

## Data Protection

### 1) Data Protection

In accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and in accordance with the Act of 1 August 2018 on the organisation of the National Data Protection Commission and the implementation of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, Global Health respectively collect, record and process the data that the policyholder and the insured person(s) have sent to them, as well as those that they will provide them with subsequently, with a view to assessing the risks, preparing, drawing up, managing and performing the insurance policy(ies), settling any claims that may arise and preventing any fraud.

The special categories of personal data concerning health are processed by Global Health within the strict framework of the purpose of Article 9 paragraph (2) g) of the GDPR or on the basis of your prior and explicit consent unless there are legal exceptions such as the protection of vital interests or the safeguarding of a legitimate interest.

No personal data will be processed for commercial prospecting purposes. The processing of data for commercial prospecting purposes will always be done with the express consent of the data subject, who retains the right to withdraw their consent.

The data controller is Global Health.

The data controller is entitled to provide data to third parties, in particular the reinsurer, medical officer, lawyers or other service providers, as well as within the framework of legal obligations. This transmission of data will be made in accordance with the terms and conditions set out under article 300 of the amended Law of 7 December 2015 on the insurance sector.

In the event that your personal data is transferred, recorded, and stored on a cloud server managed by a third-party host located in the EU, this transfer will be made in accordance with the terms and conditions set out under the GDPR.

In the event that personal data is transferred outside the EU, all the protection measures provided by the GDPR will be required, planned, and observed in accordance with this regulation and, more specifically, Chapter V on the transfer to third countries. All obligations arising from Article 35 on the data protection impact assessment will be complied with.

When a Luxembourg-based insurance agent or insurance broker is the insurance intermediary in charge of the contractual management between Foyer Assurances and the policyholder, the data are provided in accordance with the terms and conditions set out in Article 300 of the amended Insurance Sector Law of 7 December 2015.

When the intermediation is provided by a non-Luxembourg-based insurance broker, the policyholder expressly authorizes Global Health to communicate to the insurance intermediary any information relating to the contract. The policyholder may revoke this communication mandate by sending his request, by registered mail with acknowledgement of receipt to Global Health.

In the event that the policyholder seeks advice on insurance distribution from an insurance agent who is a member of the distribution network of Global Health without being an insurance intermediary for the policyholder, the policyholder authorizes Global Health to communicate to this insurance agent the identification data (surname, first name, address, date of birth, bank details and, where appropriate, data relating to persons habitually living in the policyholder's household) necessary to enable the policyholder to serve him and to advise him usefully in his new requests. The policyholder may also revoke this communication mandate by sending his request by registered mail with acknowledgement of receipt to Global Health.

The policyholder has a right of access, limitation, erasure within the legal limits, rectification and portability concerning his data which can be exercised by sending a written request to the address of the data controller.

The duration of the storage is limited to the term of the policy and to the period during which the storage of the data is necessary to enable Global Health to comply with its obligations according to the limitation periods or other legal obligations.

Global Health has appointed a Data Protection Officer who may be contacted by post at the address of the data controller or by email at [dataprotectionofficer@foyer.lu](mailto:dataprotectionofficer@foyer.lu).

## **2) Professional secrecy, sub-contracting, and sub-contracting to cloud computing service providers**

Global Health attaches great importance to respecting the professional secrecy and the confidentiality of its customer's data and undertakes at all times to implement all necessary and required measures to ensure the confidentiality of data according with the highest quality standards and in compliance with the regulations in force.

To guarantee a high level of quality of services and to provide the most advanced technologies to its customers, Global Health may use service providers, sub-contractors and technologies using cloud computing. In any case, the data communicated will be protected according to high quality standards and in compliance with the regulations including those provided by the GDPR.

When the communication of data protected by professional secrecy in insurance matters takes place within the framework of sub-contracting and technologies using cloud computing is set up at the initiative of Global Health, within the meaning of Article 2bis paragraph 2 of Article 300 of the amended law of 7 December 2015 with a third-party service provider other than those referred to in this Article 300, the policyholder expressly consents to any subcontracting, including cloud computing.

The policyholder can access the details of these sub-contracting (sub-contracting table) at any time under the link <https://www.foyer.lu/en/transparency>. The policyholder can also request a hard copy of the sub-contracting table.

The policyholder will find on the sub-contracting table, the existence of current sub-contracts, the type of information that is transmitted and the country of establishment of the service provider(s). Should this service provider not be subject to an obligation of professional secrecy to that of Global Health commits to enter into a confidentiality agreement with the service provider in order to require it to comply with such a confidentiality obligation as part of the sub-contracting concerned.

In the event of a change in the sub-contracting table (examples: addition of a sub-contractor, use of cloud computing... non-exhaustive list), the policyholder will be validly informed of the change by email and/or his client area and/or any other appropriate means (example: due date notice).

If within two months of a change in the sub-contracting table the policyholder has not objected in writing, the policyholder shall be deemed to have irrevocably accepted the subcontracting in question. In case of an objection by the policyholder, this must be notified to the insurer by registered letter. This will be valid as a cancellation at the next expiry of the contract only.

As an exception, if your insurance contract cannot be cancelled annually, your consent shall be valid for the entire duration of the insurance contract, including any subsequent modifications.

The policyholder shall be duly informed that:

If he objects a change in the sub-contracting table, this objection will have consequences on an optimal management of the insurance contract(s) and on the level of service provided, and therefore the opposition is valid as a cancellation on the next due date.

If he holds several insurance contracts with Global Health, it is required for the policyholder to notify one objection per insurance contract.

**Registered Office**

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**Bank Details**

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