

Privacy Policy

(updated 25 January 2023)

We are committed to safeguarding the privacy of our clients, prospective clients, suppliers, job applicants and visitors to www.cosec.lu (the **Website**). Please read the following notice (the **Privacy Policy**) to understand how we collect and use your Personal Data and the rights you have in relation to your Personal Data.

References in this Privacy Policy to **Personal Data** refer to any information relating to an identified or identifiable natural person (each a **Data Subject**).

This Privacy Policy was last updated on the above date and may vary from time to time so please check it regularly. Any significant changes to this Privacy Policy will be clearly indicated on the home page of our Website.

This Privacy Policy will be supplemented by additional notices tailored to our specific relationship with you where this is appropriate to provide you with more ample information on how we collect and use your Personal Data.

In the event that you provide us with Personal Data about another individual, you must: (a) inform the individual about the content of this Privacy Policy and any other applicable privacy notices provided to you by CoSec; (b) obtain her or his permission to share such Personal Data with us in accordance with this Privacy Policy and other applicable privacy notices provided by CoSec; and (c) obtain any legally required consent, where applicable.

1. Who is responsible for Personal Data?

CoSec is a department of the company IBS & Partners.

IBS & Partners is the controller of all Personal Data it processes about its clients, prospective clients, suppliers, job applicants and Website visitors. IBS & Partners is a “société anonyme” with registered office at 25a Boulevard Royal; L-2449 Luxembourg, registered under number B35973 at the Luxembourg Business Register. Our contact details are set out in Section 12 below.

2. What Personal Data do we process?

The Personal Data we collect and process about you will differ depending upon our relationship. We will hold different types of Personal Data if you are a client, a prospective client, a supplier, an applicant or a visitor to our Website, or you have enquired about our services.

Below, we provide you with more information on the type of Personal Data we process.

Prospective clients	<ul style="list-style-type: none"> • contact details (such as first name, last name, address, telephone, fax, email address) • personal characteristics (such as gender) • professional information (such as company, title/function, department, website) • areas of legal interest • marketing preferences, marketing activities, and client feedback
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	<ul style="list-style-type: none">• online activity information (such as information from your use of our Website)
Clients	<ul style="list-style-type: none">• contact details (such as first name, last name, address, telephone, fax, email address)• personal characteristics (such as gender)• professional information (such as company, title/function, department, website)• government and other official identification numbers, subject to applicable laws and regulations (such as social security number, tax identification number, or other government-issued identification number)• documents relative to compliance obligations in respect of the AML/CTF Laws (such as ID cards, passports, criminal records, curriculum vitae)• areas of legal interest• activities and events• information about the services we provide• financial information and account details (such as bank account number, account details, credit history, credit reference information, and other financial information)• voicemail recordings• photographs at events• information about the matters, projects and assignments we are handling• information enabling us to provide our services• marketing preferences, marketing activities, and client feedback• online activity information (such as information from your use of our Website)• additional information from other sources (such as from third-party commercial information sources, from publicly available information sources, from credit rating agencies)
Suppliers	<ul style="list-style-type: none">• contact details (such as first name, last name, address, telephone, fax, email address)• personal characteristics (such as gender)• professional information (such as company, title/function, department, website)• financial information and account details (such as bank account number, account details, credit history, credit reference information and other financial information)• voicemail recordings• information enabling us to receive products and/or services from you• online activity information (such as information from your use of our Website)• additional information from other sources (such as from third-party commercial information sources, from publicly available information sources, from credit rating agencies)
Job applicants	<ul style="list-style-type: none">• contact details (such as first name, last name, address, telephone, email address)• personal details (such as your date of birth)• information about the position you are applying for• language skills• education and training• curriculum vitae• motivation

3. What Personal Data do we collect through our website?

In general, you are not obliged to provide us with any Personal Data when browsing our Website. Some of the functionalities provided on our Website however require you to provide us with certain Personal Data.

1. **Contact.** If you contact us via our Website, we will collect and hold your contact details (such as first name, last name and email address).
2. **Newsletter Subscription.** If you subscribe to our newsletters, we will collect and hold your contact details (such as your first name, last name, job title, company, telephone, email address and postal address), your areas of interest, your language preferences and your preferred email format.
3. **Event Registration.** If you register for any of the events we are organising (such as seminars), we will collect and hold your contact details (such as your first name, last name, job title, company, telephone, email address).
4. **Job Applicants.** If you apply for a position at IBS & Partners, we will collect and hold your contact details (such as first name, last name, address, telephone, email address), personal details (such as your date of birth), information about the position you are applying for, language skills, education and training, curriculum vitae and motivation.

