

The Bank of New York Mellon Brazil Privacy Notice

Last Updated: August 15, 2020

The Bank of New York Mellon Corporation and its affiliates (collectively referred to as "BNYM", "we", "us") take their data protection and privacy responsibilities seriously. This privacy notice explains how we collect, use and share personal information in the course of our business activities, including:

- What personal information we collect and when and why we use it
- How we share personal information within BNYM and with our service providers, regulators and other third parties
- How we use cookies and tracking technology on our websites.
- Carrying out direct marketing
- Transferring personal information globally
- How we protect and store personal information
- Legal rights available to help manage your privacy
- Exercising your legal rights
- How you can contact us for more support

We may amend this notice from time to time to keep it up to date with legal requirements and the way we operate our business. Please regularly check these pages for the latest version of this notice. If we make significant changes to this privacy notice, we will seek to inform you by notice on our website or email ("Notice of Change").

Important information about BNY Mellon:

The BNY Mellon entity responsible for your personal information will be the member of BNY Mellon that originally collects information from or about you. This will be explained in separate privacy notices made available when your personal information is first collected by that BNY Mellon entity, for example where you or the business you work for engages us to provide a service.

You can find out more about BNY Mellon at www.bnymellon.com or by contacting us using the information in the [contact us](#) section.

WHAT PERSONAL INFORMATION WE COLLECT AND WHEN AND WHY WE USE IT

In this section you can find out more about:

- the types of personal information we collect
- how we use personal information
- when we collect personal information
- the legal basis for using personal information

BNYM Data Subjects

BNYM collects information about you if you:

- register with or use one of our Website(s) or online services;
- are a private client;
- represent one of our institutional clients;
- work with us as a service provider; and/or
- visit a BNYM office or register to attend a BNYM event.

Personal Information We Collect

Personal Information we collect will fall within one of the below categories:

Your name and how to contact you	Basic contact information about you, including your signature
Identification data including unique descriptors	Government issued identifiers, other unique identifiers such as date of birth, and personal descriptors that might identify you
Financial and Transactional	Financial information about you, transactional information and credit information, account authentication details
Contractual details	Information collected as part of the products and services we provide to you
Socio-Demographic	Includes details about your work or profession, nationality, education

Technical Information	Details about your devices and technology that you use to access our services, including IP address
Behavioural	Information about how you use our products and services
Location	Data we receive about where you are
Communications	Information we capture through your communications with us, e.g. telephone conversations, emails and instant messaging
Publicly available data	Details about you that are in public records and information about you that is openly available on the internet
Sensitive categories of data	The law and other regulations treat some types of personal information, including personal information relating to health as special and affords them additional protections. We will only collect and use these types of data if the law allows us to do so

Personal Information we collect will be used for one or more of the following purposes

	What we use your information for	Lawful Basis	Our legitimate interests
To manage your relationship with BNYM	<ul style="list-style-type: none"> • To manage our relationship with you or your business, for example by finding out how best to contact you • To develop new ways to meet our clients' needs and to grow our business, for example by seeking client feedback or sharing our market research • To develop and carry out marketing activities in order to keep our clients informed about our products and services • To develop and manage our brand 	<ul style="list-style-type: none"> • Legitimate interests • Consent (where required by law) 	<ul style="list-style-type: none"> • Working out which of our products and services might interest you and telling you about them • Communicating with you about BNY Mellon and our industry insight and providing thought leadership • Seeking your consent when we need it to contact you • Keeping our records up to date and honoring your communication preferences

