

**Information note on the processing of personal data for self-employed persons, sole traders and liberal professions**  
**Complete text**

UniCredit Bank S.A., (the “Bank” or the “Data Controller”) a company administered in a two-tier system, having its legal seat in Romania, Bd. Expoziției nr. 1F, Bucharest, Sector 1, duly registered with the Trade Register under no. J40/7706/1991 and in the Bank Register under no. RB-PJR-40-011/18.02.1999, sole registration code 361536, fiscal attribute RO, subscribed and paid-in share capital RON 455,219,478.30, as Personal Data Controller, **processes your personal data (“Personal Data”) in good faith and for the achievement of purposes specified in the present information note, hereinafter referred to as the “Information note”**, according to the provisions of Regulation (EU) 2016/679 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”).

This Personal Data belonging to you as our client, respectively Data Subject, have been provided to the Bank by you upon the execution of the agreement with UniCredit Bank and/or of an insurance policy and/or on the date of the submission of an application for the request of the provision of services by the Bank and/or throughout the performance of the contractual relationship and/or by a third party provider of payment services contracted by you.

**1. Personal Data** processed by the Bank are:

- name and surname, alias, mother’s maiden name, client code, personal number code (or parts thereof in the case of authentication procedures) or FIN (fiscal identification number), as applicable;
- date and place of birth, gender, citizenship, marital status, series and number of the identification card/ identity document/ passport, other data in the marital status documents, fiscal residence jurisdiction;
- offices/ mailing address, phone/fax number, email address;
- professional status, occupation, position, place of work;
- source of funds, data on the beneficial owner, proxies, economic and financial status, data on the owned assets;
- bank data, including the purchased banking products and the banking transactions, data on liquidity;
- data on other financial obligations, which can be positive data (e.g., type of product, duration, date of release, due date, released amounts, owed amounts, account status, account closing date, loan currency, payment frequency, amount paid, monthly payment) and/or negative (e.g., type of product, duration, date of release, due date, released amounts, owed amounts, outstanding amounts, number of outstanding payments, due date of the outstanding payment, account status) information on the position of guarantor, joint debtor or beneficiary of insurance policy related to the released product.
- data on risk management/ data modelling such as general data (bank account/client identifier), social and demographic data (e.g., education, profession), limits and duration of the issued credit, existing balances of the issued credits, outstanding amounts, information on the restructuring/ blocking of accounts (e.g., garnishment), risk class;
- affiliation to a group of related clients; in such circumstances, the Bank processes the following Personal Data provided by you: name, surname and personal number code of the natural entities part of the Group of related clients which are exposed towards the Bank or a current account opened with the Bank;
- data on your health status, required for the provision of specific insurance services, if any;
- **political** exposure, if any, and the public office held, information on the charges, investigations and acts perpetrated, as well as the denomination of the perpetrated act, the applied penalty, (e.g., convictions, related measures), the penalty period, the authority which applied the penalty, the status of the file and other similar data (for reasons of compliance with the law on the prevention and countering of money laundering and financing of terrorism, as well as observance of the legislation on the fighting against fraud and fraudulent conduct), the politically exposed person status, according to the definition in Law No 129/2019 on the prevention and countering of money laundering and financing of terrorism, as well as for the amendment and supplementation of regulatory documents, as this legal definition can be amended from time to time;
- data on international penalties, such as the type and contents of the penalty, the competent authority, duration of the penalty,

description of the asset in the scope of the penalty (e.g., category of the asset, value, location, data in the land register, the authority responsible for the application/ monitoring of the penalty, measures ordered with regard to this asset) and, in the extent that international penalties involve the processing of data on acts perpetrated by the data subject, the processing can include data such as the denomination of the perpetrated act, the applied sanction and duration, the competent authority, any other similar information, according to the legislation on the application of international penalties;

