

## Cardmember Privacy Statement

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### What is this document?

At American Express®, we are committed to safeguarding your privacy. We want you to know how we collect, use, share, and keep information about you and the choices that are available to you when you request our products or services.

In this privacy statement, we describe how American Express, in its capacity as the data controller, collects, uses, shares, and keeps information about you in accordance with **Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016** (the General Data Protection Regulation). For the contact details of our Data Protection Officer, please see the “Query or Complaint” section.

If you interact with us online, there is a separate Online Privacy Statement available at [americanexpress.co.uk](http://americanexpress.co.uk) that describes how we collect, use, share and keep information about you in that context. The information collected under this privacy statement will be used with information we collect about you online. We therefore ask that you also take time to consider the Online Privacy Statement.

From time to time, we may change this privacy statement. Depending on the nature of the change, we will inform you of any such change through our written communications with you or through our website, [americanexpress.co.uk](http://americanexpress.co.uk).

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### Information Collected

This privacy statement describes how we (and our **Service Providers**) collect, use, share, and keep information about you. The types of information we collect will depend on which product or service you request or use. We collect **Personal Information** about you from:

- the application form for a card account and other documents you provide to us;
- when you request or utilise products, goods or services (*e.g.*, use your card to make transactions with merchants, ATM operators, use concierge services or book travel);
- checks at credit reference agencies and fraud prevention agencies including personal and business records (if relevant) (for more information, please see the “Credit Reference Agencies and Fraud Prevention” section);
- you, through the way you communicate with us and use your account (*e.g.*, telephone numbers provided during servicing calls);
- any research, surveys or competitions you enter or respond to or any marketing offers for which you register; and
- third parties, such as in marketing lists which we lawfully obtain from **Business Partners**.

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### Use of Information

We use your **Personal Information**: (i) where it is necessary for the performance of a contract or compliance with a legal obligation (*e.g.*, due diligence financial institutions are required to perform before approving card accounts); (ii) for our legitimate interests, such as to establish, exercise or defend legal claims, prevent fraud and/or enhance our products or services; or (iii) where we have obtained your consent, such as for marketing purposes. More specifically, we use your **Personal Information** to do the following:

- deliver products and services, including to:
  - process applications for our products, including making decisions about whether to approve your application;
  - administer and manage your account, such as whether to approve individual transactions;
  - communicate with you through email, SMS or any other electronic methods about your accounts, products, and services and to update you about new features and benefits attached to the products or services that you requested;
  - service and manage any benefits and insurance programmes provided along with the products or services that you requested;
  - answer questions submitted to us by you and respond to your requests;
- advertise and market products and services for the **American Express Group of Companies** and our **Business Partners**, including to:
  - present content that is personalised in accordance with your preferences;

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- help determine whether you may be interested in new products or services;
  - communicate promotions and offers to you (by mail, e-mail, telephone, SMS, via the internet or using other electronic means) in relation to products and services that may interest you or which are similar to your existing American Express products and services;
  - improve our products and services and conduct research and analysis, including to:
    - better understand our customers, their needs, preferences and behaviours;
    - analyse whether our ads, promotions and offers are effective;
    - conduct testing (to ensure security and when we update our systems), data processing, website administration and information technology system support and development;
    - allow you to give feedback by rating and reviewing our products and services and those of our **Business Partners**;
    - produce data analytics, statistical research, and reports on an aggregated basis;
    - monitor and/or record your telephone calls with us or our **Service Providers** to ensure consistent servicing levels (including staff training) and account operations;
  - manage fraud, operational and security risks (using automated processes and/or manual reviews) including to:
    - review and approve individual transactions including those you make through digital channels;
    - detect and prevent fraud or criminal activity;
    - safeguard the security of your information;
    - develop and refine our risk management policies, models and procedures for applications and customer accounts, relying upon information in your application or relating to your creditworthiness and account history (if applicable);
    - comply with laws and regulations, including to establish, exercise or defend legal claims and assist in dispute resolution;
  - process your application (or personalise your offers) for our products and services (using automated processes and/or manual reviews) including to:
    - help us better understand your financial circumstances and behaviour so that we can make decisions about how we manage your existing accounts and what other products or services can be extended to you; and
    - inform our collection practices and share information with credit reference agencies and fraud-management agencies (for more information, please see the “Credit Reference Agencies and Fraud Prevention” section).

