

# CARDMEMBER PRIVACY STATEMENT

## WHAT IS THIS DOCUMENT?

American Express® (American Express Services Europe Ltd.) is committed to protecting your privacy. For the contact details of our Data Protection Officer please see the "Query or Complaint" section.

In this Cardmember Privacy Statement we describe how American Express, in its capacity as controller, collects, uses, shares, and keeps **Personal Information** about you in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation when you request our products or services and we explain the choices that are available to you. This Cardmember Privacy Statement includes specific details about how we use information tied to your card and related services.

If you interact with us online, there is a separate Online Privacy Statement available on the American Express Privacy Centre at [americanexpress.co.uk](https://americanexpress.co.uk) that describes how we collect, use, share and keep **Personal Information** about you in that context. It is not specific to our products or services. It applies whenever we collect information online through: (a) services we operate such as our websites and mobile "apps"; (ii) services or content we offer on third party platforms, such as our electronic communications, social media pages, voice assistant apps, and digital ads and (iii) for any other services or content linked to or referenced in the Online Privacy Statement.

The information collected under this Cardmember Privacy Statement explains how we use your **Personal Information** to provide cards and for related services. This Personal Information will be used with information we collect about you online. We therefore ask that you consider the Online Privacy Statement alongside this Cardmember Privacy Statement.

From time to time, we may change this privacy statement. If it's a material change we will need to tell you about it. We'll either do that by contacting you in writing (to ask you to read the updated version) or by making it clear when you visit our website, [americanexpress.co.uk](https://americanexpress.co.uk), that it's been updated.

## INFORMATION COLLECTED

**Personal Information** is any information relating to you as an identified or identifiable natural person, such as your name, addresses, telephone number, and email address and other information specific to you such as demographic details, employment details, your income and/or transaction information.

We will only collect **Personal Information** that is reasonably necessary for our business. The types of information we collect will depend on which product or service you request or use.

We collect your **Personal Information** from different sources depending on which product or service you request or use. For instance, we collect Personal Information about you from:

- the application form for a card account and other information you directly provide to us;
- when you request or utilise products, goods or services (such as when you use your card to make transactions with merchants, ATM operators, use concierge services or book travel);
- publicly or commercially available records or databases;
- checks at credit reference agencies and fraud prevention organisations 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 (such as information 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 marketing lists which we lawfully obtain from **Business Partners** (i.e., third parties with whom we conduct business or have a contractual relationship, such as co-brand partners or merchants), or information we receive from open banking providers (such as account information that you authorise such providers to collect from your bank, which is subsequently shared with American Express for the purpose of completing our underwriting verifications to issue you with a card).

In some limited instances and in accordance with applicable laws, we may also collect special categories of **Personal Information**, including information regarding health (such as food allergies or details of a disability or condition which may affect your ability to travel or the way we manage your account), or biometric data (such as your voice ID).

In addition, we also collect digital data, such as your IP address or other information about your online interactions, as described in the Online Privacy Statement.

## USE OF INFORMATION

We use your **Personal Information** either on its own or combined with other information. We need a “lawful reason” under data protection laws to process your **Personal Information**, which are as follows: (i) where it is necessary for the performance of a contract (ii) where necessary for our legitimate interests, such as to prevent fraud, enhance our products or services and for certain marketing communications (including when we give an opt-out opportunity); (iii) where we have obtained your consent, such as for marketing purposes when you opt-in; or (iv) for compliance with legal obligations, such as for the due diligence that financial institutions are required to perform before approving card accounts. Please note that we consider and balance any potential impact on you and your rights before processing your **Personal Information** for our legitimate interest.

More specifically, we use your **Personal Information**:

(i) To administer our contractual relationship with you and 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 process, approve and complete individual transactions;
- provide location-based services you may request;
- communicate with you through email, SMS or any other electronic methods, by post and/or phone about your accounts, products, and services;
- 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; or
- provide you with open banking services (for more information, please see the “Open Banking” section).