- signature, voice (e.g., in case of recorded conversations with the Bank), image (e.g., the photo in the identification documents, the image captured by the video surveillance cameras in the Bank locations);
- should you choose video identification performed by the Bank for your electronic signature provider, the following shall be processed: the background/ environment of the video call, your image and voice, the contents of the recorded video call, the contents of any documents submitted by you with this opportunity, date of the video call, duration of the call and similar;
- should you choose remote interaction with the Bank representatives for purposes such the presentation of the services and products of the Bank and of those intermediated/promoted by the Bank, a process followed by their potential acquisition, via audio and/or audio-video means, the following shall be processed: your image, your voice, the discussion held, the framework/environment of the discussion (which can be recorded or not), the duration and date of the conversation and other similar details;
- *if you contracted or will contract a credit from the Bank*, relevant information which generate the applications for the suspension of payment obligations of the data subject towards the Bank, according to the Law, such as: effects on own income and/or income of the family of the Data Subject, directly or indirectly, from the severe circumstances generated by the COVID-19 pandemic compared to the level of income registered prior to the declaration of the state of emergency; the inability to observe payment obligations related to the credit as a result of the intervention of one/ more of the following causes, including without being limited to: the temporary lay-off of the data subject/ members of their family as a result of the closure/ restriction of the employer's operations, dismissal of the data subject/ members of their family, decrease of the monthly salary of the data subject/ member of their family, placement of the data subject in institutionalised quarantine or isolation at home, becoming sick with COVID-19 and other similar
- date, time, minute, second of submission of various communications via any channel to the data subject, the contents of these communications; the same data on the replies of the data subject to the notifications sent by the Bank;
- *Should you request credit from UniCredit Consumer Financing IFN SA ("UCFin")*, the Bank will be able to provide to UCFin data as below, in order to (i) perform your eligibility review for the provision of a financial product by UCFin and to (ii) perform the statistical modelling activity, as detailed under art. 2 (z) of the present information note: data on the lending relationship of the Data Subject with UniCredit Bank SA such as: maximum daily balance of the last 3 months regarding all account transactions (current and deposit/savings accounts), total credit transactions compared to the total amount of transactions of the last month on current accounts; the number of months since the Data Subject has been the client of UniCredit Bank SA (first registration as a client of UniCredit Bank SA); the balance of the current account as at the end of the month; the number of months since the closing of the current account; number of months since the last current account has been opened; the limit of the credit card; usage of the credit card throughout the last semester; usage of the credit throughout the last quarter; data on the collection of debts (collection stage/ status of each loan/ exposure within UniCredit Bank SA); area code; information whether the Data Subject collects salaries in the accounts opened with UniCredit Bank SA, respectively the number of consecutive months, for the last 12 months; the total balance of all active credits without any guarantees; the total balance of all active loans (secured and unsecured); the total amount representing the following payments for all active loans; the existence of garnishment/ other similar measures established on bank accounts; other similar data;
- calendar days (day, month, year) and time (hour, minute, second) of the (strict) authentication of the data subject and related to other operations for the performance of payments, according to the applicable legislation;

- Online B@nking<sup>1</sup>/ Mobile B@nking<sup>2</sup> username, data on the token device – DIGIPASS<sup>3</sup> (serial number) or Mobile Token (phone number, for the activation of Mobile Token/ Mobile B@nking applications), other data required for access to and use of these electronic payment instruments (identification/ registration/ authentication/ log-in/authorisation codes)<sup>4</sup>;
- data on the proxy/proxies of the data subjects, contents and limitations of the power of attorney and any other related data outlined in the power of attorney (e.g., power of attorney issued by the notary public);
- information used by the Bank applications available to the data subject, required for their appropriate operation (e.g., Mobile B@nking);
- data on electronic signature, release of the (qualified) digital certificate to that end;
- data on the contact person (name, surname, land line/ mobile phone and relationship), should you provide such data to the Data Controller;
- other similar categories of personal data of the Data Subject in the records of the Bank related to the contractual relationship with the Bank mainly derived from the signed contractual documentation and from the information collected by the Bank, by the operation of law.

## 2. Purposes of Personal Data processing. Legal grounds

- a) execution of the relationship with the Bank, based on your request for the supply of banking products, from which we specify the opening of the bank account, provision of Online Banking and Mobile Banking services, release of the debit card, of the DigiPass, supply of Info SMS services, rental of safe deposit boxes, distribution of investment funds, bonds, structured deposits, according to your request, on the grounds of art. 6 (b) of the Regulation. This purpose involves the performance, within the relationship with each client, of all activities related to the execution and/or amendment and/or performance of the funding/guarantee agreement according to **art. 6 (b) of the Regulation**, from which we specify: (i) assessment of possibilities of the client/ guarantor to obtain the requested product or another product or service, (ii) assessment of possibilities of the client/guarantor to pay, not to generate debts towards the Bank, towards the Group entities and potentially to other partners - associated operators, a review also performed throughout the performance of the agreement executed with the Data Subject, which may involve the existence of an automated decision-making process. For the conclusion or performance of the contract related to the product or financial service, as well to decrease credit risk, the Bank may make decisions based partially or exclusively on automated processing. The automated decision-making process includes the eligibility criteria of the Bank, established according to the internal and legal lending rules in effect. The Data Controller processes personal data provided by the Data Subject, as well as the data arising from the contracts executed with them or with a Group entity and data from public sources, as applicable, by means of computer technologies and/or algorithms which generate legal effects upon the Data Subject, as well as the release or denial of the credit. Depending on the processed data, the decision-making process can be exclusively or partially based on automated processing, the latest circumstance requiring the intervention of the human factor to make a decision on the respective credit application. The Bank has appropriate measures to protect the rights, liberties and legitimate interests of the Data Subject, as a minimum the right to obtain human intervention from the Bank, to express the standpoint and to challenge the decision.
- b) performance of the KYC analysis, of the risk analyses, of the reporting of suspected transactions, on the grounds of art. 6, para. (1) (c) of the Regulation, respectively for the observance of a legal obligation, corroborated with the KYC legislation and for the prevention of money laundering and financing of terrorism - the NBR Regulation No 2/2019 on the prevention and countering of money laundering and financing of terrorism and Law No 129/2019 on the prevention and penalisation of money laundering and financing of terrorism, as well as for