To develop, deliver and support our products and services	<ul style="list-style-type: none"> • To deliver our products and services to our individual and institutional clients • To provide advice or guidance, for example to support your use of our products and services • To develop, test and manage new and existing products and services • To understand how our clients use products and services from us and other organisations, for example through research and analytics • To manage how we work with other companies that provide services to us and our clients, for example our relationships with vendors and suppliers 	<ul style="list-style-type: none"> • Contractual obligation • Legal obligation • Legitimate interests • Consent (where required by law) 	<ul style="list-style-type: none"> • Enabling the development of our products and services, and what we charge for them • Defining relevant clients for new products and services • Ensuring that we are able to effectively and efficiently meet our legal and contractual obligations • Complying with regulatory requirements
To administer the products and services we deliver	<ul style="list-style-type: none"> • To make and manage client payments • To manage and provide treasury and investment products and services • To manage fees, charges and interest due on client accounts • To collect and recover money that is owed to us • To exercise our rights set out in agreements or contracts 	<ul style="list-style-type: none"> • Consent (where required by law) • Contractual Obligation • Legitimate interests 	<ul style="list-style-type: none"> • Ensuring that we are able to effectively and efficiently meet our contractual obligations • Complying with regulatory requirements

To manage your relationship with BNYM	<ul style="list-style-type: none"> • To manage our relationship with you or your business, for example by finding out how best to contact you • To develop new ways to meet our clients' needs and to grow our business, for example by seeking client feedback or sharing our market research • To develop and carry out marketing activities in order to keep our clients informed about our products and services • To develop and manage our brand 	<ul style="list-style-type: none"> • Legitimate interests • Consent (where required by law) 	<ul style="list-style-type: none"> • Working out which of our products and services might interest you and telling you about them • Communicating with you about BNY Mellon and our industry insight and providing thought leadership • Seeking your consent when we need it to contact you • Keeping our records up to date and honoring your communication preferences
Crime Prevention and Detection	<ul style="list-style-type: none"> • To detect, investigate, report, and seek to prevent fraud, financial crime and anti-money laundering, for example through know-your-customer checks, AML screening and other identity checks • To comply with other laws and regulations that apply to us, for example other financial services or country-specific legislation 	<ul style="list-style-type: none"> • Contractual obligation • Legal obligation • Legitimate interests 	<ul style="list-style-type: none"> • Ensuring that we are able to effectively and efficiently meet our contractual obligations • Complying with regulatory requirements

To protect our brand, our business and our clients' interests	<ul style="list-style-type: none"> • To manage risk for us and our clients, for example through research and statistical analysis • To respond to complaints and seek to resolve them • To comply with foreign laws, law enforcement and regulatory requirements that may affect us as a global institution • To protect our IT systems, network and infrastructure • To run our business in an efficient and proper way, for example managing our financial position, building our business capability, or for planning, communications, corporate governance or audit 	<ul style="list-style-type: none"> • Legitimate interests • Legal obligations • Contractual obligations • Exercise of rights in administrative and judicial cases 	<ul style="list-style-type: none"> • Ensuring that we are able to effectively and efficiently meet our contractual obligations • Complying with regulatory requirements
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Where we collect your personal information from

We will collect the personal information we use for the above purposes from one or more of the below sources:

- directly from you throughout our relationship, including when you use our products, services and websites
- from other BNY Mellon entities
- from third parties that are authorised to share your information with us, such as intermediaries, broker dealers, our institutional clients and service providers

- From publicly available sources of information

The legal basis for using your personal information

We will only collect, use and share your personal information where we are satisfied that we have an appropriate legal basis to do this. This is explained in more detail in other sections of this Privacy Notice where we indicate that we will have one or more of the following reasons for using your personal information:

- our use of your personal information is necessary to fulfil a contract we have with you or to take steps to enter into a contract with you, for example when you ask us to provide you with a product or service
- our use of your personal information is necessary to comply with a legal obligation that we have, for example where we are required to report to tax authorities
- our use of your personal information is required for regulatory reasons, for example to prevent and detect financial crime
- you have provided your consent to us using the personal information, for example if you have agreed to receive marketing communications
- our use of your personal information is in our legitimate interest as a commercial organisation to provide services to our clients, provided our use is proportionate and respects your privacy rights; where we rely on our legitimate interest, we will tell you what that interest is

SHARING PERSONAL INFORMATION WITHIN BNYM, WITH THIRD PARTIES, WITH OUR REGULATORS

In this section you can find out more about how we share personal information:

- within BNYM
- with third parties that help us provide our products and services; and
- our regulators

We share your information in the manner and for the purposes described below:

- within BNYM, where such disclosure is necessary to provide you with our services or to manage our business.

