

## **Information notice concerning the processing of personal data in the Credit Bureau System**

### **1. Identification data of the controllers**

First Bank S.A., with the registered address in Sos. Nicolae Titulescu nr. 29-31 (29-31, Nicolae Titulescu Ave.), sector 1, Bucharest and S.C. Biroul de Credit S.A. (Credit Bureau), a Romanian legal entity with the registered address in Bucharest, str. Sfanta Vineri, nr. 29, etaj 4 (29, Sfanta Vineri Str., 4<sup>th</sup> floor), sector 3, as associate controllers, process your personal data in good faith, equitably and transparently, for limited and legitimate purposes, 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 (the Regulation).

Biroul de Credit SA is the private law entity managing the Credit Bureau System, in which the personal data concerning the credit activity carried out by the Participants is processed.

The participants to the Credit Bureau System are credit institutions, non-banking financial institutions, insurance companies and receivables recovery companies having signed a Participation Agreement with the Credit Bureau.

### **2. Legal grounds and purpose of the processing**

First Bank S.A. and the Credit Bureau process your personal data based on the legitimate interest of the Participants and of the Credit Bureau as provided under article 6 paragraph 1) letter f) in the Regulation, and respectively to responsibly grant loans, while protecting, facilitating the access to loan and preventing excessive indebtedness of the data subject, complying with the legal framework concerning the assessment of the solvability and minimizing the credit risk, as well as to prevent the use of the financial-banking system to carry out activities contrary to the law.

First Bank S.A. has the obligation, according to the legal regulations in force, to assess your capacity to reimburse the loan, before signing a loan agreement and during its execution. For this purpose, First Bank S.A. processes the information indicated under point (4), registered in your name, in its records and sends it to the Credit Bureau as for the latter to process it and make it available for consultation by any Participant, for the purpose of initiating or executing a loan agreement, as well as for insuring the credit products.

### **3. Obligation to supply the data and consequences of failure to do so**

The supply of your personal data is required for the purpose indicated under point (2). The refusal to supply your data, required for the achievement of the above-mentioned purpose, leads to the impossibility for First Bank S.A. to make the assessments indicated under point 2 in connection with granting the loan and, therefore, to the impossibility to grant the loan you request.

### **4. Categories of personal data processed in the Credit Bureau System**

The personal data processed is:

a) identification data of the person concerned: name, surname, personal number of Unique Identification Number for authorized natural persons or the Tax Number for the natural persons having liberal

professions or country code and passport series/number for non-residents, domicile/residence address, telephone number, date of birth;

b) data concerning the employer: name and address of the employer, date of recording this information, Unique Registration Code;

c) data concerning the credit products requested/granted: type and name of the Participants, type of product, state of the product/account, granting date, duration of the accounts, amounts granted, amounts due, due date, currency, frequency of payments, amounts paid, monthly instalment, outstanding amounts, number of days of delay, date of first late payment, category of delay, date of the latest payment;

d) data concerning events that occur during the credit product period, such as that referring to restructuring/refinancing, transfer in lieu of payment, assignment of the loan agreement, assignment of the receivable;

e) data concerning the relations with other accounts: information concerning credit products where the data subject is co-debtor and/or guarantor;

f) data concerning insolvency: information concerning the data subjects against which an insolvency procedure has been opened;

g) number of interrogations indicates the number of Credit Reports issued by the Credit Bureau, upon the request of one or several Participants;

During the process of analysing your loan request, First Bank S.A shall request the Credit Bureau the issuance of a Credit Report, with or without FICO Score, in order to verify whether you comply with the indebtedness level stipulated by law and whether you have the capacity to reimburse the loan. In order to obtain the Credit Report, First Bank S.A shall send to the Credit Bureau your personal data, i.e. name, surname and personal number or, as the case may be, another national identification number.

After granting the loan, First Bank S.A shall send to the Credit Bureau your personal data under points a)- f). This information is shared with the other Participants, in the Credit Bureau system, and is used for the purpose mentioned under point pct. 2. Your capacity to reimburse the debts on the due date may be checked periodically, after granting the loan, including by obtaining Credit Reports or by using the Alerts Service<sup>1</sup>.