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<sup>1</sup> Online B@nking - Payment instrument with remote access based on a computer solution similar to Internet banking <sup>2</sup> Mobile B@nking - Payment instrument with remote access based on a computer solution similar to Mobile banking <sup>3</sup> Token device – DIGIPASS - A secured token device which provides access to Online B@nking

<sup>4</sup> Should you choose the authentication method for Mobile B@nking/Mobile Token the use of your fingerprint or facial image, the Bank does not process biometric data within the biometric system installed on your mobile device. These data are subject to the processing rules established and communicated by means of the respective device.

the amendment and supplementation of some regulatory documents. This category also includes the personal data of clients obtained by the Controller from other entities within the Group, for the prevention and countering of money laundering and financing of terrorism according to Law No 129/2019 such as: contact data (email address, phone number and domicile address), data in identification documents and copies of such documents, information and documents related to risk analysis according to Law No 129/2019 and regulatory documents issued for the application thereof etc. Thus, the procurement by the Data Controller of such updated information of the Data Subject may also lead to the update of similar data existing in the Data Controller's records, if the latter are different;

- c) for the preparation of reports to the state institutions, on the grounds of article 6, para. (1), (c) of the Regulation and of the applicable special legislation, respectively for the performance of activities related to inspections by the authorities, such as ANAF, ANPC, BNR, ANSPDCP etc.;
- d) for the collection of debts/ recovery of receivables owed to the Bank, according to the executed contracts and to the legitimate interests of the Bank to recover the receivables related to the existing contractual relationship with you, on the grounds of article 6, para. (1) (b) and (f) of the Regulation;
- e) for the execution of enforcement of the owed amounts, as well as of the administration of garnishments and seizure, on the grounds of art. 6, para. (1) (c) of the Regulation and of the Civil and Criminal Procedure Codes;
- f) for the execution of reports within the UniCredit<sup>3</sup> Group, which may involve data on the person, property, operations, business or business relationships or with persons within the same group of clients which represent or may represent a single risk, respectively upon the transactions of the account/ accounts opened with the Bank, in the grounds of the legitimate interest of the Data Controller (to provide prudential measures Group-wide), on the grounds of art. 6, para. (1), (f) of the Regulation;
- g) For the checks and reports in/to the Central Credit Register and checks performed in the ANAF database on the grounds of art. 6, para. (1) (a) and (c) of the Regulation and NBR Regulation No 2/2012 on the organisation and operation of the Central Credit Register within the National Bank of Romania, as further amended and supplemented;
- h) preparation and submission of financial statements to ANAF, on the grounds of art. 6, para. (1) (c) of the Regulation and of the Fiscal Procedure Code;
- i) preparation of FATCA reports should you be an US citizen or a resident on the territory of the US, as well as of CRS (Common Reporting Standard) reports for countering of tax evasion, on the grounds of art. 6, para. (1) (c) of the Regulation;
- j) for the release of the insurance policy in case you requested the release of a Visa Gold/MasterCardPlatinum debit card, on the grounds of art. 6, (b) of the Regulation;
- k) for the preparation of the contractual insurance documents and for the establishment of the quantum of the payment obligation of the insurance indemnity in case of occurrence of the insured risks, if you requested a group life insurance attached to the credit and/or an insurance of the asset brought as collateral, on the grounds of art. 6 (b) of the Regulation;
- l) for the monitoring, security and safety of persons, spaces, goods, by means of video cameras in the Bank offices, on the grounds of article 6 (f) of the Regulation and of Law no. 333/2003 on the security of facilities, goods, assets and protection of people;
- m) for the recording of communication via fax, digital channels (e.g., Online Banking, Mobile Banking, email) and calls and phone conversations performed by means of the Bank contact centres, for the streamlining and improvement of services provided to the client, on the grounds of article 6 (a) of the Regulation, as well as of the execution and performance in optimal conditions of the contracts executed with clients, respectively of the performance of phone and on-line transactions, on the grounds of art. 6 (b) of the Regulation;
- n) only if you expressed the option of direct marketing in other documents of the Controller, the performance of reviews that may lead to your profiling for marketing purposes (such as the evaluation of eligibility for the provision of standard or customised product and services from the Group portfolio, inclusively by the calculation of indicators in the evaluation of solvency, credit risk and for the determination of the level of indebtedness) and direct marketing, by the use of selected means of communication, for the receipt of communications on the products and services of the Controller, of the entities within the Group (funding/ crediting/ other types) and of their contractual partners (outside the Group), based on your consent **according to art. 6, para. 1) (a) of the Regulation),**

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<sup>3</sup> **Group/UniCredit Group** - UniCredit SpA (Italia) and companies controlled directly/ indirectly, including the companies in Romania (UniCredit Bank SA, UniCredit Leasing Corporation IFN SA, Debo Leasing IFN SA, UniCredit Leasing Fleet Management SRL, UniCredit Insurance Broker SA, UniCredit Consumer Financing IFN SA, UCTAM RO SRL etc.) and the legal successors of these entities

