

**General Information Notice  
concerning the processing of personal data  
- contractual partners -**

### **1. Personal data controller**

First Bank S.A. (hereinafter called the “Bank”), a Romanian legal entity with the registered address in Sos. Nicolae Titulescu nr. 29-31 (29-31, Nicolae Titulescu Ave.), sector 1, Bucharest, Unique Registration Code 7025592, registered in the Companies Registry under no. J40/1441/27.02.1995 and in the Credit Institutions Registry under no. RB-PJR-40-026/18.02.1999, which, as personal data controller, processes your personal data, according to the Regulation (EU) no. 679 on 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation – “GDPR”), to the Law no. 190/2018 on implementing measures to the General Data Protection Regulation and to any other applicable legal provisions concerning the processing and protection of personal data, in good faith and in order to meet the purposes presented in this **Information Notice**.

### **2. Persons concerned by the processing and personal data**

The personal data of the legal or conventional representatives/employees/collaborators of the commercial partners or other persons involved in the correspondence and negotiation with the commercial partners or in the execution of the contracts (“persons concerned”), which the bank may process, are: identification data (e.g. name, surname, e-mail address, other contact details), authentication/confirmation data (e.g. excerpts from the Companies Registry, data in the identity documents, signature specimens, position, access credentials in the applications used by the Bank), data related to the business relation (e.g. payment details), data concerning the structure of the company and of the ownership, as well as other similar data. Additionally, in order to manage the conflicts of interests, the Bank may also process the following information concerning the representatives/employees of the business partners: job/employer, position/capacity, family relation/affinity with the employees/consultants of the Bank, subordination, capacity of shareholder/administrator of the partners, shareholding in the partner and other possible information related to the partners and to their activity thereto, existence of law suits in courts in which they are involved.

As a principle, we obtain the personal data directly from the business partners we intend to collaborate with or with whom we already have a business relation.

However, we may obtain certain data from other companies, authorities or third parties, such as Companies Registry, tax authorities, etc. These data may also include personal data we obtain from non-conformities reporting channels (Whistleblowing) or through compliance assessments/analyses.

### **3. Purposes and legal grounds for personal data processing**

The bank processes the above-mentioned data for the following purposes:

a) In order to execute the contractual obligations (art. 6 paragraph 1 letter b) in the GDPR), for the following purposes:

- carrying out the formalities in order to conclude a contract and for the execution of the contract concluded with the contractual partners, natural persons / authorized natural persons, including debt collection, due diligence activities, auctions, bidding and other activities necessary for the execution of the contract;

b) In order to comply with the legal obligations (art. 6 paragraph 1 letter c) in the GDPR), for the following purposes:

- compliance with the applicable legal rules in the banking sector in order to meet the know-your-client requirements, prevent money laundering and financing terrorism, report transactions, manage the controls of the authorities as concerns the relation with the partners;
- ensuring the security and integrity of persons and assets in First Bank S.A. locations;

- administrative and financial management; keeping / storing (prior to archiving) and archiving documents; conducting internal audits and investigations; management of controls performed by authorities; implementation of personal data security measures (including backup process); other applicable legal obligations depending on the nature of the contractual relationship and / or your quality.
- compliance with the obligations concerning banking supervision;

- administrative-financial management and internal audit;

- management of the relation with the public authorities;

c) In order to meet the legitimate interests (Art. 6 paragraph 1 letter f in the GDPR), purposes such as selecting adequate contractual partners, management of conflicts of interests, improvement of services, confirming, exercising and defending certain rights, claims management, settlement of possible non-conformities, design, development, testing and using existing or new IT systems and IT services (including storage of databases in the country and abroad), managing contracts with suppliers, monitoring and controlling physical / logical access, internal reporting, fraud prevention and investigation activities, taking the necessary steps to conclude a contract and to execute the contract with contractual partners, legal entities, including collecting debts, due diligence activities, auctions, bidding and other activities necessary for the execution of the contract;

As concerns the management of the conflicts of interests, these can be generated by the possible family relations, affinities, up to the 2<sup>nd</sup> degree, including possible personal or professional relations outside the Bank these persons may have with the employees/consultants of the Bank.

#### **4. Duration of data processing**

The personal data are kept for as long as this is necessary to meet the above-mentioned purposes. Relevant in this respect are mainly the provisions of the Accounting Law, which provides for a keeping period of 10 years after the end of the financial year when the business relation is terminated.