(ii) For our legitimate interest or for the legitimate interests of a third party, to:

- market products and services which we think you will be interested in based on your relationship with us (by email, SMS or telephone (for example - if you call us)), if you are an existing or potential customer. We would do this only where the law allows for this on the basis of opt-out;
- advertise and market products and services for the American Express Group (i.e., any affiliate, subsidiary, joint venture, and any company owned or controlled by American Express) and our Business Partners, including to present content that is personalised and tailored to your preferences and interests, including targeted advertising across multiple devices or showing you offers in your Manage Your Card Account (MYCA) environment;
- improve your customer experience, for instance:
  - when interacting with some of our partners available in your card benefits programme, we may connect to your Membership Rewards account (if applicable) and, depending on your card product, enable you to use Membership Rewards points to pay for products or services;
  - when you set up a recurring payment with merchants accepting our cards, we may disclose your Personal Information (such as your card expiration date, card number, changes, account updates including if your account is cancelled) to those merchants for them to update your card/account details. This will allow your recurring payments to continue without disruption. If you do not want us to share such Personal Information, you can contact us – please see the “Query or Complaint” section;
  - by providing a more appropriate service and/or protecting your best interests by making reasonable adjustments, such as sending you information in an appropriate format;
- improve our products and services, including to:
  - better understand our customers, their needs, preferences and behaviours; place you in groups with similar customers to make predictions about you, deliver more personalized services and help determine whether you may be interested in new products or services;
  - 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;
  - analyse whether our ads, promotions and offers are effective;
  - monitor and/or record your telephone calls with us or our Service Providers to ensure consistent servicing levels (including staff training) and account operations;
- conduct research and analysis, including to:
  - 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;
- manage our business risks such as fraud, credit, operational, regulatory, reputational and security risks (using automated processes and/or manual reviews) including to:
  - review and approve individual transactions including those you make through digital channels;
  - conduct testing (to ensure security and when we update our systems), data processing, website administration and information technology system support and development;
  - detect and prevent fraud or criminal activity and complete Know Your Customer (KYC) screening and monitoring;
  - 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); 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).

(iii) With your consent (note you will always know when we are relying on your consent to use your personal data as we will ask you for opt-in permission first), to:

- market our products and services to you;
- send you ads, promotions, and offers by e-mail, SMS, or other electronic means about products and services from the American Express Group and those of our Business Partners; or
- use special categories of information, such as your biometric data to identify you, your health data or life circumstances to provide a more appropriate service and/or protect your best interests (though note sometimes we may process health data and other information about life circumstances for substantial public interests reasons to protect economic wellbeing, in which case we won't need to ask for your explicit consent).

(iv) To comply with applicable laws and regulations, including:

- to establish, exercise, or defend legal rights or claims and assist in dispute resolution;
- for reasons of substantial public interest for security verification and fraud prevention purposes (for example, using your biometric information such as your voice print to verify you); or
- to comply with legal and regulatory obligations (such as performing due diligence on you before approving your application).

## OPEN BANKING

We may use your **Personal Information** to provide our open banking services, such as:

- providing you with consolidated information on the payment account(s) that you hold with one or more bank(s) or payment institution(s); or
- contacting your bank to perform a credit transfer to a merchant, for example, when you use our Pay With Bank Transfer service (which may allow you to pay for any purchase made on a participating website directly from your bank account, with your money being sent directly to the merchant's bank account).

In this context, we will process your **Personal Information** to provide you with the regulated open banking services or as otherwise described in the “Use of Information” section.

## AUTOMATED DECISION MAKING

We may use fully automated processes to help us make certain decisions, including to evaluate certain attributes about you to provide our services. For example, we may use such processes to:

- assess security risks, detect and manage fraud;
- process card applications; or
- assess credit risks, including to check if you meet our eligibility criteria and decide whether we can issue you a card.