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**Information Sharing**

We do not share your **Personal Information** with anyone except as described below. We will share your **Personal Information** only with your consent or as required or permitted by applicable law, such as with:

- credit reference agencies and similar institutions to report or ask about your financial circumstances, and to report debts you owe to us (for more information, please see the “Credit Reference Agencies and Fraud Prevention” section below);
  - regulatory authorities, courts, and governmental agencies to comply with legal orders, legal or regulatory requirements, and law enforcement requests;
  - collection agencies and external legal counsel to collect debts on your account;
  - our **Service Providers**, regulatory authorities, law enforcement, governmental agencies and third parties such as your bank, building society or other payment card issuers;
  - companies of the **American Express Group of Companies**;
  - our **Service Providers** who perform services for us and help us manage your account and/or operate our business;
  - **Business Partners**, including co-brand partners, to provide, deliver, offer, customise or develop products and services to you, either jointly or separately. We will not share your contact information with **Business Partners** for them to independently market their own products or services to you without your consent.
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However, we may send you offers on their behalf with your consent. Please note that if you take advantage of an offer provided by a **Business Partner** and become their customer, they may independently send communications to you. In this case, you will need to review their privacy statement and inform them separately if you wish to decline receiving future communications from them;

- any party approved by you, including loyalty partners that you connect to your Membership Rewards account (if applicable) and dependent on your card product, any partners available in your card benefits programme with whom you choose to enrol; or
- anyone to whom we transfer or assign our contractual rights.

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#### **Supplementary Cardmembers**

Prior to providing us with any **Personal Information** belonging to another person, including **Supplementary Cardmembers**, please ask that individual to review this privacy statement and confirm their consent to the sharing of their information with American Express and any other party described in this notice.

The provisions of this privacy statement apply to any **Supplementary Cardmember(s)** who you have approved to use your account. Where you have approved the issue of a Supplementary Card:

- we will use the information of a **Supplementary Cardmember** to process their application, issue their card, manage the account, and comply with our legal or regulatory obligations; and
- the **Supplementary Cardmember** may need to provide us with your **Personal Information** for identity verification when they contact us about activating or using their card, register for on-line services and access new or updated services and benefits.

**Supplementary Cardmembers** will not be permitted to make any alteration to any of your **Personal Information** unless you have provided us with your consent for them to do so.

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#### **Credit Reference Agencies and Fraud Prevention**

We will exchange your **Personal Information** with credit reference agencies (CRAs) and fraud prevention agencies (FPAs). We may obtain **Personal Information** about you from these agencies including, where relevant, your spouse, and any business in which you are involved (including details of your co-directors or partners in business). For these purposes you may be treated as financially linked to such persons ("financial associates") and you will be assessed with reference to their "associated records". You must be sure that you have your financial associates' agreement to disclose information about them.

When you apply

If you are a director of a business, we will seek confirmation from CRAs that the residential address that you provide is the same as that shown on the restricted register of directors' usual addresses at Companies House. CRAs will record information about your business and its proprietors and may create a record of the name and address of your business and its proprietors if there is not one already.

During the lifetime of your account

We will continue to make searches at CRAs to assist in managing your account and this will include looking at the associated records of your financial associates. These searches will not be seen or used by other organisations to assess your ability to obtain credit. We will also carry out further credit checks whilst any money is owed by you on your account (including contacting your bank, building society or any referee approved by you).

We may tell CRAs the current balance on your account and we may tell them if you do not make payments when due. They will record this information on your personal and business credit files (as applicable) and it may be shared with other organisations for the purpose of assessing applications from you, and applications from any other party with a financial association with you, for credit or other facilities, for other risk management purposes and for preventing fraud and tracing debtors. Failure to make repayments may impair your credit rating. Records shared with CRAs remain on file for 6 years after they are closed whether settled by you or defaulted.

We will analyse your **Personal Information** to assist in managing your account and to prevent fraud or any other unlawful activity. If fraud is detected, you could be refused certain services, finance or employment. We and other organisations, including Fraud Prevention Agencies, may access and use your **Personal Information** to prevent fraud and money laundering and to verify your identity, for example, when:

- verifying the information you provide on applications for insurance, credit and credit related or other facilities;
- managing credit, credit related accounts or facilities, and insurance policies;
- recovering debt; or

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- checking details on applications, proposals and claims for all types of insurance.

We and other organisations may access and use from other countries the information recorded by FPAs.

For additional information about how CRAs gather and use your Personal Information, please review the Credit Reference Agency Information Notice (CRAIN) at [www.callcredit.co.uk/crain](http://www.callcredit.co.uk/crain).

You are entitled to access your personal records held by credit and fraud prevention agencies. You can contact the CRAs currently operating in the UK; the information they hold may not be the same so it is worth contacting them all. They will charge you a small statutory fee.

- Call Credit, Consumer Services Team, PO Box 49, Leeds LS3 1WZ or call 0330 024 7574
- Equifax PLC, Credit File Advice Centre, PO Box 3001, Bradford BD1 5US or call 0800 014 2955 or log on to [myequifax.co.uk](http://myequifax.co.uk)
- Experian, Consumer Help Service, PO Box 8000, Nottingham NG80 7WF or call 0344 481 0800 or log on to [experian.co.uk](http://experian.co.uk)

Further information about how your **Personal Information** may be used by CRAs and FPAs is available upon request – please write to American Express Services Europe Ltd, Dept. 2007, Upper Ground Floor, 1 John Street, Brighton BN88 1NH or visit <https://www.cifas.org.uk/fpn>.

