

General Data Protection Regulation (GDPR)

Information on data processing pursuant to Art. 13 and 14 GDPR

We are hereby informing you about the processing of your personal data and the data protection claims and rights to which you are entitled. The content and scope of the data processing are largely based on each of the products and services that you have requested or that have been agreed upon with you.

WHO IS CONTROLLER OF THE DATA PROCESSING AND WHO CAN YOU CONTACT?

The Data Controller is:

UniCredit Bank Austria AG

Rothschildplatz 1

1020 Vienna, Austria

Telephone: 05 05 05-0

Fax: 05 05 05-56155

Email: info@unicreditgroup.at

The data protection officer at UniCredit Bank Austria AG is:

Jochen Hauser

PO Box 580

1011 Vienna

Telephone: 05 05 05-32836

E-Mail: datenschutz@unicreditgroup.at

WHICH DATA IS PROCESSED AND WHERE DOES THIS DATA ORIGINATE FROM?

We process the personal data that we receive from you as part of the business relationship. We also process data that we have legitimately received from credit agencies¹, debtor registers² and from publicly available sources (e.g. Commercial Register, Register of Edicts, of Register of Associations, land register, media).

These personal data include, pursuant to Art. 13 of the GDPR, your personal details (name, address, contact details, date and place of birth, nationality, etc.), credentials (e.g. ID data) and authentication data (e.g. specimen signature). In addition, this may include order data (e.g. payment orders), data from the fulfilment of our contractual obligation (e.g. turnover data in payment transactions), information about your financial status (e.g. creditworthiness data, scoring or rating data, etc.), advertising and sales data, documentation data (e.g. consulting records), data from signing on sign pads (e.g. writing speed), register data, image and sound data (e.g. video or telephone recordings), information from your electronic communication to the bank (e.g. apps, cookies, etc.)

¹ Crif GmbH

² Kreditschutzverband von 1870

These personal data include, pursuant to Art. 14 of the GDPR, data from the fulfilment of our contractual obligation (e.g. turnover data in payment transactions), information about your financial status (e.g. creditworthiness data, scoring or rating data, etc.), information about legal function in companies, register data (e.g. company register, land register), information from your electronic communication to the bank (e.g. apps, cookies, etc.), processing results generated by the bank itself as well as data for compliance with legal and regulatory requirements.

FOR WHAT PURPOSES AND ON WHAT LEGAL BASIS ARE THE DATA PROCESSED?

We process your personal data in accordance with data protection regulations:

■ For the fulfilment of contractual obligations (Art. 6 (1) lit b GDPR):

The processing of personal data (Art. 4 (2) of the GDPR) is carried out for the provision and arrangement of banking, financial services and insurance, leasing and real estate business, in particular for the execution of our contracts with you and the execution of your orders and all activities required for the operation and management of a credit and financial services institution.

The purposes of data processing are primarily based on the specific product (e.g. account, credit, building society savings, securities, deposits, brokerage) and can include, among other things, needs analyses, the provision of advice, asset management and support as well as the execution of transactions. The specific details for the purpose of data processing can be found in the respective contract documents and terms and conditions.

■ For the fulfilment of legal obligations (Art. 6 (1) lit c GDPR):

Processing of personal data may be necessary for the purpose of fulfilling various legal obligations (such as from the Banking Act (BWG [Bankwesengesetz]), Financial Market-Money Laundering Act (FM-GwG [Finanzmarkt-Geldwäschegesetz]), Sanctions Law (SanktG [Sanktionengesetz 2010]), Securities Supervision Act (WAG [Wertpapieraufsichtsgesetz]), Stock Exchange Act (BörseG [Börsengesetz]), etc.) as well as regulatory requirements (such as of the European Central Bank, the European Banking Supervisor, the Austrian Financial Market Authority, etc.) to which UniCredit Bank Austria AG is subject as an Austrian credit institution. Examples of such cases:

- Identity verification, Know Your Customer process, monitoring of financial transactions, suspicious activity reports;
- Conducting sanctions audits;
- Compliance with sanctioning rules (data processing to avoid insider-trading, conflicts of interest and market manipulation, disclosure to the FMA (Finanzmarktaufsicht, Austrian Authority Body) according to the Securities Supervision Act and The Stock Exchange Act e.g. to monitor compliance with the provisions on market abuse of insider information);
- Recording of Phone calls und electronic communication concerning bonds (MIFID II);
- Provision of information to public prosecutors, courts and to financial criminal authorities in the context of financial criminal proceedings for an intentional financial offence;
- Provision of information to federal tax authorities pursuant to § 8 of the Account Register and Account Inspection Act (Kontenregister- und KonteneinschauGesetz), as well as reports to the account register and reports of capital outflows;
- Risk management and due diligence (§ 39 Banking Act);
- Handling of complaints concerning Data Protection (GDPR);
- Detection of unauthorised, fraudulent or suspicious financial transactions (§ 39 Banking Act, § 16 Financial Market-Money Laundering Act)
- Accounting, Controlling and Compliance with tax regulations (e.g. Banking Act, Income Tax Law)
- Disclosure of information on the identity of shareholders (§ 10a AktienGesetz [Companies Act]).

■ **Within the scope of your consent (Art. 6 (1) lit a GDPR):**

If you have granted us consent to process your personal data, processing will only take place in accordance with the purposes set out in the declaration of consent and to the extent agreed therein. Any consent given may be revoked at any time with future effect (for example, you may object to the processing of your personal data for marketing and advertising purposes if you no longer consent to processing in the future).

