

Version last updated on 14 January 2022

## Website Privacy Notice

This privacy notice is stated by Elvinger Hoss Prussen, société anonyme, registered with the Luxembourg Trade and Companies Register under number B209469 and with registered offices at 2, place Winston Churchill, L-1340 Luxembourg (“we”, “us” or “our”) with respect to the use of our website [www.elvingerhoss.lu](http://www.elvingerhoss.lu).

When using the website, Elvinger Hoss Prussen collects personal information about the user and in certain circumstances personal information of third parties related to the user (the “data subjects”).

We process personal information in accordance with the legislation and regulations on the protection of personal data applicable in Luxembourg and in particular Regulation (EU) 2016/679 of 27 April 2016 (the “GDPR”) and any other national or supranational statutory law applicable to us (together the “Data Protection Laws”).

This privacy notice aims at informing you about what personal information we collect and receive, how we process it, why we do so and the legal basis for doing so, when we share it with others and the rights data subjects have in that respect as well as how to exercise them.

This privacy notice applies without prejudice to other privacy terms of other third-party resources, in particular social networks, which may apply when you decide to use certain social networks functionalities embedded in, or referred to on, our website either to share content or to visit our official pages on those social networks.

### 1. Who is the controller of your personal information?

Elvinger Hoss Prussen, société anonyme, registered with the Luxembourg Trade and Companies Register under number B209469 and established at 2, Place Winston Churchill, L-1340 Luxembourg is to be considered as data controller with respect to the personal information processed by us in relation to the data subject’s use of our website.

For any personal information processing related questions, you may contact us at the following address: [dataprotection@elvingerhoss.lu](mailto:dataprotection@elvingerhoss.lu).

### 2. What personal information do we process?

For the purpose of providing the services accessible on or via our website, we collect and process personal information of any user of the following services of the website:

- subscribing to our newsletters/newsflash (the “Newsletters”) and invitations to tailored seminars and certain selected events planned by Elvinger Hoss Prussen (the “Marketing Materials”) (the “Subscribing User”),
- applying for a job offer on our Career Platform or otherwise (the “Applicant User”),
- visiting the website without actively using or subscribing to one of its specific services (the “Visiting User”),

all together referred to as a “user”.

Where a data subject has otherwise entered into a contractual relationship, a general business relationship or is otherwise in contact with Elvinger Hoss Prussen, the data protection stipulations and information relating to that relationship are applicable (click [here](#) to view our Privacy Policy) and apply in addition to the present website privacy notice.

#### Categories of personal information in relation to each identified category of data subjects:

Categories of personal information likely to be processed	Categories of data subjects
Group 1 (see below for detail)	Subscribing User
Group 1 and Group 2 (see below for detail)	Applicant user
Group 1 (see below for detail)	Visiting User

The categories of personal information we process include:

Group 1	Group 2
Name (last and first names)/name of partner	Date of birth, age
IP Address	Citizenship
Email address	Gender

(professional/private)	
	Personal information provided to us via the application form or your curriculum vitae or any other document attached to the application form (such as diplomas awarded, position applied for, cover letter, employment history etc.)
	Private address
	Mobile phone number
	Last awarded diploma

#### Additional personal information collected by us or from third-party sources

In addition to the personal information received directly from you as a Subscribing User in relation to the subscription to the Newsletters or Marketing Materials, we may collect additional information about you such as dietary requirements, contact details of your assistant, your LinkedIn profile, information from publicly available sources (i.e. trade and companies registers) and information from social networks for the provision of the Marketing Materials and/or the Newsletters.

In addition to the personal information directly received from the Applicant User in relation to the application for a job offer via our website or otherwise, ancillary personal information from that Applicant User will be collected by us in relation to and for the purpose of managing the job application process. This may include personal information received from recruitment agencies, former employers, teachers, colleagues, or any other publicly available sources or other service providers.

#### Use of Cookies

We collect personal information through the use of cookies. Cookies are used to keep information about your navigation on our website, which helps us to improve your browsing experience and our communication with you. Cookies are important for the good functioning of our website and services provided via our website.

Cookies allow us to collect information for different purposes. For example, we collect information on the type of device you use, its operating system and the internet browser you use so that we can adapt our content to display correctly. We collect information to remember your preferences and the reasons for your communication with us. We also collect information to improve our communication with you, such as how you landed on our website, the pages you are visiting and the links you click. You may of course accept or reject the use of cookies or customise and adjust your settings by clicking [here](#). You may also configure the settings of

your internet browser to accept, reject and delete cookies and to verify cookies information.

For more information on the use of cookies by this website please read the full cookie policy available on this website or by clicking [here](#).

**Sensitive information**

We do not request any **sensitive information** from you neither do we wish to process such information. Sensitive personal information is data relating to your racial or ethnic origin, political opinion, religious or philosophical convictions, trade union membership, health, sexual life and genetic data.

