

**Information Notice concerning the processing of personal data  
- loan request legal entities -**

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, as data controller, processes your personal data according to the provisions of the Regulation (EU) no. 679 of 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), of the Law no. 190/2018 concerning measures for the implementation of the General Data Protection Regulation and of other relevant legal regulations concerning personal data processing and protection, in good faith and for the achievement of the purposes indicated in this **Information Notice**.

The personal data to be processed belong to the natural persons having the capacity, as the case may be, of:

- **natural persons representatives or proxies of a legal entity requesting a loan offer, natural persons guarantors or trustees thereof;**
- **shareholders/associates, administrators or real beneficiaries of the applicant legal entity / its associates / shareholders.**

Hereinafter called “data subjects”.

## **1. Personal data**

The personal data we process may vary depending on the products and/or services requested by the legal entity client or which this already benefits from, as well as on its legal relations with the Bank, as the case may be, as follows:

- name, surname, personal number, client code;
- Data referring to nationality, citizenship and residence (including the fiscal residence);
- Data related to the identity document/passport, including the copy of the identity document;
- Address (domicile/residence/correspondence address);
- Contact details (fixed/mobile phone, fax, e-mail);
- Date and place of birth, gender, marital status, family members);
- Data concerning education, position and seniority within the company;
- Banking data, including information concerning the financial-banking products/services held,
- Data concerning the dwelling conditions and the properties (real estate or movable), as the case may be;
- Data concerning the financial conduct/recurrent expenses such as credit reimbursements or of other type, the reimbursement history of the payment commitments undertaken, the possible disputes with third parties, as the case may be;
- Data concerning possible conflicts of interests;
- Data concerning the credit products requested/granted: type of product, state of the product/account, granting date, granting term, amounts granted, amounts due, due date, currency, frequency of payments, amounts paid, monthly instalment, outstanding amounts, number of

outstanding instalments, number of days of delay, category of delay, closing date of the product, as the case may be;

- Political exposure, as the case may be, and public office held;
- Data concerning sanctions, as the case may be;
- Data concerning the real beneficiary of the transactions;
- Your voice, image and behaviour, as captured by cameras, if you visit one of the territorial units of the Bank;
- Signature;
- Data concerning the participation to a group of clients, and respectively the participation to other companies, as well as other data included in the contracts signed with the data subjects or generated during the execution of the contract.

The processed personal data can be communicated to the Bank:

- Directly, by yourself or through a legal or conventional representative or through the representative of another person acting on your behalf, by filling in the forms or documents provided for the initiation of the contractual relation, for the update of the data, purchase of products and services, ordering operations, formulating requests related to the contractual relation, irrespective of the communication channel used;
- By consulting, directly or through private database suppliers, the data provided to the public by government bodies or public or regulating institutions, such as: the Companies Registry (portal.onrc.ro), Ministry of Finance (mfinante.ro), National Agency for Fiscal Administration (anaf.ro), Ministry of Justice (portal.just.ro), Electronic Archive for Security Interests in Movable Property (aegrm.ro/romarhiva.ro), the National Bank of Romania (Central Credit Register or Payment Incidents Register), Official Journal, Romanian Government Portal (data.gov.ro);
- By consulting the information available in public external sources, such as the internet and social media or by consulting private databases containing information from public authorities, in compliance with the law (as to be able to fulfil the specific obligation concerning the knowing of clients for the purpose of preventing money laundering and financing of terrorism).

## 2. Purposes of processing the personal data and legal grounds

The personal data is processed by the Bank:

**Based on art.6 para.1 letter b) in the General Data Protection Regulation**, i.e. to sign, amend or execute the loan agreement or to make formalities in this respect, on the request of the data subject (analysis of the loan application, offer/pre-offer, annual analysis of the credit facility).

**Based on art.6 para.1 letter c) in the General Data Protection Regulation**, i.e. for the fulfilment of the legal obligations, as follows:

- for the purpose of identifying and knowing the client, preventing fraud, preventing money laundering and fighting terrorism;
- for the purpose of assessing the solvability, minimizing the credit risk, establishing the level of indebtedness (analysis of the credit risk), including the participation to a unique debtor group or to a group of affiliated companies;
- for the purpose of taking the measures required for the compliance with the obligations related to banking supervision and reporting to the supervisory authorities;
- for the purpose of identifying and managing conflicts of interests;

- in order to comply with the national and European prudency requirements applicable to the credit institutions;
- for the purpose of ensuring the physical security through video monitoring, according to the legal provisions concerning the security of the premises, assets, values and protection of persons, if you visit one of the territorial units of the Bank.

**Based on art.6 para.1 letter f) in the General Data Protection Regulation**, i.e. in order to achieve the legitimate interests of the Bank, as follows:

- Defining profiles/segments/typologies in order to properly present the most adequate products/services;
- Design, development and use of the existing IT systems, storing of the databases;
- Planning strategic development, making forecasts concerning the portfolio dynamics, making business forecasts per performance indicators, creating budgets, establishment of the cost elements for the products/services of the Bank;
- Analysing and minimizing the financial, operational, reputational risks the Bank is exposed to, including accessing of official or private databases whose information is taken over from public authorities in order to verify the participation of the data subject to the share capital of other companies that that having applied for the loan, which could be debtors of the Bank (for the verifications made from the point of view of the participation to a group of unique debtor or of affiliated companies);
- Issuing the internal reports to the management of the Bank, including those concerning the establishment of certain prudency measures, prevention of the operational risk, including frauds, management of the payment rejections;
- Identification, exercising or defending in court certain rights of the Bank, recovery of the damages, as well as finding evidence and monitoring the above;
- Recording the interactions through the official communication channels, for the purpose of supplying proof of the request/approval/option as concerns certain financial-banking services, as the case may be;
- Video monitoring for the security of the premises and assets of the Bank, in order to prevent circumstances that may impact negatively the credit institution or the data subject (other situations than those covered by the legal obligations).