Furthermore, when you browse our Website, certain user and device data may be collected. This information may not reveal your identity and therefore may not be Personal Data. Examples of this type of user and device data are: internet browser and electronic device information, information collected through cookies, pixel tags and other technologies, demographic information, and aggregated data (i.e., data grouped together so that it is not possible to link the data to a particular individual). We and our third-party service providers may collect user and device data in a variety of ways when you use our Website, including through your internet browser or electronic device.

Our Website makes use of cookies. Cookies are small text files that are placed on your computer or mobile device by websites that you visit. They are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owners of the site. We use cookies for a variety of reasons, such as to (i) estimate our audience size and usage patterns; (ii) track your preferences; (iii) speed up your searches; (iv) recognise you when you return to our website; (v) allow you to use our Website in a way that makes your browsing experience more convenient; and (vi) improve and update our website.

There exist various types of cookies:

- **Strictly Necessary Cookies.** These are cookies that are required for the operation of a website. They include, for example, cookies that enable users to log in to secure areas of a website, use a shopping cart or make use of e-billing services.
- **Functionality Cookies.** These are used to recognise users when they return to a website. They enable the personalisation of content and the recognition of users, and they remember user preferences (for example, their choice of language or region).
- **Analytical/Performance Cookies.** These types of cookies allow providers to recognise and count the number of visitors and to see how visitors move around their website when they are

using it. This assists providers in improving the way their website works, for example, by ensuring that users are finding what they are looking for easily.

- **Targeting Cookies.** These cookies record a user’s visit to a website, the individual pages visited and the links followed. If the cookie is set by a third party (for example, an advertising network) which also monitors traffic on other websites, this type of cookie may also be used to track a user’s movements across different websites and to create profiles of their general online behaviour. Information collected by tracking cookies is commonly used to serve users with targeted online advertising.
- **Third-Party Cookies.** When you visit our website you may notice some cookies that are not related to us. When you visit a page that contains embedded content, for example from YouTube, you may be sent cookies from these websites. We do not control the setting of such cookies and we advise you to check the third-party websites for more information about these cookies and how to manage them.

To limit or block the cookies which are set by CoSec, you can amend your browser’s privacy settings. The Help function within your web browser will explain how this is done. Visit www.aboutcookies.org to find out how to limit or block cookies on an array of different browsers. There are details on how to delete cookies as well as general information about them. For information on how to do this on your mobile phone you will need to refer to the manufacturer’s guide. Please be aware that you may have to manually adjust some preferences every time you visit a site and that some services and functionalities may not work if you choose to limit or block cookies.

4. For what purposes do we use Personal Data?

The purposes of processing your Personal Data will be different depending on our relationship.

Prospective clients	<ul style="list-style-type: none"> • to communicate with you • to carry out prospective client-relationship management • to carry out research and analysis • to provide marketing information • to ensure the security of our premises and facilities • to manage our business operations and IT infrastructure
Clients	<ul style="list-style-type: none"> • to communicate with you • to establish, perform and terminate engagements relating to our services • to make assessments and decisions about the terms of our engagement • to prevent, detect and investigate fraud or crime • to carry out client-relationship management • to provide our services • to improve the quality of our services • to carry out research and analysis • to provide marketing information • to ensure the security of our premises and facilities • to manage our business operations and IT infrastructure • to manage complaints, feedback and queries • to comply with applicable laws and regulatory obligations • to establish and/or defend our legal rights
Suppliers	<ul style="list-style-type: none"> • to communicate with you



	<ul style="list-style-type: none">• to carry out supplier management• to establish, perform and terminate contracts for the procurement of products and/or services• to make assessments and decisions about the terms of such contracts• to carry out research and analysis• to ensure the security of our premises and facilities• to manage our business operations and IT infrastructure• to manage complaints, feedback and queries in the framework of our procurement activities• to comply with applicable laws and regulatory obligations• to establish and defend our legal rights
Job applicants	<ul style="list-style-type: none">• to communicate with you• to carry out recruitment and selection activities• to evaluate applications• to assess your eligibility and suitability for a position• to possibly offer you employment or engage you as a lawyer• to take pre-contractual measures prior to your employment as an employee or engagement as a lawyer• to build a recruitment pool

As a prospective client, you are not obliged to provide any Personal Data to us. If you are a client or a supplier, the provision of certain Personal Data is a statutory or contractual requirement (e.g., we need certain Personal Data of clients in order to document our engagement, for billing purposes and to comply with anti-money-laundering obligations). If you are a job applicant, the provision of certain Personal Data is a requirement necessary to entering into a possible contract.