- with third parties who help manage our business and deliver services. These third parties have agreed to confidentiality restrictions and use any personal information we share with them or which they collect on our behalf solely for the purpose of providing the contracted service to us. These include IT service providers who help manage our IT and back office systems;
- with agencies, organizations and companies, both in Brazil or abroad, working with the purpose to prevent fraud, financial crimes and money laundering;
- with our regulators,
- to comply with all applicable laws, regulations and rules, and requests of law enforcement, regulatory and other governmental agencies.
- we may share in aggregate, statistical form, non-personal information regarding the visitors to our website, traffic patterns, and website usage with our business partners, affiliates or advertisers.

BNYM may, in the future, sell or otherwise transfer some or all of its assets to a third party. Your personal information, technical information about your device or browser and/or other anonymous information we obtain from you via the websites may be disclosed to any potential or actual third party purchasers of such assets and/or may be among those assets transferred.

USING COOKIES AND OTHER TECHNOLOGIES

In this section you can find out more about :

- Types of cookies used on our websites
- Third party advertisers
- Third party sites
- Control your cookie settings

Types of cookies used on our websites

We use cookies, web beacons and similar technologies ("**Cookies**") to track information provided to us by your browser and by our software application when you use our websites. A Cookie is a small piece of information that a website stores on the web browser on your device and can later retrieve. "Session" Cookies are temporary and will expire at the end of a browser session; that is, when you leave a website. Session Cookies allow a website to recognize you and carry information as you navigate between pages during a single browser session and allow you to use the website most efficiently. "Persistent" Cookies, in contrast, remain in the Cookie file of your browser even after you leave a website and after the browser

is closed. They enable a website to recognize you upon your return, remember your preferences and provide tailored services to you. A Cookie will not contain information that will enable us to contact you via telephone, e-mail, or other means.

We, and third party service providers acting on our behalf, use session and persistent Cookies to:

- Remember preferences that you submit as well as those generated from your usage data and your responses to polls and surveys on our websites;
- Measure your use of our websites in an effort to improve its quality and enhance your overall experience, including tracking page views, time and date of website access, and other usage data, and identifying your operating system and browser type (but not other information about your computer or the programs on it) and your general geographic location; and
- Allow you to share certain information on our websites via social media bookmarking buttons, email or on social networking sites.

The third party service providers mentioned above use any personal information they collect on our behalf solely for the purpose of providing the contracted service to us. They have also agreed to confidentiality restrictions.

We may use aggregated usage data to track trends and analyse patterns on our websites. If you register to enter an area of our websites, the website will recognize who you are and collect all information that you submit (including subscription to emails, etc.). Information collected about you from this website may be associated with other identifying information that we have about you.

Third Party Advertisers

We may use third party advertising companies to serve ads on our behalf on other websites across the Internet. To measure and track the effectiveness of such ads, these companies typically use Cookies; so a Cookie may be set in the Cookie file of your browser when you click on one of our ads or visit a webpage associated with our ad campaigns. These companies may also use and measure information about your visits to our Site as part of this same process. The information provided to us by these companies about you will be de-identified.

Third Party websites

Our websites contain links to third party sites (including social media bookmarking buttons that enable you share certain content to our websites). Although some of the entities controlling these websites are under contract with us, not all of them are, so we advise you to familiarise yourself with the individual privacy and cookie notice and other terms for each linked website prior to submitting your personal information. We are not responsible for and do not have control over their terms of use or privacy notices, have not reviewed them and we do not accept any liability with respect to the content of these

websites or how they use Cookies and handle your personal information. This privacy notice does not apply to your use of a third party website.

Control your Cookie settings

Most browsers are initially set to accept Cookies. However, you have the ability to change your browser settings. It may also be possible to configure your browser settings to enable acceptance of specific Cookies or to notify you each time a new Cookie is about to be stored on your device enabling you to decide whether to accept or reject the Cookie. You can also disable Cookies by configuring your browser setting to reject Cookies. Please refer to the help section of your browser for instructions on disabling Cookies. For more information about Cookies, how they work, why they are so useful and how to disable them, you can visit www.allaboutcookies.org.