**according to the options expressed by you in the direct marketing agreement included in the application for the opening of an account/ relationship with the Bank, direct marketing agreement which is an integral part of the information note;**

- o) for the monitoring of customer satisfaction and quality of purchased services and products, on the grounds of legitimate interests of permanent improvement of the Bank services/ products, on the grounds of art. 6, para. (1) (f) of the Regulation;
- p) for statistical purposes, on the grounds of art. 6 (1) (f) and art. 89 of the Regulation;
- q) for the provision of information on accounts in case of your requests submitted to the Bank via a provider of information services on accounts, a processing performed by the Bank for the performance of an agreement which includes you as a party, on the grounds of art. 6, para. (1) (b) of the Regulation, but also for the observance of legal obligations of the Bank according to the legislation on payment services, on the grounds of art. 6, para. (1) (c) of the Regulation;
- r) for the execution of payment orders initiated by you via a provider of payment initiation services, a processing performed by the Bank for the performance of an agreement which includes you as a party, on the grounds of art. 6, para. (1) (b) of the Regulation, but also for the observance of legal obligations of the Bank according to the legislation on payment services, on the grounds of art. 6, para. (1) (c) of the Regulation;
- s) for the confirmation of fund availability (if an amount required for the performance of a payment operation based on card is available in the payment account accessible on-line), on the request of a third party service provider, which releases card-based payment instruments, a processing performed by the Bank for the performance of an agreement which includes you as a party, on the grounds of art. 6, para. (1) (b) of the Regulation, but also for the observance of legal obligations of the Bank according to the legislation on payment services, on the grounds of art. 6, para. (1) (c) of the Regulation;
- t) in order to guarantee the prevention, investigation and detection of frauds in the field of payments (inclusively with regard to the actions performed in your respect or by means of third party providers of payment services, respectively the providers of information services on accounts and providers of services for the initiation of payment), as permitted according to the legislation on payment services, on the grounds of art. 6, para. (1) (c) of the Regulation, as well as for the prevention of frauds and payments made by error through a process based on the legitimate interest of the initiating Banks to make available to the clients an effective instrument against increasing threats, on the grounds of art. 6, para. (1) (f) of the Regulation. In cooperation with Transfond, UniCredit Bank shall provide the Beneficiary Name Display Service (SANB), together with other providers of payment services in Romania, as participants to the service. Thus, your data (full name, initial of the surname and IBAN code) are transferred to the database managed by Transfond for the prevention of transaction fraud and undue payments.
- u) communication of information on functionalities, standard contractual-operational advantages/benefits, mechanisms for the operation of products and services held by the data subject, of additional products and services (provided by the Bank) which optimise the use of products and services already held, by methods such as payment by (equal) instalments, loyalty programmes, programmes for the use of products and services, by the means of communication, such as automated calling machines which do not require the intervention of a human operator, respectively email, text messages, fax, regular mail, phone conversations (e.g., Call Centre), Online/Mobile B@nking [e.g., notifications, messages including the "push notification" type (instantaneous notifications/messages)], based on the legitimate interest of the Bank to perform an adequate, correct and complete information of the Data Subjects with regard to the products and services held or auxiliary thereto, performance of informative campaigns for the data subjects, so that the data subjects have access to and/or maintain the services and products adequate to their needs and interests, according to art. 6, para. 1, (f) of the Regulation;
- v) prevention and countering of frauds [inclusively by the transmission of information messages which do not include personal data to the old phone number and/or the old email address and via a communication channel (email address/text message type) respectively existing in the Bank records, simultaneously with the update of the phone number and/or of the email address], based on the legitimate interest of the Bank to take the necessary and adequate measures to prevent and counter (potentially) fraudulent conduct, inclusively by means of mechanisms which provide a high level of maintenance of security and confidentiality of processing, according to art. 6, para. (1), (f) of the Regulation and of the legal obligation to take the appropriate measures against internal or external fraudulent behaviour and default of discipline, such as the default of internal procedures, default of limits, as provided under art. 52<sup>1</sup> of the NBR Regulation No 5/2013 on prudential requirements for credit institutions, as well as other legal directives with similar contents and art. 6, para. 1 (c) of the Regulation;
- w) for the appropriate operation of internal systems/applications of the Bank (regardless of their denomination), by activities (which can also be prior) as well as testing (e.g., use of personal data in test environments), design, development, so that the Bank can perform its current operations optimally, inclusively in areas such as

prevention and countering of money laundering (e.g., Law no. 129/2019 for the prevention and countering of money laundering and financing of terrorism, as well as for the amendment and supplementation of regulatory documents), application of international sanctions (e.g., GEO No 202/2008 on the application of international sanctions), countering of tax evasion (e.g., for FATCA purposes, according to Law No 233/2015 on the ratification of the Agreement between Romania and the United States of America for the improvement of international fiscal compliance and for the implementation of FATCA, signed in Bucharest on the 28th May 2015 and the Order of the Ministry of Public Finance No 1939/2016), considering that the activities mentioned before may be essential to the future operation of internal systems/ applications of the Bank, based on the legitimate interest of the Bank to provide the appropriate operation of Bank applications systems by the implementation of necessary measures (as well as prior use of personal data in test environments, design, development), so that the current operations of the Bank can be performed in an optimal manner, according to the relevant legislation, according to art. 6, para. 1, (f) of the Regulation;

