

## INFORMATION NOTICE ON THE PROTECTION OF PERSONAL DATA

The EU Regulation 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (the “Regulation”), contains a number of rules aiming to ensure the processing of personal data in accordance with the fundamental rights and freedoms of individuals in order to increase the level of protection of personal data.

This Information Notice includes details regarding these requirements of the Regulation and the manner in which Banca Comercială Intesa Sanpaolo Romania S.A. processes personal data.

### SECTION 1 - IDENTITY AND CONTACT DETAILS OF THE DATA CONTROLLER

**B.C. INTESA SANPAOLO ROMANIA S.A.** with registered office in Bucharest, Nicolae Titulescu Road, no. 4-8, America House Building, East Wing and West Wing, Floor 6, Sector 1, Zip Code 011141, in its capacity as Data Controller (hereinafter referred to as the “Bank”) processes the personal data (“personal data”) obtained directly or indirectly from you, including the personal data of the third parties that you have provided within the existing contractual relationships with the Bank, for the purposes indicated in Section 3 of this Information. The natural persons whose personal data are processed by the Bank are hereinafter referred to as “data subjects”.

### SECTION 2 - CONTACT DETAILS OF THE PERSONAL DATA PROTECTION OFFICER

B.C. Intesa Sanpaolo Romania S.A. has appointed a “Data Protection Officer” (“DPO”) in accordance with the requirements of the Regulation. If you want information related to the processing of your personal data and/or the exercise of the rights set out in the Regulation, as listed in Section 8 of this Information, please send a request by e-mail: [dpo@intesasanpaolo.ro](mailto:dpo@intesasanpaolo.ro) or by mail to the address in Bucharest, Nicolae Titulescu Road, no. 4-8, America House Building, East Wing and West Wing, Floor 6, Sector 1, Zip Code 011141.

### SECTION 3 - CATEGORIES OF PERSONAL DATA, THE PURPOSES AND LEGAL BASIS OF PROCESSING

#### Categories of Personal Data

Depending on the purpose of the processing, the personal data processed by the bank refers to:

- personal data used for identification (surname, first name, ), data from the content of the identification documents, of the passport, tax residence documents submitted to the bank (citizenship, date, place and country of birth, country of residence, signature), as well as other information you mention in the bank forms/contracts concluded with the Bank;
- contact details (domicile / residence / correspondence addresses, email addresses and mobile phone numbers);

- data from civil status documents and family situation, profession, occupation, job/name of the employer, the nature of own activity, the public position held, political exposure (if applicable);
- economic and financial situation (income, transaction data, transaction history, relationships with other banks);
- information regarding the guarantee for your contractual obligations towards the Bank (including the identity and the personal data of the guarantor, to the extent necessary for the conclusion and performance of the contract of guarantee) or regarding the guarantee for the obligations of another client of the Bank (pledge, mortgage right, personal guarantee or other means of guarantee allowed by law);
- data necessary to establish your creditworthiness, the possibility of paying loans, the capacity to pay, the payment behaviour, the properties you own, as well as the situation of litigations;
- information related to commitments recorded in balance sheet and off-balance sheet accounts (credit, similar or insurance products);
- information on the fulfilment or non-fulfilment of the commitments towards the Bank;
- information on fraudulent/potentially fraudulent activity, consisting of data regarding charges and convictions related to crimes such as fraud, money laundering and financing terrorist acts;
- information obtained from the audio recording of telephone conversations;
- information obtained from the video recording if you visit one of our locations (territorial units or headquarters) or use an ATM of the Bank;
- data obtained from payment instructions, data from the installation and use of the Bank's applications or special categories of personal data.

With regard to the processing of special categories of personal data (indicating racial or ethnic origin, political opinions, religious denominations or philosophical beliefs or trade union membership and the processing of genetic data, biometric data for the unique identification of a natural person, health data or data on the sexual life or sexual orientation of an individual) necessary to provide specific services and products, such as loans secured by insurance policies, the conclusion of insurance policies and the provision of social assistance services, the explicit consent is required, without prejudice to the specific cases provided for in the Regulation which allow the processing of special categories of personal data, without explicit consent.

### **Personal Data Processing Methods**

Data processing refers to any types of procedures, activities/operations and records that may be generated within the Bank or with other data processors authorized by the Bank in the country or abroad, such as collection, storage, archiving, consultation, registration, organization, modification, deletion, transmission, combination, restriction, destruction etc.

### **Obtaining Personal Data**

The Bank obtains personal data directly from the data subjects (client, agent, legal representative etc.) when filling in the required documents/forms or using the Bank's services (e.g. Internet Banking), by consulting external sources (e.g. for fulfilling legal obligations, for assessing the degree of indebtedness of clients) such as databases of public authorities/institutions, public registers, electronic databases, information available on the Internet or provided by authorized third parties, or from the Bank's clients within specific contracts for banking products/services (e.g. the data of guarantors, contact persons etc.).

