

## **Information Notice on the processing of contact data in order to transfer them to the Bank's Partners for the purpose of sending direct marketing communications**

**The purpose of this document is to inform you on the manner how First Bank S.A.** (hereinafter referred to as “the Bank” or “we/us”), processes and protects your data, **as a representative of the Client legal entity (data subject)**, as well as on how you can exercise your rights under Regulation (EU) no. 679 of 27 April 2016 on the protection of individuals 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), in case you are a data subject.

**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.

### **1. Definitions**

- “Partner” or “Partners” of the Bank - means the legal entity that offers consultancy services for the elaboration and/or implementation of projects with non-reimbursable financing and that, with your consent, will receive from the Bank your contact details in order to communicate commercial offers.
- “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 beneficial owners 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 with 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.
- “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.
- “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;

In case you are the representative of a legal entity for which you wish to contract a loan/financing for a project with non-reimbursable funds and you are interested in consulting services for the elaboration and/or implementation of the project, offered by the Bank's Partners, after the agreement has been expressed, the Bank will transmit to the Partners defined on the Bank's website / in the content of the promotional materials etc., the contact details that belong to you as a natural person (representative of the legal entity), so that they can contact you directly, in order to transmit commercial offers.

## 2. Personal data processed by First Bank

The personal data that the Bank will transmit to the Partners so that they can contact you in order to present commercial offers are your contact data, namely your **name, surname, telephone number, e-mail address, postal address and any other data** that you make available to the Bank for this purpose.

The contact data that the Partners receive from the Bank following your consent will be processed in accordance with their own data processing policies that they will inform you, as Data Controllers, in accordance with the GDPR.

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

Your personal data are processed by the Bank for the purpose of transmitting them to the Bank's Partners who provide consultancy services for the development and/or implementation of projects with non-reimbursable funds, so that they can contact you in order to present commercial offers, based on your consent, in accordance with Article 6.1 a) of the GDPR.

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

The bank does not use automated individual decision-making processes for the purposes outlined

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

Your contact data will be processed for the purposes presented, until the time of the presentation of the commercial offer by the Partners, and subsequently, depending on the relations you will establish with them, you will be informed on how the Partners, as Controllers, will process your data, according to their own policies and procedures and, where appropriate, to express your consent to the processing operations that will be based on this legal grounds for processing.

In case you wish to withdraw your consent, your data will no longer be processed for the purposes set out, without withdrawal of consent affecting the lawfulness of previous processing operations.

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

Your contact details will be transmitted to the Bank's Partners who offer consultancy services for the development and/or implementation of projects with non-reimbursable funds, for the purposes mentioned above.

After receiving this data, the Partners will act as Data Controllers and will process your contact data for direct marketing purposes, in accordance with their own policies and procedures, having the obligation to provide you with information on the processing of your personal data, according to the relationship you will establish with them.

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

In order to achieve the above-mentioned purposes, the Bank will not transfer your personal data outside Romania.

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

Your personal data are necessary for the fulfilment of the purposes mentioned above, lack of processing or withdrawal of your consent will make it impossible for the Partner to contact you in order to communicate commercial offers.

## 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, 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 regarding 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.

After submitting your contact data to the Bank's Partners, in accordance with your consent, you will be able to exercise the above-mentioned rights directly to these Partners, in accordance with the provisions of the privacy policies/information notices that will be made available to you by them, as Data Controllers.

## **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).