- x) performance of analyses and studies by the Bank on issues such as the use of products and services, payment or lending standards for the development of analytical models and their periodical review for the optimisation of the business strategy and of the Bank products and services, based on the legitimate interest of the Bank to implement the adequate measures such as studies, analyses to forecast the needs and interest of the clients, the improvement of services and products of the Bank in line with the needs and expectations of the clients and the trends on the specific market, according to article 6, para. (1) (f) of the Regulation;
- y) preparation of a robust internal regulatory framework, performance of analyses in the field of antifraud and implementation of adequate measures (e.g., consulting of public sources) on actual basis, in order to avoid the commencement of relationships with persons with fraudulent behaviour according to art. 6, para. 1 (c) of the EU Regulation, of art. 52<sup>1</sup> of the NBR Regulation No 5/2013 and based on its legitimate interest for prudential management of reputational risk, according to art. 6, para. 1 (f) of the Regulation;
- z) performance of analyses, reports, other related operations in the area of international sanctions, according to GEO No 202/2008 on the application of international sanctions and art. 6, para. 1 (c) of the Regulation, for the observance of a task in public interests, according to art. 6, para. 1 (e) of the Regulation and based on the legitimate interest for prudential administration of reputational risk, according to art. 6, para. (1) (f) of the Regulation;
- z<sup>1</sup>) application by the Controller of the necessary measures for the prudential performance of consolidated supervision upon entities within the Group (e.g., UniCredit Consumer Financing IFN SA hereinafter referred to as "UCFin"), by the submission to UCFin (on demand) of the data on common clients, provided under the corresponding sub-paragraph of art. 1 to the present information note, so that the Operator (operational leader of the Group):
  - (i) maintains within the optimal efficiency and effectiveness parameters the credit risk, funding risk, model and strategic risk, on a Group-wide level, according to the relevant legislation;
  - (ii) to provide UCFin with the necessary conditions for the integrated analysis for lending and statistical modelling, by turning into accounts the data held by the Controller, in order to estimate the probability of default;
  - (iii) to avoid insolvency risk for common clients;
  - (iv) to provide compliance with relevant legislation, thus decreasing the possibility of occurrence of risks for the Operator and Group entities (which may affect the Operator indirectly), according to art. 6, para. 1 (f) of the Regulation;
- z<sup>2</sup>) franchising of electronic signature services (e.g., the release of electronic signature/ qualified digital certificates, display and affixing of electronic signature on related documents, management of application of signatures/ marks/ qualified electronic seal on electronic documents, the management process of submission of electronic documents to Data Subjects, transmission of electronically signed documents to the provider of the electronic archiving solution, the monitoring and reporting process and any other similar processes/services and/or auxiliaries, attached to the products and services provided by the Controller and requested by the Data Subjects, by the channels made available by the Controller (**art. 6, para. 1 (b) of the Regulation**);
- Z3<sup>3</sup>) for the update of your documents, data and information held by the Data Controller, it shall process the data of the contact person only if you provided the Data Controller with such data (**art. 6, para. 1), (b) of the Regulation**). The Data Subject is under the obligation to notify the contact person on the processing of data performed by the Controller, either by the transmission of the Note (via email, physical transmission) or by the specification of their consultation on [www.unicredit.ro](http://www.unicredit.ro), the Protection of personal data tab;
- z<sup>4</sup>) for the purposes of defence, exercise, acknowledgement, without limitation, of a right/ claim/ request etc. in court, in front of other authorities/ institutions/ natural or legal persons, auditors, without limitation, based on the legitimate interest of the Controller to take all necessary and adequate measures (documentation, protection, exercise, acknowledgement) for the protection of their rights and interests and provision of compliance with the applicable legislation (inclusively when there is a legal obligation or a public interest to that end), according to art. 6, para. 1 (f) of the Regulation and/or as applicable, art. 6 para. 1 (c) or (e) of the Regulation.

### **3. Duration of Personal Data processing**

- a) throughout the validity of the contracts executed with the Bank, plus 10 years following the termination of the contractual relationship, except for the circumstances which, given the applicable legal provision, specify the maintenance for a longer period or when the Bank justifies the legitimate interest, when the duration of processing may extend until the achievement of that legitimate interest;
- b) for a period of 5 years, plus a potential period of max. 5 years, upon the request of the competent authority, in the absence of a contractual relationship for the provision/supply of banking services/products to you, according to the law on the prevention and penalisation of money laundering (Law No 129/2019 and NBR Regulation No 2/2019).