If you do not wish to accept Cookies from our Website, please either disable them or refrain from using our website. If Cookies are disabled, it may mean that you experience reduced functionality or will be prevented from using all or part of our website.

Please refer to our [cookie policy](#) to find out more about the information we collect using Cookies and tracking technologies.

CARRYING OUT DIRECT MARKETING

In this section you can find out more about

- How we use personal information to keep you up to date with our products and services
- How you can manage your marketing preferences

How we use personal information to keep you up to date with our products and services

We may use personal information to let you know about BNYM products and services that we believe will be of interest to you. We may contact you by email, post, or telephone or through other communication channels that we think you may find helpful. In all cases, we will respect your preferences for how you would like us to manage marketing activity with you.

How you can manage your marketing preferences

To protect your privacy rights and ensure you have control over how we manage marketing with you:

- we will take steps to limit direct marketing to a reasonable and proportionate level and only send you communications which we believe may be of interest or relevance to you;
- you can ask us to stop direct marketing at any time. You can ask us to stop sending email marketing by following the 'unsubscribe' link you will find on the email marketing messages we send you. Alternatively, you can [contact us](#). Please specify whether you would like us to stop all forms of marketing or just a particular type (e.g. email); and
- you can change the way your browser manages cookies, which may be used to deliver online advertising, by following the settings on your browser as explained [above](#).

We recommend you routinely review the privacy notices and preference settings that are available to you on social media platforms, as well as your preferences within your BNYM account.

TRANSFERRING PERSONAL INFORMATION GLOBALLY

In this section you can find out more about :

- How we operate as a global business and transfer data internationally
- The arrangements we have in place to protect your personal information if we transfer it overseas

BNYM operates on a global basis. Accordingly, your personal information may be transferred and stored in countries outside of Brazil, including the United States, the European Union (EU) and India that are subject to different standards of data protection. BNYM will take appropriate steps to ensure that transfers of personal information are in accordance with applicable law and carefully managed to protect your privacy rights and interests, and that transfers are limited to countries which are recognized as providing an adequate level of legal protection or where we can be satisfied that alternative arrangements are in place to protect your privacy rights. To this end:

- transfers within BNYM will be covered by an agreement entered into by members of BNYM (an intra-group agreement) which contractually obliges each member to ensure that personal information receives an adequate and consistent level of protection wherever it is transferred within BNYM;
- where we transfer your personal information outside BNYM, or to third parties who help provide our products and services, we obtain contractual commitments from them to protect your personal information; or

- where we receive requests for information from law enforcement or regulators, we carefully validate these requests before personal information is disclosed.

HOW WE PROTECT AND STORE YOUR INFORMATION

Security

We have implemented and maintain a comprehensive information security program with written policies and procedures designed to protect the confidentiality and integrity of personal information. The information security program contains administrative, technical and physical safeguards, appropriate to the type of information concerned, designed to: (i) maintain the security and confidentiality of such information; (ii) protect against any anticipated threats or hazards to the security or integrity of such information; (iii) protect against unauthorized access to or use of such information that could result in substantial harm, and (iv) ensure appropriate disposal of such information. The security of your personal information also depends in part on the security of the devices you use to communicate with us, the security you use to protect user IDs and passwords, and the security provided by your internet service providers.

Storing your personal information

We will store your personal information for as long as is reasonably necessary for the purposes for which it was collected, as explained in this notice. In some circumstances we may store your personal information for longer periods of time, for instance where we are required to do so in accordance with legal, regulatory, tax, accounting, or necessary technical requirements.

In specific circumstances we may store your personal information for longer periods of time so that we have an accurate record of your dealings with us in the event of any complaints or challenges, or if we reasonably believe there is a prospect of litigation relating to your personal information or dealings.