This is known as “automated decision making”. These decisions are based on information that we lawfully obtain, such as information that you provided in your application form (including your reported income), your payment history with American Express, and information we obtain from third parties, such as credit bureaus. We also look at digital data (such as information about your device, browser, or patterns in your online interactions with American Express) to help us detect fraud. These methods are regularly tested to ensure that they remain fair, effective and unbiased.

Some of those decisions that are made solely by automated means have legal effects or similar effects, such as the denial of credit or card applications or receiving credit line approval. However, we will only perform such processing if it's:

- necessary for entering into or performing a contract between you and American Express;
- authorized by a law to which American Express is subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests; or
- based on your explicit consent to such processing.

Where we use automated decision making for entering into or performing a contract with you, or based on your consent, you have the right to contest the decision made and request human intervention. Please see the section “Your Rights” for more information about your rights related to automated decision making.

## 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);
- police, regulatory authorities, courts, and governmental agencies to comply with legal orders, legal or regulatory requirements, and law enforcement requests;
- collecting agencies and external legal counsel to collect debts on your account;
- our **Service Providers** (i.e. who perform services for us and help us manage your account and/or operate our business (i.e., any vendor, third party and/or company that provides services or performs business operations on our behalf such as communications services, marketing, data

processing and outsourced technology, servicing, ad management, auditors, consultants and professional advisors such as external legal counsel and accountants);

- companies or other lines of products and services within the **American Express Group**;
- **Business Partners**, such as parties that accept American Express branded cards for payments of goods/services purchased by you (i.e., merchants), your bank, building society or other payment card issuers to provide, deliver, offer, customise or develop products and services to you, and address or resolve claims. 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. 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, such as third parties for the provision of open banking and related services upon your request, for example where you seek to connect your account information to another platform or to initiate payments from other accounts;
- our loyalty partners to connect your Membership Rewards account (if applicable) and dependent on your card product, with any partners available in your card benefits programme; or
- anyone to whom we transfer or assign our contractual rights.

## SUPPLEMENTARY CARDMEMBERS

Prior to providing us with any **Personal Information** belonging to another person, including **Supplementary Cardmembers** (i.e., other persons you have authorised with additional cards on your account), please ask that individual to review this privacy statement and confirm their acknowledgement of the processing of their information as 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.

## CREDIT REFERENCE AGENCIES AND FRAUD PREVENTION

We will exchange your **Personal Information** as part of customer due diligence and to prevent fraudulent conduct or behaviour that contravenes international sanctions and to comply with regulations against money laundering, terrorism financing and tax fraud with Credit Reference Agencies (CRAs) and Fraud Prevention Agencies (FPAs). We may obtain **Personal Information** about you from these agencies including, where relevant, your household (such as 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 FPAs, 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
- 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:

- <https://www.transunion.co.uk/legal/privacy-centre/pc-credit-reference>
- [www.equifax.co.uk/crain](http://www.equifax.co.uk/crain)
- [www.experian.co.uk/crain](http://www.experian.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.

- TransUnion, One Park Lane, Leeds, West Yorkshire, LS3 1EP or call 0330 024 7574 or email [consumer@transunion.co.uk](mailto:consumer@transunion.co.uk)
- Equifax Limited, Customer Service Centre PO Box 10036, Leicester, LE3 4FS or call 0800 014 2955 or 0333 321 4043 or email 0333 321 4043
- Experian, PO BOX 9000, Nottingham, NG8 7WP or call 0344 481 0800 or 0800 013 8888 or email <https://www.experian.co.uk/consumer/contact-us/index.html>

Further information about how your **Personal Information** may be used by CRAs and FPA is available upon request – please write to American Express Services Europe Ltd, Dept. 2007, Upper Ground Floor, 1 John Street, Brighton BN88 1NH or review the Credit Industry Fraud System (CIFA)'s Fair Processing Notice (FPN) at <https://www.cifas.org.uk/fpn>.