Storage periods mentioned here regard all data processed by the Controller, including those in the direct marketing area (only if you expressed the direct marketing option in other documents issued by the Controller)

### **4. Data Controllers/ Data Processors and Data Recipients**

Personal data can be submitted to the following categories of recipients: a) data subject, representatives of the data subject, b) entities within the UniCredit Group, c) insurance companies (which may be associated Data Controllers of the Bank), d) debt collection/ debt recovery agencies, e) notary public, officers of the court, f) lawyers, authorised valuers, accountants, censors, auditors and other types of consultants, g) various service providers (e.g., IT, (e.g., IT/maintenance services and IT infrastructure, providers of electronic signature/(qualified) digital certificates, archiving, printing, couriers etc.), h) international organisations (e.g., card companies - Visa, MasterCard etc.), i) providers of technical services for processing/facilitation of payments (e.g., Romcard, Transfond, Society for Worldwide Interbank Financial Telecommunication etc.), j) public authorities from Romania (e.g., the National Bank of Romania, ANAF, National Office for the Prevention and Control of Money Laundering etc.) and abroad (e.g., European Commission, fiscal authorities etc.), k) other institutions of public or private law (e.g., National Credit Guarantee Fund for Small and Medium Enterprises), l) third party providers of payment services (in case you contracted specific services provided by them), respectively the providers of payment initiation services, providers of information services on accounts and providers of payment services which release card-based payment instruments. In case of submission of personal data to a third party or organisation abroad the information in the International Transfer section becomes applicable.

Personal data sent to the third parties shall be adequate, pertinent and non-excessive compared to the purpose for which they have been collected and which allows the transmission to a specific third party.

### **5. International transfer**

Personal data shall be transferred to SWIFT (Society for Worldwide Interbank Financial Telecommunication), as Data Controller, in case the performance of payment operations requested by you includes the processing via the SWIFT system. To that end, there is a possibility that the data transferred to SWIFT as operator are accessible to the US Department of the Treasury. In case you are a citizen of the United States of America (USA) or resident on the US territory, please be notified that according to FATCA (the US Foreign Account Tax Compliance Act), you are under the direct application of the legal directives on the fiscal conditions of the US, your data being sent by the Bank to the fiscal authorities in Romania, who can subsequently send them to the fiscal authorities of the USA.

Under all circumstances which will require the international transfer of data, this transfer shall only be performed if the recipient country provides an adequate level of protection of the personal data confirmed by a decision of the European Commission, such as the member countries of the European Economic Area (EEA).

In the absence of such a decision of the European Commission, the Bank will be able to transfer personal data to a third country only if the person who will process the data has provided adequate guarantees specified by the Law for the protection of personal data, including without being limited to the use of mandatory corporate regulations, standard data protection clauses adopted by the European Commission, standard protection clauses for the data adopted by the supervisory authority, of the contractual clauses authorised by a supervisory authority, adherence to a code of conduct approved by the supervisory authority.



The Bank can be contacted for the procurement of additional information on the provided guarantees for the protection of personal data in the case of each transfer abroad, by means of a written application to that end.

## 6. Necessity of Personal Data processing

Should you refuse the processing of Personal Data for the purposes specified under sections a) - k) , q)-t), v-z<sup>3</sup>) above – the Bank shall be unable to initiate legal relationships with you or to continue them, as it is unable to comply with the requirements of special KYC regulations in the financial - banking field, prudential requirements and of other legal regulations, inclusively to review the application for the provision of services by the Bank, to conclude/ execute/ perform the contract requested by you.

Should you oppose the processing of Personal Data for statistical purposes, please be informed that this option shall also be reviewed depending on the particular circumstances of the Data Subject, you will receive an answer according to art. 21 of the Regulation, as your objection against such operation does not have any effects on the continuation of the contractual relationship with the Bank.

Should you not agree to the processing of your personal data for direct marketing purposes or to contact you to receive your opinion on the services and products provided or acquired, the contractual relationship between you and the Bank will not be affected in any way.

If you have been or are an exclusive client of UniCredit Consumer Financing IFN SA and had/ have only viewing rights in Mobile Banking and considering that the Data Controller is in control of the Mobile Banking application, please be informed that it is possible that the new direct marketing agreement may become available to you on Mobile Banking, based on the legitimate interest of the Data Controller to consolidate the business relationship with the Mobile Banking users according to art. 6, para. 1 (f) of the Regulation.

## 7. As Data Subject, you have the following RIGHTS with exclusive regard to your personal data:

- a) the right of access to the data according to art. 15 of the Regulation;
- b) the right to rectification of the data according to art. 16 of the Regulation;
- c) the right of erasure of the data according to art. 17 of the Regulation;
- d) the right of restriction of the data according to art. 18 of the Regulation;
- e) the right to data portability according to art. 20 of the Regulation;
- f) the right to lodge a complaint according to art. 21 of the Regulation;
- g) the right to not be subject to automated individual decision making, including profiling, according to art. 22 of the Regulation;
- h) the right to contact the National Supervisory Authority for Personal Data Processing (ANSPDCP) and the courts of law.