**Based on art.6 para.1 letter a) in the General Data Protection Regulation**, i.e. the consent of the data subject, when this is required for the verifications/interrogations which the credit risk analyses rely on within the databases of the Credit Risk Register or of other public authorities, as the case may be.

If you the consent such operations is not expressed, they shall not be carried out by the Bank.

### **3. Duration of processing the personal data**

The processing (including storage) of the personal data is done by the Bank for as long as this is necessary for the achievement of the purposes for which it has been collected, in compliance with the relevant legal provisions in force.

If the loan application is rejected, your data shall be stored for a period of 5 years after the signature of the request, or during the existence of another legal ground, as the case may be.

If the loan application is accepted, the personal data shall be stored until the expiry of a period of 5 years after the termination of the business relation with the Bank or for a period of 10 years after the

end of the financial year in which the last accounting record was made based on this data, as the case may be, and respectively during the period of another legal ground, as the case may be.

The video records shall be kept for a period of maximum 30 days, except for the situation when there are justified grounds to keep them for a longer period.

The Bank may, after the legal archiving period, render the data anonymous. The data is thus no longer personal and the Bank may continue to process the anonymous data for statistical purposes.

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

Depending on your relations with Bank, as the case may be, your personal data may be sent to:

- The data subject, client legal entity or its legal or conventional representatives;
- Representatives of the Bank, contractual partners of the Bank (such as couriers, notaries, lawyers, consultants, accountants, authorized evaluators, censors and auditors, suppliers of IT services, or physical and/or electronic archiving services or to other suppliers of services, bound to comply with the confidentiality obligations as concerns the data transmitted);
- Other operators, such as: FNGCIMM (SME Loan Guarantee National Fund), Rural Credit Guarantee Fund, Credit Risk Register (established at the NBR), Payment Incidents Register (established at the NBR), Central Depository, and to other controllers/associate controllers which are regulated by the legal provisions in force;
- State authorities, in line with their competences and with the legislation in force, such as: the National Bank of Romania, the National Agency for Fiscal Administration, the National Office for Prevention and Fighting Money Laundering, Competition Council, Financial Supervisory Authority;
- Courts, central public authorities, credit bureaus, insurance and reinsurance companies.

At the same time, the personal data of the shareholders/associates shall be verified at the Companies Registry, as well as in the private database of Keysfin (which contains information taken over from public authorities).

The data transferred to third parties shall be adequate, pertinent and non-excessive against the purpose for which it has been collected, and which allows for its transfer to a certain third party.

#### **5. International transfer**

In order to achieve the above-mentioned purposes, the Bank may transfer certain categories of personal data outside Romania, in member states of the EU/EEA, as well as in countries outside the EU/EEA.

For the transfers outside the EU/EEA, to countries without an adequate protection level, the Bank shall transfer the data based on the standard contractual clauses adopted by the European Commission or on other guarantees confirmed by law.

#### **6. Automated decision-making process**

In order to verify the fulfilment of the eligibility conditions for pre-offer and, as the case may be, for the analysis of the loan application, the Bank processes the personal data based on its legitimate interest in its own automated system (“scoring application”). The input in the scoring application is, besides information concerning the client – legal entity, the following personal data concerning the

data subjects: age, gender, education, dwelling situation, seniority in the company, capacity of owner of the building where he/she lives. After having analysed all the information, the scoring application issues a score as concerns the client legal entity. The score thus calculated determines the credit risk and the probability for the instalments to be paid on time. Based on the score issued by the scoring application, together with the result of the relevant personal verification in public databases (e.g. courts portal, National Office of the Companies Registry) and with the analysis made by the employees of the Bank, the Bank establishes whether the eligibility conditions are met and takes the decision to accept or reject the loan application.

## **7. Necessity to process the personal data**

If you refuse to communicate the above-mentioned data, it is impossible for the Bank to initiate legal relations with the company where you are shareholder, associate or administrator or real beneficiary, or for which you are to be a guarantor or trustee, as it is impossible for it to comply with the requirements of the special financial-banking regulations concerning knowing the client, prudence requirements and of other legal regulations, including the analysis of loan application and/or the signature/execution/implementation of the contract requested by you.

If you oppose the processing of data for purposes related to the legitimate interest of the controller/associate controllers, we inform you that this option is to be analysed and, depending on the particular situation of the data subject, you are to receive an answer according to the General Data Protection Regulation.

In the case of the data processing operations based on your consent, we mention that the lack of consent leads to that operation not being carried out.

## **8. Rights of the data subject**

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, this is the contact details of the Data Protection Officer of the Bank, which are the 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.

## 9. Updating the Information Notice

This Information Notice concerning the processing of the personal data is updated periodically and is available at any time at the address [www.firstbank.ro](http://www.firstbank.ro), as well as in any territorial unit of the Bank.

Additional information concerning the processing of personal data, including that referring to the processing of the data after the approval of the loan request, as the case may be, is available in the General Information Notice concerning the processing of personal data, available at [www.firstbank.ro](http://www.firstbank.ro), Data Protection section, as well as in any territorial unit of the Bank.