■ **For the protection of legitimate interests (Art. 6 (1) lit f GDPR):**

If necessary, within the framework of balancing of interests of UniCredit Bank Austria AG or a third party, data may be processed, by us or by third parties, beyond the actual fulfilment of the contract, in order to safeguard legitimate interests.

In the following cases, data are processed to safeguard legitimate interests:

- Consultation of and data exchange with credit agencies (e.g. Austrian Credit Protection Association of 1870) for the identification of credit risks and default risks;
- Assessment and optimization of methods and models, analyzing of needs and business control, product development and customer contact;
- Advertising or market and opinion research, provided that you have not objected to the use of your data in accordance with Art 21 of the GDPR;
- Video surveillance for the collection of evidence in the case of criminal offences or for the proof of dispositions and deposits (e.g. at ATMs); these especially serve to protect the customers and employees;
- Telephone records (e.g. in case of complaints);
- Writing speed, pressure strength curve when using the sign pad to make signatures forgery-proof;
- Process management and quality management, e.g. recording of phone calls for purposes of professional training and quality assurance purposes;
- Measures for protecting employees and customers and the property of the bank;
- Measures for the prevention and combating of fraud (Fraud Transaction Monitoring);
- In the context of legal prosecution.

WHO RECEIVES MY DATA?

Your data is received by those offices or employees that need it for fulfilling contractual, legal and regulatory duties and for legitimate interests. Outside UniCredit Bank Austria AG Bank Auditors, Annual Auditors, Lawyers, Tax Consultants, Trustees and Payment Services will receive your data if it is necessary to fulfil their duties. Furthermore, data processing companies commissioned by us (especially IT service providers, back-office service providers and service line) receive your data as long as they need them for fulfilling their respective service. These processors or their sub-processors may be located in third countries. The transfer of your data to these third countries takes place either on the basis of an adequacy decision of the European Commission or the application of EU standard contractual clauses and appropriate and adequate safeguards. Accordingly, all the data processing companies are contractually obligated to keep your data confidential and to process it only in the context of service provision.

The public authorities and institutions (such as European Banking Authority, European Central Bank, Austrian Financial Market Authority, tax authorities, etc.) and the UniCredit S.p.A. as our parent company can be recipients of your personal data if there is a legal or regulatory obligation.

With regard to the disclosure of data to other third parties, we would like to point out that UniCredit Bank Austria AG, as an Austrian credit institution, is obliged to observe banking secrecy pursuant to § 38 of the Austrian Banking Act and is therefore obliged to maintain confidentiality about all customer-related information and facts that have been entrusted to us or made accessible to us as a result of the business relationship. Therefore, we can share your personal data only if you have explicitly

released us from banking secrecy in writing in advance or if we have a legal or regulatory obligation or authorisation for it. In this context, recipients of personal data can be other credit and financial institutions or similar institutions to which we send the data in order to maintain the business relationship with you (depending on the contract this can be for example, correspondent banks, stock exchanges, custodian banks, credit service agencies etc.).

HOW LONG WILL MY DATA BE STORED?

As far as it is necessary, we process your personal data for the duration of the entire business relationship (from the initiation, performance until the termination of a contract) and furthermore, we process it according to the legal safekeeping and documentation obligations resulting from the Austrian Commercial Code (§ 212 UGB), the Federal Fiscal Code (§ 132 BAO), the Financial Market Money Laundering Act (§ 21 FM-GwG) and the Securities Supervision Act (§ 33 WAG).

WHICH DATA PROTECTION RIGHTS DO I HAVE?

You have the right to obtain information, correction, deletion or of the processing of your stored data at any time, the right to object to processing and a right to data portability in accordance with the requirements of data privacy laws which you can address to the data protection officer of UniCredit Bank Austria AG. When you assert your rights, we might ask you to confirm your identity in case of doubt. We do this for your protection, so that your data will not be accessible to third parties.

The data protection officer at UniCredit Bank Austria AG is:

Jochen Hauser

Postfach 580

1011 Wien

Telefon: 05 05 05-32836

E-Mail: datenschutz@unicreditgroup.at

You can also submit complaints to the Austrian Data Protection Authority:

Österreichische Datenschutzbehörde

Barichgasse 40-42

1030 Wien

<https://www.dsb.gv.at>

ARE YOU OBLIGED TO PROVIDE DATA?

According to Art. 13 of the GDPR, we hereby inform you that in the context of the business relationship, you must provide personal data which is necessary to establish and maintain the business relationship, as well as the information which we are legally required to collect. If you do not provide us with this data, we will usually have to refuse to conclude the contract or execute the order or will no longer be able to fulfil an existing contract and consequently have to terminate it. However, you are

not obliged to give consent for processing of any data that is not relevant or not required for legally and/or in regulatory terms for fulfilling the contract.

IS THERE AN AUTOMATED DECISION-MAKING, INCLUDING PROFILING?

We do not use automated decision-making as defined under Article 22 of the GDPR to reach a decision on the establishment and conduct of the business. A credit assessment (credit scoring) is made for loan disbursement. The default risk of credit seekers is assessed with the help of statistical comparison groups. The calculated score should make it possible to predict how likely it is that the applied-for loan will be repaid. To calculate this score, your master data (e.g. marital status, number of children, duration of employment, employer, etc.), information of your overall financial situation (e.g. income, assets, monthly expenses, total liabilities, collaterals etc.) and your payment history (e.g. proper loan repayments, warnings, information on credit service agencies) are used. If the default risk is too high, the credit application is rejected, if applicable, an entry is made in the consumer loan register maintained by KSV 1870 and an internal warning notice is entered. If a credit application has been rejected, this is visible for 6 months in the consumer loan register maintained by KSV 1870 in accordance with the decision of the data protection authority.