We specify that, according to article 7, para. 3 of the Regulation, you are entitled to withdraw at any moment your consent for the consent-based processing with the maintenance of validity of processing performed until the date of such withdrawal. Except for the right specified under (h) which is exercised by means of an application submitted to the National Supervisory Authority for Personal Data Processing (ANSPDCP) or to the competent court, **for the exercise** of the other **rights**, you can also submit a written, dated and signed application to UniCredit Bank SA at the address: Bulevardul Expozitiei, nr. 1 F, sector 1, Bucuresti, postal code 012101, or via email at [infocenter@unicredit.ro](mailto:infocenter@unicredit.ro), respectively by calling +40 21 200 2020 (normal toll number in the land line network of Telekom Romania) or \*2020 (normal toll number on the mobile networks of Telekom Romania, Orange, RCS&RDS, Vodafone).

Should you submit a request for the exercise of your rights on the protection of personal data, the Bank must reply to this request within one month, which can be extended by two months, in the circumstances provided by the Regulation.

Should you intend to file an application for the exercise of the rights above, with regard to the associated Data Controller - insurance company - which issued the insurance policy, you can contact it according to those specified in the insurance policy.

Within UniCredit Bank S.A, the data protection manager has the following contact data: Bulevardul Expozitiei nr.1 F, sector 1, Bucharest, postal code 012101, e-mail [dpo@unicredit.ro](mailto:dpo@unicredit.ro).



You can check at any time the information note on the website of the bank, at the address [www.unicredit.ro](http://www.unicredit.ro), SME tab, personal data protection tab.

## **OPERATING MECHANISM OF THE DIRECT MARKETING AGREEMENT**

In order to understand and make an informed choice of the direct marketing options (as presented below)\*, please note the following:

- "Direct marketing" means commercial communications sent following a prior agreement, intended to promote products or services of UniCredit or the UniCredit Group Romania under the legislation applicable to legal entities, i.e. the legislation on personal data processing in case of freelance customers, sole proprietorship or liberal professions;
- This direct marketing agreement has the following purposes: (i) the integrated promotion of services and products (banking, non-bank finance, leasing, insurance, etc.) belonging to UniCredit Bank SA, UniCredit Leasing Corporation IFN SA, UniCredit Insurance Broker SRL, UniCredit Leasing Fleet Management SRL, members of the UniCredit Group Romania (hereinafter referred to as the "UniCredit Group Romania"), as well as (ii) the promotion of its contractual partner products, outside the UniCredit Group Romania, so that you have multiple options that best suit your needs and interests in order for your final decision to be informed;
- The meaning described at letter A below refers to the transmission of commercial communications by the legal entity (hereinafter referred to as "UniCredit") which collects your options regarding direct marketing, as well as by other entities of the UniCredit Group Romania.

Thus, based on your agreement, UniCredit will send you commercial communications regarding its own products and services and the products and services of other entities of the UniCredit Group Romania, and you may also receive commercial communications directly from other entities of the UniCredit Group Romania about services and products, which involves:

- (i) Prior communication by UniCredit to these entities, based on your agreement, of the company contact details, i.e. the tax reference number and/ or name of the company and/ or telephone number and/ or registered office address and/ or email address and/ or field of activity and/ or the names of the company's legal representatives and, in case of freelance clients, sole proprietorship or liberal professions, the contact data mentioned in the Information Notice on personal data processing (GDPR Note), i.e. full name and/ or telephone number and/ or email address and/ or mailing address;
- (ii) Prior to sending commercial communications, based on your agreement, UniCredit or UniCredit Group Romania entities may profile you for direct marketing purposes based on the data held or transferred in advance within the group, following the agreement you expressed at letter A, such as the type of owned products and services, the contractual term, the credit history, the number of owned products and services, in compliance with the legal provisions and data processing principles, under the GDPR for freelance clients, sole proprietorship or liberal professions, in particular the principles of data minimization and purpose limitation, so that you receive communications according to your interests.
- The meaning described at letter B below refers to products and services of third parties (outside the UniCredit Group Romania), contractual partners of UniCredit and entities within the UniCredit Group Romania.

Thus, based on your agreement, you may receive commercial communications directly from UniCredit and the UniCredit Group Romania entities about the products and services of their contractual partners, and you may also receive commercial communications directly from UniCredit contractual partners (about their products and services), including:

- (i) Prior communication by UniCredit to its contractual partners, i.e. the entities of the UniCredit

Group Romania, of the company contact details, i.e. the tax reference number and/ or name of the company and/ or telephone number and/ or registered office address and/ or email address and/ or field of activity and/ or the names of the company's legal representatives or, in the case of freelance clients, sole proprietorship or liberal professions, the contact data mentioned in the GDPR Note, i.e. full name and/ or telephone number and/ or email address and/ or postal address;

(ii) Prior to sending commercial communications, UniCredit, UniCredit contractual partners and UniCredit Group Romania entities may profile you for direct marketing purposes based on the data held or transferred in advance, following the agreement you expressed at letter B, such as the type of owned products and services, the contractual term, the credit history, the number of owned products and services, in compliance with legal provisions, and data processing principles, under the GDPR for freelance clients, sole proprietorship or liberal professions, in particular the principles of data minimization and purpose limitation, so that you receive communications according to your interests

- The meaning described at letter C below refers to the channels through which you will receive communications according to the options selected at letters A and B.