## INTERNATIONAL TRANSFER OF DATA

Where necessary, and unless prohibited by applicable law, we'll transfer your Personal Information to other countries and regulatory authorities in other countries. Some of these jurisdictions may not provide the same level of protection for Personal Information as provided in the United Kingdom. Some countries will have different data protection laws. This includes transfers to countries outside of the United Kingdom, such as to the United States where our main operational data centres are located. We do so to operate our business, process transactions on foreign purchases, administer your account and to provide our products and services to you.

Keep in mind, no matter where we process **Personal Information** about you, we'll always protect it in the manner described in our privacy notices and in accordance with applicable laws. When we transfer your **Personal Information** to certain countries outside the United Kingdom, we are required to put in place an "appropriate safeguard". For example, when we share **Personal Information** with other companies within the American Express group that are outside the United Kingdom, we ensure an adequate level of protection through our [Binding Corporate Rules](#). This link is to where these are available within the American Express Privacy Centre on our website. You can request further information on where to find a copy of the other appropriate safeguards in place by contacting our Data Protection Officer.

When we share your **Personal Information** with third parties outside the United Kingdom we include appropriate contractual protections in those agreements, where required by applicable law. If we are dealing with public authorities or regulators we won't need to have contractual protections in place but that doesn't mean your data is not protected by appropriate security measures when it's transferred.

In addition, we assess whether other additional technical and organizational measures are required for these transfers i.e. those which are to third parties other than public authorities and regulators and which do require appropriate contractual protections.

## 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.

## 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 securely destroy such information or permanently de-identify it. For more information about our data retention practices, you can contact us – please see the "Query or Complaint" section.

## ACCURACY OF 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](https://americanexpress.co.uk), log in, and update your **Personal Information**. If you prefer, you can contact us – please see the "Query or Complaint" section. Any information which is found to be incorrect or incomplete will be corrected promptly.

## YOUR RIGHTS

You have the right to access, update, restrict, port, erase or object to the processing of 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;
- in certain circumstances, erase, restrict and/or object to the use of your **Personal Information**;
- request a manual review of certain automated processing activities that may impact your legal or contractual rights or that may have a similarly significant effect;
- receive your **Personal Information** in a structured, commonly used and machine-readable format and/or transmit such data to another controller; and
- request a copy of your **Personal Information** we have about you (often referred to as a "data subject access request" or "DSAR").

If you want to exercise any of your rights, click [here](#).

If we receive a request from you, we will respond as soon as possible but no later than one calendar month except as follows. If, due to the nature or circumstances of your request, we can't meet that deadline, we may extend it by up to a further two months (complex requests). In such case, we will send you an email or letter explaining the cause of the delay. Please note that your request will be free of charge, except in certain circumstances if it incurs additional cost to our company such as when it's unfounded or excessive, i.e. when the law allows us to charge a fee (we'll explain this at the time before processing the request if this is the case).

If you have any questions about how we process your **Personal Information**, you can contact us – please see the “Query or Complaint” section.

## 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. See above section for our lawful reasons which justify using your information to send you marketing communications. The lawful reasons for sending direct marketing communications to you will differ depending on a number of factors, including the marketing channel used (e.g. SMS, email, telephone), whether we have an existing relationship with you if you are an individual customer, or if you are a business customer.

If after making your preferences you wish to opt out of receiving marketing from the **American Express Group**, we recommend you go to [americanexpress.co.uk](https://americanexpress.co.uk), log in, and update your privacy preferences. If you prefer, you can also contact us – 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 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. These communications are necessary to provide the service you expect to receive from us and you may not opt out of receiving them.

## QUERY OR COMPLAINT

If you have questions about this Cardmember 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 [amexukdpo@aexp.com](mailto:amexukdpo@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.

You also have the right to lodge a complaint with the local Supervisory Authority, which in the UK is the Information Commissioner's Office (“ICO”). You can contact the ICO directly at [www.ico.org.uk](https://www.ico.org.uk). If your request is not resolved to your satisfaction, you may also take your case to the court where you live, work or where there may have been an infringement.