

## ***INFORMATION NOTICE ON THE PROCESSING AND PROTECTION OF PERSONAL DATA***

The following information notice aims to provide you (the whistleblower, the reported person and any other third party involved) with an overview on the use of your personal data by UniCredit Bank SA and of your rights connected to this processing, pursuant to the General Regulations on the Protection of Personal Data - Regulation (EU) 2016/679 (hereinafter also GDPR or the "Regulation") and of Law 190/2018 on the measures to implement the Regulation.

### **1. DATA CONTROLLER AND DATA PROTECTION OFFICER**

According to articles 13 and 14 of the Regulation (EU) 2016/679 of the European Parliament and of the Council 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 ('**Regulation**' or '**GDPR**') and the Law no 190/2018 (Data Protection Law in Romania), collectively referred to as the "Data Protection Laws", in relation to the management of the whistleblowing system, we hereby inform you that any information and personal data voluntarily provided through the whistleblowing system (the "**Personal Data**") will be processed by UniCredit Bank SA., with registered office in Bucharest, no 1F Expozitiei Blvd, District 1, Romania (**UniCredit**) as the Controller of the Personal Data (the "**Data Controller**", the "Bank" "We", "Us") in line with the abovementioned Data Protection Laws.

You can contact the Data Protection Officer at: E-mail: [dpo@unicredit.ro](mailto:dpo@unicredit.ro) or at UniCredit Bank SA, *Data Protection Office*, Bucharest, no 1F Expozitiei Blvd, District 1.

### **2. PURPOSE AND LEGAL BASIS OF PROCESSING**

The processing of Personal Data of the whistleblower, the reported person and any other third parties involved ("**Data Subject**" or jointly "**Data Subjects**") will occur for one or several of the following purposes:

- in order to pursue a legitimate interest of the Data Controller in terms of article 6(1) (f) of the GDPR, in facilitating the provision of information by Data Subjects to the Data Controller regarding a suspected breach of compliance with applicable laws throughout all of the Data Controller's operations and to counteract any unacceptable conduct;
- as may be strictly and objectively necessary for the application and the management of the whistleblowing system mentioned above, including the assessment of the facts reported as well as the production of reports regarding the functioning and the results of the system itself;
- in the event that the whistleblowing system is used to place questions and queries regarding the company's compliance, in order to provide a response to the requests made by the Data Subject;
- in order to enforce or defend the rights of the Data Controller before judicial courts, for no longer than is necessary for the purpose of safeguarding such rights.

### **3. THE CATEGORIES OF PERSONAL DATA PROCESSED**

The Personal Data processed within the whistleblowing system will be limited to the Personal Data that you willingly/voluntarily provide to us, data that you consider strictly and objectively necessary to sustain the legitimacy of the allegations made, such as your name, surname, mailing address, telephone or mobile number and/or email address, according to the principle of minimization and strict necessity. Please take into consideration that reports can also be made anonymously, provided they are adequately documented.

Disclosure of special categories of personal data (i.e. data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, data concerning health or a natural person's sex life or sexual orientation), if not relevant for the case of whistleblowing, should be avoided. In any case, UniCredit will process these data only for purposes strictly connected and necessary to verify the truthfulness of the unacceptable conduct reported.

Disclosure of judicial data (i.e. personal data relating to criminal convictions and offences or related security measures), if not relevant for the case of whistleblowing, should be avoided. In any case, UniCredit will process these data only for purposes strictly connected and necessary to verify the truthfulness of the unacceptable conduct reported.

### **4. RECIPIENTS OR CATEGORIES OF PERSONAL DATA RECIPIENTS**

Internal access to the personal data processed as part of the investigation of the allegations shall be granted strictly on a need to know basis, that is subject to the necessity to have access. In particular, the personal data could be communicated to natural persons - appointed as persons authorized to process personal data - with regard to the data necessary for the performance of the duties assigned to these persons, belonging to the following categories: employees, temporary employees, interns belonging to the departments involved in the analysis and investigation of the whistleblowing case, considered relevant in relation to the subject of the report.