Please keep in mind the fact that the options will be effectively provided within the account opening request (initial provision) or whenever you later want to update them.

Within this document, the information from letters A, B and C below are presented with the aim of facilitating the understanding of the functioning mechanism of the marketing agreement and to anticipate and establish accurately the significance of your choices.

#### Updating your options

- You can update your direct marketing options at any time by submitting a written request to any of the UniCredit Group Romania entities;
- Please note that the latest update of the communication channel options at any of the UniCredit Group Romania entities will result in the transmission of commercial communications related to any of these entities on the updated channels, if you are a customer of several entities of the UniCredit Group Romania.
- You can withdraw the agreement: by written request submitted to any of the UniCredit Group Romania entity, by sending an email to [infocenter@unicredit.ro](mailto:infocenter@unicredit.ro) or by the BusinessNet messenger service. If you decide to withdraw your agreement, then you will NOT receive any more commercial communications about the products and services of (i) UniCredit and other UniCredit Group Romania entity and/ or of (ii) UniCredit partners and UniCredit Group Romania entities.

The marketing options updates and/ or the agreement withdrawal can be done by the company legal representative/ freelancer, the sole proprietorship or the liberal profession or by the person empowered in this respect.

We recommend that, prior to expressing and updating the direct marketing options (letters A, B, C below), you consult the List of Member Entities of the UniCredit Group Romania and the List of Partners of each related entity, available at [www.unicredit.ro](http://www.unicredit.ro), [www.unicreditleasing.ro](http://www.unicreditleasing.ro), [www.unicreditinsurancebroker.ro](http://www.unicreditinsurancebroker.ro), [www.unicreditleasing.ro/ro/home.html#UniCredit\\_Leasing\\_Fleet\\_Management](http://www.unicreditleasing.ro/ro/home.html#UniCredit_Leasing_Fleet_Management) or in any UniCredit Bank SA branch, in order for you to make an informed decision and to avoid receiving unsolicited communications. The member entities of the UniCredit Group Romania reserve the right to revise this list of contractual partners, hence we recommend you to periodically consult this list through the channels mentioned above.

\*UniCredit- the legal entity that collects the subject's direct marketing options

\*\* UniCredit Group Romania means the entities of the UniCredit Group Romania, i.e. UniCredit Bank SA, UniCredit Leasing Corporation IFN SA, UniCredit Insurance Broker IFN SA, UniCredit Leasing Fleet Management SRL and its legal successors.

**Before selecting your options, please read the clauses regarding the operating mechanism of the direct marketing agreement.**

A.  I agree /  I do not agree that the company data/ personal data, in case of freelance clients, sole proprietorship or liberal professions, to be processed for direct marketing purposes on the following ways:

(i) UniCredit\* may send communications about its own products and services and about the products and services belonging to the entities of the UniCredit Group Romania\*\* (ii) any other entity of the UniCredit Group Romania may send direct communications about its products and services, which requires a prior transfer by UniCredit of the company data/ my contact data and data regarding the contractual relationships with UniCredit (i.e. owned products, the contractual term, etc.) to other entities of the UniCredit Group Romania; (iii) UniCredit and/ or the entities of the UniCredit Group Romania may perform profiling for direct marketing purposes based on the data categories mentioned at point (ii) above for the operations set out at points (i) and (ii) above.

B.  I agree /  I do not agree that the company data/ personal data, in case of freelance clients, sole proprietorship or liberal professions to be processed for direct marketing purposes on the following ways:

(i) UniCredit and the entities of the UniCredit Group Romania may send communications about the products and services of their contractual partners (outside the UniCredit Group Romania), which requires prior transfer of the company data/ my contact data and/ or data regarding the contractual relationship with UniCredit (i.e. owned products, the contractual term, etc.) by UniCredit to the entities of the UniCredit Group Romania; (ii) UniCredit contractual partners may send direct communications about the owned products and services, which requires prior transfer by UniCredit of the company data/ my contact data and/ or data regarding the contractual relationship with UniCredit (i.e. owned products, the contractual term, etc.) by UniCredit to its contractual partners; (iii) UniCredit and/ or the entities of the UniCredit Group Romania and/ or the UniCredit contractual partners may perform profiling based on the data categories mentioned at points (i) and (ii) above for the operations set out at points (i) and (ii) above.

A. The direct marketing communications derived from the options expressed at points A and B above will be sent through the following channels:

SMS:

Email:

Telephone call (including automatic means that do not require human intervention):

BusinessNet and BusinessMobile:

Mail:

\*UniCredit- the legal entity that collects the subject's direct marketing options

\*\* UniCredit Group Romania means the entities of the UniCredit Group Romania, i.e. UniCredit Bank SA, UniCredit Leasing Corporation IFN SA, UniCredit Insurance Broker IFN SA, UniCredit Leasing Fleet Management SRL and its legal successors

The Romanian version shall prevail.