

## **General Information Notice concerning the processing of personal data**

**The purpose of this information notice is to inform you, as a data subject, of the manner how First Bank S.A.** (hereinafter called the “Bank” or “we/us”), processes and protects personal data, as well as of the means by which you can exercise your rights stipulated by 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).

**First Bank S.A** is 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 controller, processes your personal data, according to the General Data Protection Regulation, to the Law no. 190/2018 on measures concerning the implementation of the General Data Protection Regulation and to any other applicable legal regulations concerning data processing and protection, in good faith and for the achievement of the purposes stipulated herein.

In order to provide for an adequate data protection level, in compliance with the requirements of the legal norms in force, the Bank has appointed a data protection officer (Data Protection Officer or DPO), who may be contacted for any issues related to the manner in which First Bank SA processes this data, at the address Sos. Nicolae Titulescu nr. 29-31, sector 1, Bucharest, email [dpo@firstbank.ro](mailto:dpo@firstbank.ro).

In carrying out the business, the Bank processes various categories of personal data, for various purposes, depending on the capacity of the data subjects in relation with the bank, based on the provisions of the General Data Protection Regulation.

### **1. Definitions**

- “Personal Data” means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- “Personal data processing” means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- “Data subject” or “you” means the natural person whose personal data is processed by the Bank, such as: clients or potential clients of the Bank, legal or conventional agents of the clients/potential clients, as well as shareholders, associates or real beneficiaries thereof; users of a product/service of the Bank owned by a client (e.g. users of additional cards, users of internet services/mobile banking), stock managers with stock management guarantee accounts opened at the Bank, guarantors, trustees, co-debtors, family members, beneficiaries of an insurance policy, persons involved in transactions with the Bank or

clients of the Bank, other persons whose data is included in the documents supplied by the clients/potential clients or other categories of relevant natural persons in the context of the interaction with the Bank, other persons using the services of the Bank or visitors of the premises of the Bank.

- “Controller” means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.
- “Processor” means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.
- “Recipient” means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not.
- “Third party” means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.
- “Consent” of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.
- “Personal data breach” means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;
- “Biometric data” means personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images or dactyloscopic data;
- “Data concerning health” means personal data related to the physical or mental health of a natural person, including the provision of health care services, which reveal information about his or her health status.

## **2. Personal data processed by First Bank**

The personal data we processed in connection with you may include, as the case may be, depending on the relation between you and the Bank:

The personal data we processed in connection with you may include, as the case may be, depending on the relation between you and the Bank:

- Name and surname, alias, client code, PIN or TIN, name of authorized natural persons and TIC;
- Data referring to nationality, citizenship and residence (including the fiscal residence);
- Data related to the identity document/passport/civil status document/driving license;
- Address (domicile/residence/correspondence); contact details (fixed/mobile phone, fax, e-mail);
- Gender, family status, family members, name of the mother before marriage;
- Data concerning health, if processing such data is required for the Clients to prove the difficulties they or their family members face, mainly for the purpose of granting certain facilities or in the context of supplying the insurance services intermediated by the bank;

- Data concerning education, professional situation, occupation, position, job, type of the employment contract (limited/unlimited duration), the date of the last employment, data concerning the seniority in the job/profession;
- Information concerning the revenues and their source, the dwelling conditions and the properties (real estate or movable) held;
- Data concerning the financial conduct/liquidity, data concerning the monthly expenses, the recurrent expenses such as credit reimbursements or of other type, the reimbursement history of the payment commitments undertaken, the possible disputes with third parties, insurance products held or to be purchased and their coverage, expenses for taxes and charges, the number of persons looked after;
- Information concerning the fraudulent/potentially fraudulent activity, consisting of data referring to accusations and legal convictions related to crimes such as fraud, money laundering and financing of terrorism;
- Belonging to a group of clients, participation in other companies, as well as other data included in the contracts signed with you or generated during the execution of the contract.
- Banking data, including information concerning the financial-banking products/services held, banking transactions;
- Data concerning cards, such as card number (PAN), card expiry date and CVV code;
- Data specific to the use of certain banking products and/or services, resulting from their operation, as described in the specific contracts signed (IBAN code, transactions identifiers, Internet Banking username, series and number of the token assigned, telephone identification password for the transactions carried out through telephone calls with the Bank, codes and type of the operating systems of the mobile phones or of other devices used to access mobile banking services/mobile payment applications (e.g. connecting IP address);
- Your voice, image and behaviour, as captured by cameras, if you visit one of the territorial units of the Bank;
- Biometric data;
- Data concerning possible conflicts of interests;
- Political exposure, as the case may be, and the public office held;
- Data concerning sanctions, as the case may be;
- Opinions, expressed during the notifications/claims/discussions related to products/services/employees of the Bank;
- Handwritten or electronic signature, as the case may be;
- Any other personal data, which we are communicated in various contexts by the clients or by any other persons.