### **Purposes and Legal Basis of the Processing**

The personal data obtained by the Bank is processed as part of its activity, for the following purposes:

#### **a) Providing of Services and Performance of Contracts**

The submission of your personal data is necessary to provide you with the requested services and for the performance of contracts (including the steps to be taken prior to concluding a contract), the refusal to provide personal data can conduct to the impossibility to use our services or conclude a contract.

#### **b) Identification, Contact and Providing of Assistance**

Your data is verified for identification purposes when you request information on the products and services you benefit from or in connection with the contracts concluded with the Bank. We can contact you through various communication channels in order to inform you about the manner of carrying out the contracts concluded with the Bank or about the non-fulfilment of some obligations towards the bank. We could also use your data if you need assistance in your relationship with the Bank for various requests you address to the Bank (e.g. reporting a product malfunction, card loss, complaints etc.).

#### **c) Compliance with the provisions of National and EU Legislation**

The processing is mandatory, for example, when required by regulations in the area of preventing and combating money laundering, of taxation, anticorruption, fraud prevention in payment services or complying with the instructions or requests of the supervisory and control authority (such as monitoring operational and credit risks at bank group level).

#### **d) Direct or Indirect Marketing and Profiling**

The processing of your personal data in order to carry out activities for the promotion and sale of products and services offered by the Bank or companies within the Intesa Sanpaolo Group, to carry out market and client satisfaction surveys or to evaluate and forecast aspects concerning, among others, the interests, preferences, choices and habits of consumers, in order to provide you with increasingly targeted and suitable products and services, using letters, telephone, Internet, SMS, MMS and other communication systems, is optional and your consent is required.

**e) Video Monitoring and Recording of Telephone Conversations**

The Bank may record and keep telephone conversations, in order to later prove the information provided to clients, to use it as evidence in court in case of litigation or to improve the quality of services provided to clients.

The Bank video monitors the premises of the central offices and of the Bank agencies, in order to secure the spaces, goods and persons, and appropriately marks the locations where video cameras are installed (e.g. entrance to the bank premises, access ways inside the premises, ATM locations, outer perimeter of the premises, etc.).

**f) Legitimate Interest of the Personal Data Controller**

The processing of your personal data is necessary to pursue a legitimate interest of the Bank, for example to prevent fraud, maintain internal databases so that they can be used by the departments and structures of the Bank for verifications required by law, generation of reports needed for the operational activities of the Bank, debt collection and/or recovery of receivables and related activities, archiving documents and information concerning you, settlement of disputes, investigations or any other requests from authorities, monitoring the clients' activity according to legal requirements, reporting information to authorities, obtaining images or video footage by using video surveillance systems for security purposes etc., or any other processing necessary for purposes related to other legitimate interests.

**SECTION 4 - OBLIGATION TO PROVIDE PERSONAL DATA**

Personal data is provided to the Bank by the client or persons authorized to request the products/services provided by the Bank in specific documents and, with regard thereto, the refusal to have the data processed, expressed upon the initiation of the business relationships, will determine the Bank's inability to respond to requests for such products or services. Furthermore, following the conclusion of contracts with the Bank, the periodic provision of updated data is necessary for their performance and for the fulfilment of the legal obligations and legitimate interests of the Bank.

**SECTION 5 - CATEGORIES OF RECIPIENTS TO WHOM YOUR PERSONAL DATA CAN BE COMMUNICATED**

In order to achieve the purposes indicated above, the Bank may communicate your personal data to the following categories of recipients:

- 1) Companies within the Intesa Sanpaolo Group**, including the company that manages the IT system, some administrative, legal and financial services.

**2) Third parties** (companies, consultants etc.) processing your personal data under contracts with the Bank for activities related to:

- banking, financial and insurance services, payment systems;
- recording financial risks in order to prevent and control insolvency risk;
- debt collection and related activities;
- providing and management of IT procedures and systems;
- security and management services for video monitoring systems;
- real estate valuation services;
- audit and consulting activities in general;
- managing communication with customers, as well as storing data and documents, either on paper or electronically;
- registration of service quality, market research, information and commercial promotion of products and/or services.

**3) Authorities** (e.g. judicial, administrative etc.) and public information systems established at the level of public administrations/authorities, for example the Central Credit Risk Office - CRC, the National Authority for Consumer Protection - ANPC, the National Supervisory Authority for Personal Data Processing - ANSPDCP, the National Office for Prevention and Combating of Money Laundering - ONPCSB, the National Agency for Fiscal Administration - ANAF etc.

The Intesa Sanpaolo Group companies and the third parties to whom your personal data may be disclosed, act as: 1. Data controller, which determine the purposes and means of processing the personal data; 2. Data Processor of the Bank, which processes personal data on behalf of the Data Controller; 3. Joint Data Controllers, which determine together with the Bank, the purposes and means of processing.