5. What are the legal grounds for our use of Personal Data?

Applicable data-protection legislation requires us to be transparent about the legal grounds or justification for the processing of Personal Data. We generally rely on the following legal grounds for the processing of Personal Data.

1. **Your consent.** In many cases, your Personal Data will be processed by IBS & Partners on the basis of your consent. For example, we may ask your consent to process your data in order to provide you with marketing information, to send you invitations to seminars or to send you legal news updates. We may seek your consent in writing or electronically. When seeking your consent, we will inform you about how your data will be used, as well as the purposes. In some circumstances, such as telephone conversations, consent can be given verbally. When you have provided your consent, you can withdraw it at any time.
2. **Necessary for the performance of a contract.** Personal Data of clients may be processed by us in order to establish, perform and terminate a contract (e.g., for the provision of our services). Prior to a contract – during the contract initiation phase – Personal Data may be processed to prepare bids, pitches or purchase orders or to fulfil other requests of the prospective client that relate to contract conclusion. Prospective clients can be contacted during the contract preparation process using the information that they have provided.

3. **Legal obligations to which we are subject.** In some cases, we may need to process your Personal Data because applicable laws or regulations require, request or allow it, for example to prevent, detect and investigate fraud or crime or to comply with specific tax obligations.
4. **Our legitimate interests.** In many cases, we process your Personal Data because we have a legitimate business interest in doing so. This is the case, for example, when processing your Personal Data to communicate with you, to improve the quality of our services, to provide you with marketing information (incl. direct marketing) and to manage our business operations and IT infrastructure. Depending on the specific processing, IBS & Partners' legitimate interests will in general consist of (i) the pursuit of our business activities and commercial objectives; (ii) the protection of our business, partners, shareholders and clients; (iii) the improvement or further development of our services and our business operations in general; (iv) the compliance with legal and regulatory obligations, standards, guidelines and codes of conduct and/or (v) the maintenance and improvement of our position on the market.

The legal basis for our processing of Personal Data will be different depending upon our relationship. Below, we have set out the main legal justifications that apply to our processing of Personal Data.

Prospective clients	<ul style="list-style-type: none"> • Your consent • Our legitimate interests
Clients	<ul style="list-style-type: none"> • Necessary for the performance of a contract • Legal obligations to which we are subject • Your consent • Our legitimate interests
Suppliers	<ul style="list-style-type: none"> • Necessary for the performance of a contract • Legal obligations to which we are subject • Your consent • Our legitimate interests
Job applicants	<ul style="list-style-type: none"> • Necessary for the performance of a contract • Your consent • Our legitimate interests

6. Who may Personal Data be shared with?

In connection with the purposes described above in Section 4, we may need to share your Personal Data with third parties, so-called 'recipients'. These third parties (recipients) may include:

1. external third-party service providers (e.g. security professionals, accountants, auditors, experts, lawyers and other professional advisors; call-centre service providers; IT systems, hosting service providers; banks and financial institutions; third-party claim administrators; and other third party vendors and outsourced service providers that assist us in carrying out our business activities);
2. government authorities;
3. third-party participants in legal proceedings and their advisors; and

4. other third parties (e.g., credit-rating agencies, commercial-information providers, purchasers and prospective purchasers or other parties in any actual or proposed reorganisation, sale, joint-venture, merger, assignment, transfer or other transaction relating to our business, assets, companies or stock).

7. Where do we process Personal Data?

IBS & Partners S.A. is a Luxemburgish company providing incorporation, domiciliation and chartered account services. In principle, your Personal Data will be kept in Luxembourg or in another country within the European Economic Area. From time to time, we may however need to transfer your Personal Data to entities (recipients) located in countries outside the European Economic Area (EEA), including countries which do not offer adequate protection of Personal Data.