LEGAL RIGHTS AVAILABLE TO HELP MANAGE YOUR PRIVACY

Subject to certain exemptions, and in some cases dependent upon the processing activity we are undertaking, you have certain rights in relation to your personal information. Click on the links below to learn more about each right you may have:

- To confirm that we are processing your personal information
- To information on the shared use of personal information
- To access personal information
- To rectify / erase personal information
- To restrict/block or anonymize the processing of your personal information

- To transfer your personal information
- To withdraw consent to the processing of your personal information
- To review automated processing of your personal information

We may ask you for additional information to confirm your identity and for security purposes, before disclosing the personal information requested to you.

You can exercise your rights by [contacting us](#). Subject to legal and other permissible considerations, we will use reasonable efforts to honour your request promptly or inform you if we require further information in order to fulfil your request.

We may not always be able to fully address your request, for example if it would impact the duty of confidentiality we owe to others, or if we are legally entitled to deal with the request in a different way.

Right to Confirm Processing

As part of the right to access, data subjects have the right to confirm whether BNY Mellon processes the personal information of a particular data subject.

Right to Information on the Shared Use of Personal Information

As part of the right to access, data subjects have the right to request information about the public and private entities with which BNY Mellon has shared personal information

Right to access personal information

You have a right to request that we provide you with a copy of your personal information that we hold and you have the right to be informed of: (a) the source of your personal information; (b) the purposes, legal basis and methods of processing; (c) the data controller's identity; and (d) the entities or categories of entities to whom your personal information may be transferred.

Right to rectify or erase personal information

You have a right to request that we rectify inaccurate personal information. We may seek to verify the accuracy of the personal information before rectifying it.

You can also request that we erase your personal information in limited circumstances where:

- it is no longer needed for the purposes for which it was collected; or
- you have withdrawn your consent (where the data processing was based on consent); or
- it has been processed unlawfully; or

- to comply with a legal obligation to which BNYM is subject.

We are not required to comply with your request to erase personal information if the processing of your personal information is necessary:

- for compliance with a legal obligation; or
- for the establishment, exercise or defense of legal claims.

Right to restrict/block or anonymize restrict the processing of your personal information

You can ask us to restrict/block or anonymize your personal information, but only where:

- the personal information processed is unnecessary or excessive; or
- the personal information is being processed unlawfully

We can continue to use your personal information following a request for restriction:

- where we have your consent; or
- to establish, exercise or defend legal claims

Right to transfer your personal information

You can ask us to provide your personal information to you in a structured, commonly used, machine-readable format, or you can ask to have it transferred directly to another data controller. This right does not apply to personal information that has already been anonymized by the data controller.

Right to withdraw consent to the processing of your personal information

You can withdraw your consent any time after you've given it to us by contacting our Global Privacy Officer, provided there are no legal or contractual requirements to prevent this and you have provided us with reasonable notice. If you do not consent to certain uses of information or if you withdraw your consent, we may not be able to provide a particular service. If so, we'll explain the situation to you to help you with your decision.

Right to review automated decision making of your personal information

Data Subjects have the right to review any decisions made using the automated processing of their personal information, if these decisions are intended to define their personal, professional, consumer or credit profile.

EXERCISING YOUR LEGAL RIGHTS

You can exercise your rights by submitting a request on our Individual Rights portal, found [here](#). Subject to legal and other permissible considerations, we will use reasonable efforts to honour your request promptly or inform you if we require further information in order to fulfil your request.

We may not always be able to fully address your request, for example if it would impact the duty of confidentiality we owe to others, or if we are legally entitled to deal with the request in a different way.

CONTACT US

The primary point of contact for all issues arising from this privacy notice, is our Global Privacy Officer. The Global Privacy Officer can be contacted in the following ways:

By email: trmglobalprivacy@bnymellon.com

If you have any questions, concerns or complaints regarding our compliance with this notice and the data protection laws, or if you wish to exercise your rights, we encourage you to first contact our Global Privacy Officer. We will investigate and attempt to resolve complaints and disputes and will make every reasonable effort to honour your wish to exercise your rights as quickly as possible and in any event, within the timescales provided by data protection laws.