## **SECTION 6 - TRANSFERS OF PERSONAL DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANIZATIONS OUTSIDE THE EUROPEAN UNION**

Personal data will be process both inside and outside the European Economic Area (EEA), only subject to contractual restrictions on confidentiality and security, in accordance with applicable data protection laws and regulations. The Bank will ensure that in case of the transfer of personal data outside the EEA, the personal data will receive an adequate level of protection, as it does in the EEA (e.g. standard contractual clauses for transfers of personal data to other companies). The Bank will not disclose personal data to parties who are not authorized to process it.

## **SECTION 7 - RETENTION PERIOD OF PERSONAL DATA**

Your personal data is processed using manual, electronic and automated tools, in a manner that ensures its security and confidentiality.

Your personal data is retained for a period not exceeding the period necessary to achieve the purposes for which it is processed, without prejudice to the retention conditions required by law. Thereby, your personal data is retained for a period of 10 years from the termination date of the contractual relationship (unless a longer retention period is necessary or required by law).

## **SECTION 8 - RIGHTS OF THE DATA SUBJECT**

As data subject, you may exercise the following rights: **1) right of access:** you have the possibility to obtain a confirmation as to whether or not personal data concerning you are being processed, and, where is the case, access to information such as: purposes and duration of the processing, data source, recipients or categories of recipients to whom the personal data have been or will be disclosed etc.; **2) the right to rectification:** the possibility to request the updating, completion or correction of data concerning you, so that they will be always accurate; **3) right to erasure** ("right to be forgotten"): the possibility to request the deletion of your data if certain conditions are met; We inform you that the Bank may not delete your personal data if their processing is necessary, for example, to comply with a legal obligation, for reasons of public interest, to formulate or bring an action in court; **4) the right to restriction of processing:** the possibility to obtain from the Bank the restriction of the processing of your personal data, in certain situations, such as for example if the data held by the Bank are not in accordance with reality; **5) the right to data portability:** if the processing of your personal data is based on consent or is necessary for the performance of a contract or in the process of concluding one, and the processing is done by automatic means, you can: - request to receive your personal data provided in a structured, commonly used and automatically readable format; - send this data to another operator, without obstacles from the operator to whom the personal data were provided. You also have the right to request that your personal data will be transmitted by the Bank directly to another data controller indicated by you, if this is technically possible for the Bank. In this case, you will provide the Bank the contact details of the new data controller to which you intend to transmit the data and you will provide the Bank with a written authorization to do so; **6) the right to object:** at any time, you have the right to object to the processing of your personal data if the processing is carried out for the purpose of the public interest or is necessary for the legitimate interest of the Bank (including profiling). If you decide to exercise this right, the Bank will no longer process personal data, unless it demonstrates that it has legitimate and compelling reasons or legal obligations that justify the processing and that prevail over the interests, rights and freedoms of the data subject or that the purpose is to establish, exercise or defend a right in court; **7) automated individual decision-making process, including profiling:** The Regulation grants to the data subject the right not to be subject to a decision based solely on the automated processing of personal data, including profiling, which may produce legal effects concerning or affect the data subject. similarly to a significant extent, unless the above decision: a) is necessary for the conclusion or performance of a contract between the data subject and the Bank; b) is authorized by Union or national law applicable to the Bank; c) is based on the explicit consent of the data subject. In the cases referred to



points (a) and (c), the Bank shall implement appropriate measures to protect the rights, freedoms and legitimate interests of the data subject, at least his right to obtain human intervention from the controller, to express his point of view and to challenge the decision. In this regard, the data subject must send to the Bank a request for the intervention of a Bank employee, with a written expression of his point of view and contest the decision, at the contact details mentioned in section 11 of this Information; **8) Right to lodge a complaint with the competent supervisory authority for data protection:** without prejudice to the right to appeal to any other administrative or jurisdictional court, if you consider that the processing of your personal data takes place in breach of the Regulation and/or the applicable legislation, you can submit a complaint to the National Authority for the Supervision of Personal Data (official website: [www.dataprotection.ro](http://www.dataprotection.ro)).

You can exercise these rights at any time by sending a request or you can address any questions or concerns regarding the processing of personal data to the e-mail address [dpo@intesasanpaolo.ro](mailto:dpo@intesasanpaolo.ro), by mail to the headquarters of B.C. Intesa Sanpaolo Romania S.A. from Bucharest, Nicolae Titulescu Road, no. 4-8, America House Building, East Wing and West Wing, floor 6, Sector 1, Postal Code 011141, or directly in any of the Bank's branches. The Bank will manage and respond to your requests in connection with the exercise of the above rights free of charge and within the time limit provided by current legislation, but is entitled to charge a fee if your requests are considered excessive or unfounded or may refuse to comply with such requests.

The Bank has the obligation to provide information regarding the actions undertaken as a result of the exercise of the above mentioned rights, without unjustified delays and, in any case, within a maximum of one month from the receipt of the request. In the case of complex or very large requests, this period may be extended by two months. In this case, the Bank has the obligation to inform the data subject about such an extension, within one month from the receipt of the request, presenting also the reasons for the delay.

This information is updated periodically and can be consulted at any time on the official website of the Bank <https://www.intesasanpaolobank.ro/>, Data Protection section.

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