling

Automated decision-making is when decisions are made by technological means without significant human involvement. Profiling involves the automated processing of Personal Data with a view to evaluating or predicting personal aspects such as the economic situation, reliability or likely behavior of a person. Profiling is used for instance to combat money laundering and terrorist financing, for which data analyses may be conducted, e.g. concerning payment transaction data.

We currently do not make decisions based on automated processing for the establishment and execution of any business relationship.

7. Protection of Personal Data

MBE uses a variety of security measures, technologies and procedures to help protect your Personal Data from unauthorized access, use or disclosure to the best of its ability. Only employees and departments with appropriate authorization can access your Personal Data, because they need to use this data in order to meet our contractual and legal obligations. Service providers and agents used by us may also be provided with data for these specific purposes, provided that they maintain banking secrecy. These are companies and businesses operating in the following areas, but not limited to: credit services, IT services, logistics, printing services, telecommunications, debt collection, advice and consultancy and sales. We may disclose your Personal Data to other entities within Mizuho group and to:

- you and your representatives, governmental-, regulatory- or similar authorities.
- lawyers, accountants and other professional outside advisors, subject to binding contractual obligations of confidentiality.
- third party processors, in which case we will enforce appropriate safety measures.
- any relevant party to the extent required to fulfil a legal obligation or for the proper performance of our agreement with you.

8. Your rights under the GDPR

When your Personal Data is processed in connection with an MBE product or service, you are entitled to rely on a number of rights. Communication with you shall be timely and transparent to allow you as a 'Data Subject' to exercise these rights in the most effective way. Without affecting your statutory rights and subject to applicable law, your rights regarding the processing of your Personal Data that we process include the right to:

Right to access

You have the right to request access to, or copies of, your Personal Data processed by us.⁷

Right to rectification

You have the right to request for rectification of any inaccuracies of your Personal Data.⁸

Right to erasure ('right to be forgotten')

You have the right to request, on legitimate grounds, erasure of your Personal Data or restriction of the processing thereof.⁹

⁷ Article 15 GDPR.

⁸ Article 16 GDPR.

⁹ Article 17 GDPR.

Right to restriction of processing

You have the right to request the restriction of processing of your Personal Data or to request for restricted use, as far as legally permissible or needed to fulfil a contract with you.¹⁰

Right to data portability

You have the right to request for your Personal Data to be transferred to another Data Controller, to the extent possible.¹¹

Right to object

You have the right to object on grounds relating to your particular situation¹² at any time to the processing of your Personal Data based on public or legitimate interest as mentioned in sections 4 and 5 of this document.

- where we process your Personal Data on the basis of your consent, withdraw that consent; and
- lodge complaints with a Data Protection Authority regarding the processing of your Personal Data.

In individual cases, we might use your Personal Data for direct marketing purposes. You have the right to object at any time to the processing of Personal Data for such marketing purpose.

Right not to be subject to automated decisions

You have the right to object to such automated decisions and ask for an actual person to make the decision instead. The right to object also applies to any profiling.¹³

Right to withdraw consent

You have the right to withdraw your consent at any time. From that moment, we are no longer allowed to process your Personal Data.

Please note that an objection or request to exercise your rights is not subject to any formal requirement and refer to section 11 for more details on how to contact MBE.

9. Retention of Personal Data

Retaining your Personal Data in a secure, lawful manner is of the utmost importance to us. MBE takes all reasonable measures to ensure that your Personal Data is only processed (i) for the minimum period necessary, and (ii) for the purposes the information was provided to us, and always complying with all regulatory requirements. It should be noted that our business relationship is a contract of continuing obligations.

There are various legal and regulatory requirements for Personal Data and information retention periods applicable to MBE. To comply with legal and regulatory requirements regarding Personal Data retention, an Information Retention Policy is in place, which is reviewed on a regular basis. This Policy can be provided to you upon request, by using any of the provided MBE contact information in section 11.

The moment we cease to have an ongoing relationship with you and following any subsequent retention period mandatory by law, we will either safely delete, destroy or anonymize your Personal Data

¹⁰ Article 18 GDPR.

¹¹ Article 20 GDPR.

¹² Article 21 GDPR.

¹³ Article 22 GDPR.

adequately. Personal Data may be continued processed for a limited time, if necessary for the following purposes:

- fulfilment of duties to preserve records under commercial, anti-money laundering and tax laws.
- preservation of evidence in line with the statutory limitation periods.

10. Transfers of Personal Data (outside of EEA)

There are situations in which we need to provide your Personal Data to other parties involved in the provision of our services. We could share the Personal Data within the Mizuho group (e.g. Mizuho Bank, Ltd. in Tokyo (Japan) or its regional branch in London (UK)) or to third parties.

Some jurisdictions are considered by the European Commission to meet the standard GDPR requirements and these are granted with an “adequacy decision”, meaning that Personal Data in these jurisdictions are treated with the European safety standards and no additional safety measures are needed.

Personal Data may also be shared with Data Processors located in countries outside of the EEA (‘third-party’) which were not granted with those adequacy decisions. For this purpose, we rely on the following measures:

- implementation of the GDPR Standard Contractual Clauses in order to establish a safety environment for international data transfer; and
- valid transfer mechanisms approved by the GDPR on a case-by-case basis, taking into account where the data is being transferred to.

Personal Data will only be transferred if this is required in view of our business relationship with you, provided for by law, for enabling the contract execution or based on your request/consent.

11. Contact and Questions

In the event that you would like to exercise any of the rights mentioned in section 8, please contact your MBE relationship manager by phone or e-mail, the DPO by e-mail (see below) or the Data Controller by post.

Kindly note that an objection or request for the withdrawal of consent, restriction of the processing or erasure of your Personal Data, may negatively impact our ability to service you as our customer.

In case of doubts or questions regarding this Privacy Notice or any personal data related matters (including lodging complaints), our data protection officer can be reached at the following address: MBE.DPO@mizuhoemea.com

Also, you have the right to lodge a complaint with our data protection competent supervisory authority (*Autoriteit Persoonsgegevens*). Official information about GDPR and their respective contacts can be verified with the local data protection authorities on their websites:

Country	Data Protection Authority	Data Protection Authority Contact
The Netherlands	Autoriteit Persoonsgegevens	Phone: +31 70 888 85 00 Website: https://autoriteitpersoonsgegevens.nl/en/contact-dutch-dpa
France	Commission Nationale de l'Informatique et des Libertés (CNIL)	Phone: +33 1 53 73 22 22 Website: https://www.cnil.fr/en/contact-cnil
Germany	Bundesbeauftragter für den Datenschutz und die Informationsfreiheit (BfDI)	Phone: +49 228 997799-0 Website: https://www.bfdi.bund.de/EN/Service/Contact/contact.html
Spain	Agencia Española de Protección de Datos (AEPD)	Phone: +34 901 100 099 Website: https://www.aepd.es/en/contact-dpd

This Privacy Notice is kept under regular review and may be amended from time to time. We will inform you of material changes through a notification by post, email or other communication channel as agreed for communication between us.

Last update: March/2025.