Your data can be communicated to those subjects to whom this communication shall be carried out in compliance with an obligation established by law, by a regulation or by EU legislation, if this is required, for example, by any subsequent criminal law proceedings or if the whistleblower maliciously makes a false statement.

### **5. DATA PROCESSING MODALITIES**

The Personal Data will be processed both manually and with the aid of electronic or automated means, relying on logics which are strictly related to the purposes mentioned above and nevertheless suitable in order to guarantee the highest security and confidentiality in compliance with the provisions of the Data Protection Laws. We do not rely on any decisions taken solely by automated means (in other words, without significant human intervention) – including any profiling. Should this position change in the future (and only as We may be legally permitted to do), you will be notified accordingly.

With reference to the purposes referred to in paragraph 2 above, the provision of the Personal Data of the whistleblower is not statutorily, nor contractually mandatory, considering that it is also possible to submit a whistleblowing report and/or questions and queries relating to the compliance field in an anonymous manner.

In the event of identified reports (i.e. those reports which are not submitted anonymously) the Personal Data and, in particular, the identity of the whistleblower will remain strictly confidential and will not be disclosed to third parties other than those indicated under paragraph 4, unless such identity needs to be disclosed – in compliance with the principle of proportionality and in order to meet a legal obligation – to the relevant people and/or authorities involved in any further investigation and/or subsequent judicial proceedings conducted as a result of the assessments carried out.

## **6. DATA RETENTION PERIOD**

The Personal Data will be processed for the period of time strictly and objectively necessary for the achievement of the scope and the purposes identified in paragraph 2 above, but in any case no more than 5 years since receiving the whistleblowing report.

At the end of the applicable retention period, personal data related to the data subjects will be erased or stored in a form which does not permit the data subjects' identification (e.g. irreversible anonymization), unless the further processing is necessary for one or more of the following purposes: i) for resolution of pre-litigation and/or litigation started before the expiration of the retention period; ii) to follow up with investigations/inspections by internal control functions and/or external authorities, started before the expiration of the retention period; iii) to follow up with requests from the Romanian and/or foreign public authorities received/notified to UniCredit Bank SA before the expiration of the retention period.

## **7. DATA SUBJECT RIGHTS**

You, as a Data Subject as understood under the Data Protection Laws, have a number of rights that are applicable under certain conditions and in certain circumstances, including your:

Right of access to your Personal Data processed by Us;

Right to ask Us to rectify inaccurate Personal Data concerning you;

Right to have Us erase your Personal Data ('right to be forgotten');

Right to ask Us to restrict (that is, store but not further process) your personal data;

Right to ask Us to provide your personal data to you in a structured, commonly used, machine-readable format, or (where technically feasible) to have it 'ported' directly to another data controller ('right to data portability')

Right to object to Our processing your personal data on the grounds of Our legitimate interest;

Right to lodge a complaint with the Romanian Data Protection Authority or else to appeal to the Judicial Authorities.

The rights of the data subject (in particular, the reported person) may be limited pursuant to and for the purposes of penal law and in compliance with EU Regulation 2016/679, art. 23, if from the rights exercise

above indicated could arise a real and effective prejudice to the confidentiality of the whistleblower's identity or this exercise would jeopardize the assessments that are being carried out.

The assessment on the necessity for data subject rights' limitation rests with the Controller whit the relevant functions in the matter. In this case, the Controller must provide to the data subject a reasoned communication, without delay, of rejection/delay/limitation/exclusion of the above indicated request to rights' exercise.

To exercise the rights described above, you can contact: [infocenter@unicredit.ro](mailto:infocenter@unicredit.ro).

The deadline for the reply is one (1) month, that may be extended by two (2) further months in cases of particular complexity; in these cases, UniCredit informs you about such extension within one (1) month of receipt of the request.

The exercise of rights is, in principle, free of charge.

UniCredit informs you that in order to lodge a complaint with, or make a report to the *DATA PROTECTION AUTHORITY*, you can use the contacts of the *DATA PROTECTION AUTHORITY* that can be consulted on the website <http://www.dataprotection.ro>.

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For more details, please see the **UniCredit Bank's Regulation regarding Unacceptable Conduct Report - Whistleblowing**.