If Personal Data is being transferred from the European Economic Area to a country outside it which does not offer adequate protection of Personal Data, we will ensure that either (i) such transfer can be based upon an appropriate legal justification (e.g., your explicit consent or the necessity for the performance of our services) or (ii) appropriate safeguards are in place to protect your Personal Data to standards which are equivalent to the standards contained in this Privacy Policy. In other words, IBS & Partners will remain responsible for the processing of your Personal Data and will take the necessary measures to protect the processing thereof (through, for example, Standard Contractual Clauses).

8. How do we protect Personal Data?

IBS & Partners has in place appropriate technical and organisational measures to prevent or act against any unauthorised and unlawful processing or disclosure, as well as accidental loss, modification or destruction of Personal Data. Before the introduction of new methods of data processing, particularly new IT systems, technical and organisational measures to protect Personal Data will be defined and implemented by IBS & Partners. These measures will be based on the state of the art, the risks of processing, and the need to protect the Personal Data. Furthermore, these technical and organisational measures for protecting Personal Data will regularly be adjusted to the technical developments and organisational changes.

9. How long do we keep Personal Data?

We will keep your Personal Data no longer than necessary for the purposes for which we collected the data. The precise period will depend on the purposes for which we hold your Personal Data. In addition, there are laws and regulations that apply and which set maximum periods for retention of Personal Data. We will provide you with more detail about how long we keep your Personal Data in separate privacy notices.

10. What rights do you have as a Data Subject?

As a Data Subject, you enjoy the following rights vis-à-vis IBS & Partners:

- **Right of access.** You have the right to obtain confirmation about whether or not your Personal Data is being processed and, if so, to obtain access to your Personal Data and information regarding the processing.



- **Right to rectification.** You have the right to correct incorrect Personal Data, complete your Personal Data and have recipients to whom Personal Data was provided informed of the rectification.
- **Right to erasure.** Subject to certain conditions, you have the right to have your Personal Data erased. If your Personal Data was made public, IBS & Partners will take reasonable steps to inform the controllers who are processing the Personal Data of your request to erase it and to inform the recipients of Personal Data of your request to erase it.
- **Right to restriction of processing.** Subject to certain conditions, you have the right to obtain restriction of the processing of your Personal Data, and, in case of restriction, have the processing limited to mere storage.
- **Right to data portability.** Subject to certain conditions, you have the right to be provided with your Personal Data, which you can reuse as you wish. If you so request, IBS & Partners has the obligation to transfer your Personal Data directly to another controller.
- **Right to object.** You have the right to object to the processing of your Personal Data based on certain grounds and the right at all times to object to the use of your Personal Data for direct marketing purposes.
- **Right to withdraw consent.** If you have given your consent to our processing of your Personal Data, you have the right to withdraw that consent at any time, without such withdrawal affecting the lawfulness of processing based on consent before its withdrawal.
- **Automated individual decision-making, including profiling.** In the case of automated individual decision-making, you have the right to obtain human intervention, give your point of view, receive an explanation for the automated decision, and challenge that decision.
- **Right to lodge a complaint with a supervisory authority.** You have the right to lodge a complaint with a supervisory authority. The Commission Nationale pour la Protection des Données (Data Protection Authority) can be contacted by regular mail at 15, Boulevard du Jazz L-4370 Belvaux, by telephone at +352 261060-1, and by using the forms on their website <https://cnpd.public.lu/en.html>

The above rights may be applicable in certain circumstances only and may be subject to certain conditions, exemptions or exceptions as set out in applicable data protection legislation.

11. How to change your marketing preferences?

We will provide you from time to time with opportunities to inform us about your marketing preferences. You can decide to change your marketing preferences at any time.

If you are a past or current client, we may use your contact details, including your email address, to send you marketing communications. You can at any time and free of charge opt out of receiving marketing communications by contacting us (see Section 12).

If you are not a past or current client, we may use your contact details, including your email address, to send you marketing communications, provided you have given your consent.

Marketing communications used by IBS & Partners may include the following: (i) receiving e-mail messages from us; (ii) receiving telephone communications and postal or electronic mail from us; and (iii) sharing your Personal Data with selected third-party partners for their marketing purposes.

12. Who to contact about your Personal Data?

If you have any questions, concerns or complaints about the manner in which your Personal Data is used by us, you can contact us by email or regular mail using the contact details below:

- email: privacy@ibspartners.lu
- regular mail: IBS & PARTNERS Forum Royal 2nd floor; 25a Boulevard Royal; L-2449 Luxembourg