Therefore, if you deliberately include such sensitive personal information about yourself in documents or information sent to us for applying online on the Career Platform or otherwise, we consider that, if need be (i.e. if we have no legal obligation to process such sensitive information as such), we have received the consent to use it in relation to the services requested from us or for the purpose of responding to your query. Where we receive sensitive information about a data subject from a third party, we assume that the third party lawfully processes such sensitive information and is allowed to disclose such information to us for the purpose of defending its interest or on the basis of the consent of the data subject. If we consider that this sensitive personal information is not useful for the purpose of handling your request, we may delete such data.

**3. What are the legal bases for and purposes of our processing?**

Elvinger Hoss Prussen will process your personal information collected via this website for purposes related to the management of your job application and responding to your queries via the website, for marketing purposes such as distributing the Newsletters and Marketing Materials, or to keep information about your navigation.

The legal bases for the processing of your personal information are as follows:

Legal bases	Purposes
<i>The processing is necessary for us for requested pre-contractual steps</i>	Assess your candidate application
<i>The processing is necessary to comply with our legal and regulatory obligations</i>	
<i>The processing is necessary for our or a third party's legitimate interests (as listed here) and where your interests do not override these interests</i>	Organise marketing activities and commercial communications , it being noted that data subjects have the right to object at any time and free of charge to such processing by clicking <a href="#">here</a> or contacting <a href="mailto:dataprotection@elvingerhoss.lu">dataprotection@elvingerhoss.lu</a> .
	Organise meetings, seminars and events, for which we may process information about your dietary requirements, hobbies and family (e.g. to adapt our invitations to your interests)
	Connect and communicate through social media
	Improve our marketing activities and communication, including through our website by <a href="#">monitoring its use</a>
	Manage disputes, complaints and litigation in which we are involved
	Defend our own interests in case of disputes, litigation or claims arising in relation to our services
	Achieve maximum efficiency in our internal organisation, including from an administrative and information technology standpoint
	Protect our tangible and intangible assets, our information technology infrastructure and the content accessible thereon, our

	intellectual property rights and our reputation Conduct audits Ensure the maintenance of our IT systems or repairing any IT defects or failures, securing communication channels and IT systems
<i>The processing is made with your consent</i>	In cases where we process personal information on the basis of your consent (such as the distribution of newsletters or invitations to seminars and events, it being noted that data subjects have the right to object at any time and free of charge to such processing by contacting <a href="mailto:dataprotection@elvingerhoss.lu">dataprotection@elvingerhoss.lu</a> , or application for job through our Career platform or otherwise), you may withdraw your consent at any time, without this affecting the processing carried out before such withdrawal and without prejudice to retention or processing that may be required from us by law.

**4. Who do we share personal information with?**

Depending on the nature and scope of services requested via our website, we may share personal information with the following recipients to the extent that we deem such disclosure or transmission reasonably necessary or desirable for satisfying the purposes mentioned in section 3 above:

- our lawyers (including partners, counsel, associates, trainees, secondees), employees, service providers, agents, external consultants or other persons acting on our behalf (in Luxembourg and abroad, including in our offices notably in Hong Kong and any law firm with whom we work in exclusive association in the United States or when we travel abroad (including outside of the EU/EEA)) within the limits of their function or assignments;
- our information technology service providers and consultants located in Luxembourg or otherwise in the European Union for hosting, back-up maintenance IT security and IT support purposes;
- administrative, regulatory, governmental or judicial bodies in Luxembourg or abroad as may be required by the laws of any jurisdiction applicable to us;
- third-party service providers (recruitment agencies) supporting us in the recruitment procedures;
- third-party service providers offering CRM management tools;
- third-party service providers who assist us in organising seminars and events and who host such events.

Our website is hosted on a server located in the European Union operated by a third-party host on our behalf. Personal information provided via the website will not be accessible to the third-party host, except as regards personal information that will be provided via the Career Platform. Information submitted via the Career Platform or when subscribing to our Marketing Materials will be momentarily stored on the servers of the website and deleted by us after completion of our internal verification process.

The personal information received by us via e-mail correspondence are exclusively hosted on servers located in Luxembourg in a Luxembourg data centre operated by a Luxembourg professional of the financial sector ("PSF") regulated by the Luxembourg regulatory authority of the financial sector. Personal information may also be received by an Applicant User in paper form. Such Personal information will be held at the offices in Luxembourg and processed in accordance with the provisions set out herein.

Your personal information will be processed on a confidential basis with adequate technical and organisational security measures, unless otherwise required by law or agreed with you.

**5. Where do we transfer personal information?**

Depending on the nature and scope of services requested via our website, we may transfer personal information abroad to the extent that we deem such transmission reasonably necessary or

desirable for satisfying the purposes mentioned in section 3 above, including outside of the European Union/European Economic Area, in countries not recognised by the European Commission as having an adequate level of protection for personal information.

Personal information may be sent to, or accessed from, any country where:

- (a) it is necessary or useful in the context of our services;
- (b) we travel (since we can access our IT system remotely through mobile devices or using a secure virtual private network);
- (c) we have offices (in particular in Hong Kong) and we have a law firm with whom we work in exclusive association (in particular in the United States).