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](http://portal.onrc.ro)), Ministry of Finance ([mfinante.ro](http://mfinante.ro)), National Agency for Fiscal Administration ([anaf.ro](http://anaf.ro)), Ministry of Justice ([portal.just.ro](http://portal.just.ro)), Electronic Archive for Security Interests in Movable Property ([aegrn.ro/romarhiva.ro](http://aegrn.ro/romarhiva.ro)), the National Bank of Romania (Central Credit Register or Payment Incidents Register), Official Journal, Romanian Government Portal ([data.gov.ro](http://data.gov.ro));

- By consulting the information available in public external sources, such as the internet and social media or by consulting our own database;
- By consulting the Credit Bureau;
- By entities involved in payment operations (such as Visa and Mastercard, Central Depository, Transfond, third parties supplying payment services), other financial banking or non-banking institutions;
- By commercial partners, such as collaborators or suppliers of services for the Bank, insurance companies, other various legal entities from which the Bank may purchase rights of claim in relation with the clients;
- By commercial partners of the data subject (for example partners paying salaries or other revenues to the data subject or requesting payments from the accounts of the data subject).

Depending on your capacity in relation with the Bank and/or on the services/products you benefit from, the website [www.firstbank.ro](http://www.firstbank.ro), section Data Protection, contains additional information concerning the processing of your personal data in the following situations:

- When your request a credit product;
- If you are a user of the internet/mobile banking application;
- If you access the video-audio counselling service available on the website [www.firstvideobank.ro](http://www.firstvideobank.ro);
- If you do not have a contractual relation with the Bank, but make occasional transactions through First Bank or are a person whose data is included in the documents provided by clients/potential clients (for example successor, lessee or buyer of a building that is object of a guarantee in favour of the Bank);
- If you request information or notify us certain aspects related to the services and products of the Bank, and if you request us information as concerns the processing of your personal data, by e-mail, letters or through the forms available on the website;
- If you are a guest of the Bank, in any of its premises;
- If you are the representative of the contractual partners of the Bank;
- If you visit the website of the Bank, in which case your personal data is processed according to the provisions of the Cookies Policy available at [www.firstbank.ro](http://www.firstbank.ro), Data Protection section;

This information is available as well in all territorial units of the Bank.

### **3. Legal grounds and purposes of processing the personal data**

Your personal data is processed by the Bank based on the following **legal grounds**:

#### **a. In order to sign and execute the contract with the Bank according to art.6 para.1 letter b) in the General Data Protection Regulation.**

In consideration of this legal ground, your personal data is processed by the Bank for the following **purposes**:

- Analysing the requests for products and services and assessment of the eligibility;
- Supplying the requested products and/or services (e.g. processing of collections/payments/other types of operations specific to the type of transactional channel

used – bank desk, internet/mobile banking, telephone, specific equipment type ATM/MFM, currency exchange, card operations, carrying out transactions specific to the products/treasury services/capital market/mutual funds/custodian, etc.);

- Providing information concerning the products and services requested/you benefit from, monitoring the compliance with the contractual obligations, your notification concerning the contracts signed (e.g. amendment/additional characteristics/costs/functionalities/product benefits/services, information o instalments due/outstanding, insurance premiums due, issuance of leasing invoices, monitoring of guarantees, etc.), taking the measures required in case of breach of such contractual obligations (e.g. collection of debts/ recovery of receivables/ declaring accelerates);
- Amendment of the contracts signed (e.g. restructuring, conversion of credit facilities, refinancing, extension of the credit period, postponement of payment, increase/decrease of deposits, payment commitments / conventions signed during the amicable/legal recovery procedure, etc.);
- Reporting and submitting the information/documents required to the guarantee funds (e.g. FNGCIMM, FGDB);
- Intermediation of the signing, monitoring and subsequent management of the insurance contracts;
- Making and reconciling transactions through the Western Union system, sale of gold, as the case may be.