As concerns the conflicts of interests, the personal data are processed for a period of at least 3 years after the analysis or the termination of the contractual relation with the contractual partner, whichever occurs last, according to the NBR regulations.

At the same time, your personal data may also be processed during the existence of another legal obligation concerning the keeping of data, i.e. during the existence of another legal ground.

## **5. Need for data processing**

Under the pre-contractual/contractual relation it is required to provide the personal data needed for the signature, execution and termination of the contract and for the fulfillment of the related obligation, data which First Bank must process according to the law or data which the Bank is entitled to process in order to meet its legitimate interests. As a principle, without this data the assessment and initiation of a contractual relation is impossible.

## **6. Recipients of the personal data**

Your personal data may be sent by First Bank to the persons concerned, their representatives, other companies in the First Bank group, contractual partners (such as lawyers, consultants, services suppliers, certified evaluators, accountants, censors, judicial executors and auditors having the obligation to keep the data sent confidential), to the state authorities according to their competences and to the applicable law, such as the National Bank of Romania, National Agency for Fiscal Administration, National Office for Prevention and Control of Money Laundering, as the case may be, in their capacity of associate controllers, agents, third parties, as there are regulated by the legislation in force.

## **7. International transfer**

In order to meet the above-mentioned purposes, the Bank may transfer certain categories of personal data outside Romania, in EU/EEA member states or outside the EU/EEA, including to the United States of America, considering mainly the shareholder of First Bank, which is JC Flowers. For transfers to countries without an adequate protection level, the Bank, when transferring the personal data, shall comply with the standard contractual clauses adopted by the European Commission or with other guaranteed recognized by law.

## **8. Rights concerning the personal data protection**

As data subject, you have the rights stipulated under art.15-22 in the General Data Protection Regulation, i.e.:

- a. Right of information: right to be informed as concerns the identity and contact details of the controller and of the data protection officer, the purposes for which the data is processed, the categories of personal data concerned, the recipients or the categories of recipients of the data, the existence of the rights provided by the personal data protection legislation for the data subject and the conditions in which such rights can be exercised;
- b. Right of access to data: the right to obtain from the controller confirmation as to whether or not personal data concerning you are being processed, as well as the information mentioned above;
- c. Right of rectification: the right to obtain the rectification of inaccurate personal data concerning you, as well as the completion of incomplete data;
- d. Right to erasure: the right to obtain the erasure of personal data concerning you, if the legal conditions are met;

- e. Right to restriction of processing: the right to obtain restriction of processing the personal data concerning you, if the legal conditions are met;
- f. Right to data portability: the right to receive the personal data in a structured, commonly used and machine-readable format and the right for such data to be transmitted by the Bank to another controller, if the legal conditions are met;
- g. Right to object: the right to object at any time, on serious and legitimate grounds relating to your particular situation, for the processing of personal data concerning you to be object of processing, if the legal conditions are met;
- h. Right to be excluded from automated individual decision-making, including profiling: the right to request and obtain the withdrawal, cancellation or re-evaluation of any decision based exclusively on automated processing (including creation of profiles), producing legal effect concerning you or significantly affecting you;
- i. Right to withdraw your consent at any time, if the data processing operation relies on your consent, according to art. 7 para. 3 in the General Data Protection Regulation, without the withdrawal of the consent affecting the legality of the previous processing operations;
- j. Right to lodge a complaint in court or at the ANSPDCP (Authority for the Supervision of Personal Data Processing): right to lodge a complaint at ANSPDCP, and respectively to lodge a complaint in court to defend any of your rights guaranteed by the data protection legislation in force which have been breached.

In order to exercise the rights provided under letter a) –i), you can file a written request, dated and signed, sent to the Bank, to the address Sos. Nicolae Titulescu nr. 29-31, sector 1, Bucharest or via e-mail at [office@firstbank.ro](mailto:office@firstbank.ro).

At the same time, here are the contact details of the Data Protection Officer of the Bank: postal address Sos. Nicolae Titulescu nr. 29-31, sector 1, Bucharest, email address [dpo@firstbank.ro](mailto:dpo@firstbank.ro).

If you file a request concerning the exercise of your rights concerning the processing of the personal data, the Bank shall answer such request without undue delay, within one month, under the conditions stipulated in the General Data Protection Regulation.

The Bank, as personal data controller, processes your data legitimately, implementing at the same time adequate technical and organizational measures to ensure the integrity and confidentiality of the data, according to art.25 and art.32 in the General Data Protection Regulation.