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**International Transfer of Data**

We process, transfer and access your **Personal Information** through our systems in the UK and outside the European Economic Area (EEA), such as in the United States (where our main operational data centres are located) to operate our business, process transactions on foreign purchases, administer your account or provide products and services to you.

Regardless of where we process your information, we will take appropriate steps to ensure the adequate level of protection for your information in other countries outside the UK or EEA including the USA, where data protection laws may not be as comprehensive as the UK or EEA.

Please note that data transfers within the American Express Group of Companies are made under our Binding Corporate Rules which are available on the privacy section of our website.

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**Security**

We use organisational, administrative, technical and physical security measures to safeguard your **Personal Information** and to help ensure that your information is processed promptly, accurately and completely. We require **Service Providers** to safeguard your **Personal Information** and only use your **Personal Information** for the purposes we specify.

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**Retention of Information**

We will keep your **Personal Information** only as long as we need to deliver the products and services that you requested, unless we are required to keep it for longer periods because of law, regulation, litigation or regulatory investigation purposes. For example, your **Personal Information** will be stored by American Express for 7 years after you close your account, due to Inland Revenue requirements. If your account is in default, and the balance remains unpaid or unsettled, in accordance with fair lending practices and our risk and debt recovery policies, this information could be retained by us for longer periods of time and considered if you choose to apply for American Express products in the future.

When your **Personal Information** is no longer necessary for legal or regulatory needs, to administer your account or to deliver the products and services you have requested, we will take reasonable steps to securely destroy such information or permanently de-identify it. For more information about our data retention practices, you can contact our Data Protection Officer – please see the “Query or Complaint” section.

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**Access to your Information**

We encourage you to check regularly that all **Personal Information** held by us is accurate and up to date. If you believe that any information we hold about you is incorrect or incomplete, you may ask us to correct or remove this information from our records. We recommend that you go to [americanexpress.co.uk](http://americanexpress.co.uk), log in, and update your Personal Information. If you prefer, you can contact our Data Protection Officer – please see the “Query or Complaint” section. Any information which is found to be incorrect or incomplete will be corrected promptly.

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**Your Rights**

You have the right to access, update, erase, change or correct your **Personal Information**. More specifically, you have the right to:

- withdraw your consent for our use of your **Personal Information** at any time, where our processing is based on your consent;

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- restrict and/or object to the use of your **Personal Information**;
  - request a manual review of certain automated processing activities where your rights are affected; and
  - request a copy of your **Personal Information** we have about you.

If you want to exercise any of your rights or if you have any questions about how we process your **Personal Information**, you can contact our Data Protection Officer – please see the “Query or Complaint” section. You also have the right to contact the Information Commissioner directly at [www.ico.gov.uk](http://www.ico.gov.uk).

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#### **Marketing Choices**

You can choose how you would like to receive marketing communications, including direct marketing - whether we send them to you through postal mail, email, SMS and/or telephone. If you wish to opt out of receiving marketing from the **American Express Group of Companies**, we recommend you go to [americanexpress.co.uk](http://americanexpress.co.uk), log in, and update your privacy preferences. If you prefer, you can contact our Data Protection Officer – please see the “Query or Complaint” section below. If you choose to not receive marketing communications from us, we will honour your choice.

Please be aware that if you choose not to receive such communications, certain offers attached to the products or services you have chosen could be affected.

We may contact you to ensure that the information we hold about your marketing preferences is up to date. Also, we will still communicate with you in connection with servicing your account, fulfilling your requests, or administering any promotion or program in which you have elected to participate.

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#### **Query or Complaint**

If you have questions about this privacy statement or how your information is handled or wish to make a complaint or exercise your rights, call us at the free phone number on the back of your card or please contact our Data Protection Officer at [DPO-Europe@aexp.com](mailto:DPO-Europe@aexp.com). You may also write to American Express Services Europe Limited, Dept. 2007, Upper Ground Floor, 1 John Street, Brighton, East Sussex, BN88 1NH.

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#### **Glossary**

**American Express (we, our, us)** - American Express Services Europe Limited as identified at the beginning of this privacy statement.

**American Express Group of Companies** - any affiliate, subsidiary, joint venture, and any company owned or controlled by, the American Express Company.

**Business Partners** - third parties with whom we conduct business and have a contractual relationship, such as processors, suppliers, distribution partners, co-brand partners, insurance and travel service providers, and parties that accept American Express branded cards for payments of goods/services purchased by you (i.e., merchants).

**Personal Information** – any information relating to an identified or identifiable natural person, such as name, addresses, telephone number, and email address and other information specific to that individual such as demographic details and transaction information.

**Service Providers** - any vendor, third party and/or company that provides services or performs business operations on our behalf, such as printing, mailing, and other communications services (email, direct mail, etc.), marketing, data processing and outsourced technology, servicing, collections, ad management, auditors, consultants and professional advisors.

**Supplementary Cardmember** –other persons you have authorised with additional cards on your account.