**b. In order to comply with the legal requirements, according to art.6 para.1 letter c) in the General Data Protection Regulation.**

In consideration of this legal ground, your personal data is processed by the Bank for the following **purposes**:

- Identification and knowing of the clients, carrying out risk analysis, reporting of the suspicious transactions, prevention of fraud, and respectively for the purpose of preventing money laundering and financing of terrorism, including through collecting the data in the identity documents of the client into the data record IT system;
- Management of controls and investigations, and respectively the reporting to competent authorities/institutions, such as ANAF (Tax Authority), ANPC (Customer Protection Authority), BNR (National Bank of Romania), CRC (Credit Risk Register), ANSPDCP (Authority for the Supervision of Personal Data Processing), ASF/BVB (Financial Supervisory Authority/Stock Exchange), National Office for the Prevention and Fighting Money Laundering, Bank Deposits Guarantee Funds, according to their competences;
- Enforcement of the amounts due, as well as management of the garnishments and sequestrers, according to the provisions of the Civil and Criminal Procedure Codes, of the Fiscal and Fiscal Procedure Code, as well as to the provisions of the special relevant laws;
- Execution of the court decisions;
- Carrying out the mandatory audit missions;
- Issuing reports based on FATCA (The US Foreign Account Tax Compliance Act), if you are a citizen/resident of the USA, as well as CRS reports (Common Reporting Standard) for fighting tax evasion;
- Re-evaluation of guarantees, calculation of provisions;
- Auditing the financial reports of the Bank;
- Approval of the opening of accounts (including in the capital market) and of the documents concerning the capital markets sent/submitted to the capital market institutions;
- Management of the conflicts of interests;

- Record and management of the risks specific to the activity, in compliance with the European and international regulations concerning the minimum capital requirements, supervision of the capital adequacy and market discipline of the banking institutions;
- Fulfilment of the tax obligations, including those referring to the taxes and charges withheld;
- Providing certain benefits/facilities provided by the law.
- Ensuring the physical security through video monitoring (including ATM), access cards and guests register (reception desk), according to the legal provisions concerning the security of the premises, assets, values and protection of persons;
- Storing and archiving the information.

**c. In order to protect the legitimate interests of the Bank, according to art.6 para.1 letter f) in the General Data Protection Regulation.**

In consideration of this legal ground, your personal data is processed by the Bank for the following **purposes**:

- Making internal analyses (including statistical analyses)/market surveys, both as concerns the products/services, and the clients portfolio, for the monitoring of the clients' satisfaction and of the quality of the services and products purchased, as to continuously improve and develop the internal products/services/processes;
- Assessment of the risk the Bank would undertake by initiating a contractual relation with you or modification of the existing relation, as the case may be;
- Defining profiles, segments, typologies in order to present/supply the most adequate products/services;
- Design, development and use of the existing IT systems, storing of the databases;
- Direct marketing, as the case may be;
- Interrogation of the Credit Bureau, in order to ensure responsible crediting, if you request financing/loans to the Bank;
- 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;
- Monitoring the transactions for the prevention of fraud and the investigation thereof;
- 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;
- Providing for a high level of security both at the level of the IT systems and within the physical premises (e.g. territorial units, regional/business centres, central offices);
- Signing and management of financing or receivables assignment contracts;
- Collection of debts/recovery of receivables;
- Management of the conflict of interests;
- 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);

- Storage and archiving of information.

#### **d. Based on your consent, according to art.6 para.1 letter a) in the General Data Protection Regulation.**

In consideration of this legal ground, your personal data is processed by the Bank for the following purposes:

- For the verifications/interrogations the credit risk analysis relies on within the databases of Credit Risk Register and National Agency for Fiscal Administration, when you require a credit product;
- For marketing profiling and for direct marketing;
- For audio record of the telephone conversations with the Bank, for the purpose of improving the quality of the Bank services;
- Providing certain benefits/facilities stipulated by the law, based on your request which shall represent implicit consent;
  - Analysing the behaviour upon accessing the Bank website, by using cookies, both of the Bank and of third parties.