Depending on the circumstances, transfers will be made:

- (a) in countries being granted an adequacy decision by the European Commission;
- (b) according to appropriate safeguards (e.g. the entry into standard data protection clauses with the data importer);
- (c) for the performance of the contract we have with the data subject or the implementation of pre-contractual measures taken at the data subject's request;
- (d) if necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the controller and another natural or legal person;
- (e) if necessary for important reasons of public interest or for the establishment, exercise or defence of legal claims (including for example to comply with the laws applicable to us, a governmental or a court's injunction served on us);
- (f) with the data subject's explicit consent.

You can obtain more information regarding the relevant safeguards we rely on by contacting us at [dataprotection@elvingerhoss.lu](mailto:dataprotection@elvingerhoss.lu).

## 6. How long do we keep personal information?

Elvinger Hoss Prussen will only retain your personal information for the period necessary to fulfil the purposes for which it was collected and to comply with our legal obligations subject to the situations where the applicable laws require such personal information to be retained for a certain period of time.

The personal information processed for the purpose of managing your job application will be retained for the time necessary to enable Elvinger Hoss Prussen to issue a decision regarding that application. Where Elvinger Hoss Prussen decides to hire you, relevant additional data protection provisions shall apply when you sign an employment and/or collaboration or other contract in addition to the present terms applying to you in your capacity as a user of the website.

Without prejudice to the general nature of the foregoing, data subjects are informed that, in particular:

- (a) personal information processed for the purpose of performing the services requested from us will be retained for as long as we need to retain such personal information in order to fully accomplish our assignment without prejudice to the possibility of keeping records of such personal information based on the permitted legal limitation periods (either in civil or criminal law);
- (b) personal information processed for the purpose of complying with our legal and regulatory obligations may be retained on the basis of the statutory limitation periods (either in civil or criminal law);
- (c) personal information processed for the purpose of dealing with customer relationship management will be kept for as long as necessary or useful for the performance of the services requested from us; and
- (d) personal information processed for the purpose of our marketing activities will be kept for as long as we receive no "opt-out" or "undeliverable" message.

## 7. What are data subjects' rights regarding their personal information?

Subject to the conditions of the Data Protection Legislation, and where relevant, data subjects may exercise the following:

- (a) obtain from us confirmation as to whether or not personal information concerning them is being processed, and, where that is the case, access to the personal information and relevant information in that regard;

- (b) obtain from us without undue delay the rectification of inaccurate personal information concerning them and taking into account the purposes of the processing, the right to have incomplete personal information completed;
- (c) obtain from us that we erase personal information relating to them;
- (d) request a restriction of the processing of personal information relating to them (i.e. the marking of stored personal information with the aim of limiting its processing in the future);
- (e) ask to receive personal information relating to them which they have provided to us on the basis of their contractual relationship with us in a structured, commonly used, machine-readable format, and to transmit it to another controller;
- (f) on grounds relating to the data subjects' particular situation, object at any time to the processing of personal information relating to them which is based on satisfying the legitimate interests we pursue; should this right be exercised, we shall no longer process the personal information unless we demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

Moreover, to the extent that processing happens on the basis of the consent, you have the right to withdraw your consent at any time. Such withdrawal will have an impact on some or all of the services that Elvinger Hoss Prussen is able to provide.

To exercise their rights, data subjects can send a written request to [dataprotection@elvingerhoss.lu](mailto:dataprotection@elvingerhoss.lu).

Data subjects also have the right to address any claim relating to our processing of personal information relating to them to the relevant data protection supervisory authority, in Luxembourg the *Commission Nationale pour la Protection des Données*.

## 8. What do we expect from you?

We expect you to inform us in writing and without undue delay about changes in the information you provided to us or others about you so that we can keep it up to date.

If you provide us with personal information relating to third parties, you must first inform them about this fact and make sure they acknowledge that we can use such information as set out in this website privacy notice or as the case may be of our general [Privacy Policy](#). In particular, you must provide them with the information relating to their rights as data subjects. We will assume that these third parties are informed of the processing of personal information relating to them that we may carry out and of the disclosure of the same to third parties and countries as described herein and that, as far as necessary, you obtained these data subjects' prior written consent.

## 9. Right to Opt out

Any data subject who is or is not a user of the website and who may have received a Newsletter or any other type of Marketing Materials from Elvinger Hoss Prussen can in any case use the [opt-out option](#) in order not to receive this type of communication or invitations in the future.

In case you decide to opt out of receiving our newsletters, newflashes and invitations to specific events or other marketing communications, your contact details will be removed from our marketing distribution lists.

You are informed, however, that we may keep personal information about you in our database for purposes other than marketing and in accordance with our [Privacy Policy](#), which we invite you to read.

## 10. How can you obtain more information?

For any question about our processing of personal information, you may contact us at [dataprotection@elvingerhoss.lu](mailto:dataprotection@elvingerhoss.lu) and refer to our general [Privacy Policy](#).

## 11. How will we update this privacy notice?

Changes may occur in the way we process information. In case these changes oblige us to update this privacy notice, we will bring this to your attention and may do so by any means such as by email, letter, hyperlink to our website or otherwise. The latest version will always be available [here](#).