

# General Data Protection Regulation (GDPR)

## Information on data processing according to art. 13 and 14

We hereby inform you about the processing of your personal data and the data protection claims and rights you are entitled to. 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 RESPONSIBLE FOR DATA PROCESSING AND WHO CAN YOU CONTACT?

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The entity responsible for data processing is:

UniCredit Bank Austria AG

Rothschildplatz 1

1020 Wien

Telephone: 05 05 05-0

Fax: 05 05 05-56155

Email: [info@unicreditgroup.at](mailto:info@unicreditgroup.at)

The data protection officer at UniCredit Bank Austria AG is:

Franz Zoufal

Postfach 580

1011 Wien

Telephone: 05 05 05-32836

E-Mail: [Datenschutz@unicreditgroup.at](mailto:Datenschutz@unicreditgroup.at)

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

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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 agencies<sup>1</sup>, debtor registers<sup>2</sup> and from publicly available sources (e.g., commercial register, register of associations, land register, media).

Personal data includes 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), 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.), processing results generated by the bank itself as well as data for compliance with legal and regulatory requirements.

<sup>1</sup> CRIF GmbH

<sup>2</sup> Kreditschutzverband von 1870

## FOR WHAT PURPOSES AND ON WHAT LEGAL BASIS IS THE DATA PROCESSED?

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We process your personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the Data Protection Amendment Act 2018.

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

The processing of personal data (Art. 4 No. 2 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 based primarily on the specific product (e.g., account, credit, building society savings, securities, deposits, procurements) and may include needs analyses, consulting, asset management and support, and the execution of transactions, among other things.

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 Paragraph 1c GDPR):**

Processing of personal data may be necessary for the purpose of fulfilling various legal obligations (e.g., from the Banking Act (BWG), Financial Market-Money Laundering Act (FM-GwG), Securities Supervision Act (WAG), Stock Exchange Act (BörseG), etc.) as well as regulatory requirements (e.g., of the European Central Bank, the European Banking Authority, the Austrian Financial Market Authority, etc.), which UniCredit Bank Austria AG is subject to as an Austrian credit institution.

Examples for such cases:

- Reports to the financial intelligence units in certain suspicious cases (§ 16 FM-GwG);
- Providing information to the FMA according to the WAG and the BörseG, for example, to monitor compliance with the rules on market abuse of insider information;
- Providing information to financial crime authorities in the context of financial criminal proceedings due to wilful financial offence;
- Providing information to federal tax authorities in accordance with § 8 of the Account Register and Account Entry Act.

### ■ **Within the scope of your consent (Art. 6 Paragraph 1a 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 promotional purposes if you no longer consent to processing in the future).

### ■ **For the protection of legitimate interests (Art. 6 Paragraph 1f 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 is processed to safeguard legitimate interests:

- Consultation of and data exchange with credit agencies (e.g., Austrian Credit Protection Association 1870) for the identification of credit risks and default risks;
- Review and optimisation of needs analysis and direct customer approach procedures;
- Advertising or market and opinion research, provided that you have not objected to the use of your data in accordance with Art. 21 GDPR;
- Video surveillance for collecting proof in case of offences or evidence of transactions and deposits (e.g., at ATMs); these especially serve to protect the customers and employees;
- Telephone records (e.g., in case of complaints);

- Measures for business management and further development of services and products;
- Measures for protecting employees and customers and the property of the bank;
- Measures for fraud prevention and combating fraud (Fraud Transaction Monitoring);
- In the framework of prosecution.

## WHO RECEIVES MY DATA?

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Within UniCredit Bank Austria AG, your data is received by those offices or employees that need it for fulfilling contractual, legal and regulatory duties and for legitimate interests. Furthermore, the data processing company (especially IT service provider and back-office service provider and service line) commissioned by us receives your data, as long as they need it for fulfilling their respective service. 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, (e.g., 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.

In view of forwarding data to other third parties, we must point out that as an Austrian credit institution, UniCredit Bank Austria AG is obligated to comply with banking secrecy according to § 38 BWG and therefore to maintain confidentiality regarding all the customer related information and facts, which have been entrusted or made accessible to us because of the business relationship. Therefore, we can share your personal data only if you have explicitly released us from banking secrecy in advance, in writing 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?

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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 safe-keeping and documentation obligations, which result from the Austrian Commercial Code (UGB), the Federal Fiscal Code (BAO), the Banking Act (BWG), the Financial Market Money Laundering Act (FM-GwG) and the Securities Supervision Act (WAG).

Moreover, the statutory limitation periods, which for example, in some cases can last up to 30 years (the general limitation period is 3 years) according to the General Civil Code (ABGB), must be taken into consideration for the safekeeping period.

## WHICH PROTECTION RIGHTS DO I HAVE?

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You have the right to obtain information, correction, deletion or restriction 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.

You can also submit complaints to the Austrian Data Protection Authority (<https://www.dsb.gv.at>).

## AM I OBLIGATED TO PROVIDE DATA?

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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 don't provide this information to us, in principle we have to reject the conclusion of the contract or the performance of the order or we will not be able to fulfil an existing contract any longer and we must consequently terminate it. However, you are not obliged to grant consent for data processing regarding data that is not relevant or not required legally and/or in regulatory terms for fulfilling the contract.

## IS THERE AUTOMATIC DECISION MAKING INCLUDING PROFILING?

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We do not use automated decision-making under Art. 22 DSGVO to reach a decision on the establishment and conduct of the business.

A credit assessment (credit scoring) is done 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 credit that has been applied for 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 received. If a credit application has been rejected, it is visible for 6 months in the consumer loan register maintained by KSV 1870 in accordance with the decision of data protection authorities.