If, during the period of the granted loan, you are late in paying the instalment by more than 30 calendar days after the due date, First Bank S.A. sends to the Credit Bureau information concerning the outstanding due amounts, the category of delay, the date of the first late payment and/or, as the case may be, information concerning the opening of the transfer in lieu of payment procedure, only after your notification, at least 15 calendar days in advance, submitted in writing, by telephone, SMS, e-mail or by other means of electronic communication.

## **5. FICO® Score from the Credit Bureau**

The personal data mentioned under point (4) may be processed by the Credit Bureau including for the purpose of calculating the FICO® Score at the Credit Bureau, on the request of the Participants.

First Bank S.A. uses the FICO® Score at the Credit Bureau for the purpose of minimizing the credit risk associated to a debtor/potential debtor.

FICO® Score at the Credit Bureau is a number between 300 and 850, obtained based on the statistic process that processes the information recorded by the Participants in the Credit Bureau System and

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<sup>1</sup> The Alert Service is used by the Participants in order to identify and/or minimize the credit risk in due time, by generating an alert to a Participant when, for one of its debtors, there is an event (account opening/closing, recording of a late payment/settlement of late payments, account correction, recording/deletion of the status of guarantor/co-debtor, account interrogation, change of the employer's name/telephone number) at another Participant.

indicates the probability for the data subject to pay his or her instalments on time in the future. The main causes having determined the decrease of the FICO® Score at the Credit Bureau are displayed as reason-codes.

FICO® Score at the Credit Bureau takes into consideration the following elements conferring predictability: payment history, current debt, duration of the accounts/credit accounts (average number of months since granting the loans), request for new loans (number of interrogations and loans granted in the past 6 months), credit mix (types of loans granted), age of the data subject. The influence of these elements over the FICO® Score at the Credit Bureau may vary depending on the information recorded at the Credit Bureau for each data subject.

FICO® Score at the Credit Bureau is a highly predictable analysis tool which, together with the data in the Credit Report and with the information obtained by the Participants from other sources, concur to the correct assessment of the solvability of the data subject in order to sign/execute the loan agreement.

## **6. Data recipients**

The personal data recorded in the Credit Bureau System are disclosed to the Participants, upon request, for the purpose mentioned under point (2).

The personal data processed in the Credit Bureau System shall not be disclosed to third parties, except for the public authorities and institutions, in line with their competence and with the relevant legislation, such as: the National Supervisory Authority for Personal Data Processing, National Bank of Romania, National Integrity Authority, courts, public notaries, judicial executors, prosecutor offices.

## **7. Storage period**

The personal data is stored at the Credit Bureau and disclosed to the Participants for 4 years after the update, except for the data of the loan applicants who have withdrawn their loan application or to whom the loan has not been granted, which are stored and disclosed to the Participants for a period of 6 months.

## **8. Automated decision-making process, including profiling**

Both FICO® Score and the information supplied by the Credit Bureau are used by First Bank S.A. in order to establish the risk it would undertake by granting the loan you request, without though being the only elements to make a decision.

## **9. Rights of data subjects as concerns the processing of the personal data**

As a data subject, you may exercise the rights stipulated in the Regulation, as follows:

a) the *right to access to data* may be exercised:

- through a written request, signed, sent by mail to the Credit Bureau, or
- by securely accessing the Credit Bureau website ([www.birouldecredit.ro](http://www.birouldecredit.ro)), or
- personally, or through electronic means, to the Participant who is your creditor/potential creditor.

At the same time, you have the right to obtain, upon request, at the moment of communicating the credit decision, a copy of the Credit Report issued by the Credit Bureau that has been used by First Bank S.A. in analysing the loan application;

- b) right to rectification of the data,*
- c) right to erasure of the data,*
- d) right of restriction of processing the data,*
- e) right to object the processing of the data,*

These can be exercised:

- by securely accessing the Credit Bureau website ([www.birouldecredit.ro](http://www.birouldecredit.ro)), or
- personally, or through electronic means, to the Participant who is the creditor/potential creditor of the data subject

- f) right to be exempted from automated individual decisions, including profiling;*
- g) right to lodge a complaint at the National Supervisory Authority for Personal Data Processing or in court.*

## **10. Contact details of the data protection officers:**

For the Participant – [dpo@firstbank.ro](mailto:dpo@firstbank.ro)

For the Credit Bureau – the e-mail address: [rpd@birouldecredit.ro](mailto:rpd@birouldecredit.ro)