If you do not express your consent for such operations, they shall not be carried out by the Bank.

#### **4. Automated decision-making processes**

The Bank uses automated individual decision processes which, in certain circumstances, may have legal effects over the data subject or may similarly affect it in a significant manner.

Such decisions, for exemplification, may be:

- Decisions made to provide for the security of the payment instruments; the Bank monitors the payments made using the card or online through other remote access tools (e.g.: monitors the details of the transaction, identifies the location and the date/time of an online payment) and adopts automated protection measures, such as blocking the payment instrument or the account, restricting the transaction, if suspicious operations are identified (such as recurrent payments unusual in terms of frequency, amount, based on the source of funds declared by the Clients holding accounts, transactions initiated from different places at short time intervals, which do not allow for the travel between such locations, etc.);
- Decisions adopted in connection with the loan requests; thus, in order to determine the eligibility to contract a credit product, the Bank shall automatically analyse a series of factors, including the level of indebtedness and, depending on the results of the analysis, shall decide upon granting the loan or not; more details concerning this process are given in the Information Notice for the credit granting process, available at [www.firstbank.ro](http://www.firstbank.ro), Data Protection section.

#### **5. 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.

The processing (including storage) of the personal data is done during the entire validity period of the contracts, as well as for 10 years after the end of the financial year during which the documents the accounting records rely on are issued, according to the accounting legislation in force and to the legal norms concerning the archiving of documents, as well as throughout the existence of another relevant legal ground, as the case may be.

The personal data submitted to Biroul de Credit S.A (Credit Bureau) are stored there for 4 years after the date of the last update. The personal data submitted to the Credit Risk Register are stored there for 7 years after the registration.

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.

If you have expressed your consent for the processing of your personal data for direct marketing purposes, your data will be processed for this purpose during the contractual relation with the Bank, as well as for a period of 1 year after the termination thereof. If you withdraw your consent, your personal data will no longer be processed for this purpose, without the withdrawal of the consent affecting the legality of the previous processing operations.

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.

## **6. 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 or to the legal or conventional representatives of the data subject;
- The contractual partners of the Bank (such as debt collection/receivables recovery agencies, 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);
- The main shareholder of the Bank and to other entities thereof;
- Partner banks and correspondent banks, banks or financial institutions participating to syndicated loans;
- Insurance and reinsurance companies, inter-bank payment processing companies, suppliers of payment instruments production and personalization services, suppliers of payment facilitation technical services (e.g.: Visa and Mastercard), suppliers of payments initiation services and suppliers of account information services);
- Suppliers of market research services, marketing communication services;
- Entities with whom the Bank has signed loan or receivables assignment agreements;
- Associated controllers, such as: Biroul de Credit S.A. (Credit Bureau), 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 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, Bank Deposits Guarantee Fund;

- Judicial/investigation authorities, courts, central public authorities, credit bureaus, judicial executors.

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.

## **7. International transfer of personal data**

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.

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

Your personal data is required to achieve the above-mentioned purposes. Non-supply of the personal data required may cause delays in the availability of certain products and services or make it impossible for us to supply the requested services and/or product.

If you oppose the data processing for the purposes related to the legitimate interest, we inform you that such option will 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 case of data processing operations based on your consent, we mention that the lack of the consent leads to the non-achievement of the said operation.

## **9. Your rights and manner in which you can exercise these rights.**

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.

## **10. Measures implemented by First Bank in order to ensure the personal data protection**

First Bank gives particular attention to your personal data and understands to comply with the legal requirements concerning the personal data protection. In this respect, the Bank has appointed a data protection officer, adopted internal regulation for the personal data protection, including for the management of the security incidents, settlement of the requests of the data subjects, data protection impact assessment, periodic training and testing of the employees for strengthening and raising awareness as concerns the data protection activity, implemented technical and organizational measures ensuring the confidentiality, integrity and availability of the personal data. At the same time, the Bank has taken data protection measures, including in the relation with its partners to whom it transfers personal data, depending on their capacity against the Bank (proxies or associate controllers).

## 11. 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.