

INFORMATION NOTICE ON PERSONAL DATA PROCESSING IN BUSINESS DEALINGS WITH LEGAL ENTITIES

Banca Intesa ad Beograd (hereinafter: "the Bank" or "the Controller") processes personal data of natural persons, collected for the purpose of establishing business relationship with legal entities (hereinafter: "Personal Data" or "the Data"), legally, fairly and transparently, and this Notice has been prepared with intent to inform the Data Subjects in a simple way on the purposes of processing the Data and type of Data the Bank collects directly from the Data Subjects (e.g. when statutory representative gives directly his/her own Data to the Bank) or from other parties (e.g. when statutory representative provides Data on beneficial owners), as well as on how the Data Subject may protect his/her rights and other details on the Data processing.

According to the Personal Data Protection Law (hereinafter: "the Law"), personal data may be any information relating to an identified or identifiable natural person, including name, surname, postal address, ID number, phone or mobile phone number, etc.

In context of this Notice, the term "legal entity" or "entity" refers to companies and other legal entities subject to mandatory registration with a responsible Authority (e.g. foundations, sport associations, trade unions, tenant associations, bankruptcy estates, etc.).

Section 1 - IDENTITY AND CONTACT DETAILS OF THE DATA CONTROLLER

Banca Intesa ad Beograd
Milentija Popovića No. 7b
11070 Novi Beograd
www.bancaintesa.rs

Section 2 - CONTACT DETAILS OF THE DATA PROTECTION OFFICER

Our Data Protection Officer is available for any matter relating to the processing of your Personal Data and/or to exercise the rights provided by the Law, using any of the following channels:

- E-mail: zastita.podataka@bancaintesa.rs;
- Registered address of the Bank: Banca Intesa ad Beograd, Milentija Popovića No. 7b, 11070 Novi Beograd – Attn. Data Protection Officer;
- Written request delivered to any of our Branch Offices, addressed to the Data Protection Officer.

Section 3 - PURPOSE AND LEGAL BASIS OF THE PROCESSING, AND CATEGORIES OF PERSONAL DATA

Purpose and legal basis of the processing

Purpose and legal basis of the Data processing depend on the type of the relationship with the Bank. Processing of the Data is minimised to those necessary for fulfilling the purpose (e.g. preparation and/or execution of a contract on a current account of a legal entity, or granting a loan to an entity, etc.), and complying with the prescribed obligations of the Bank (e.g. prevention of money laundering, risk management, etc.). Personal Data processed within maintaining business relationship with a legal entity usually refer to a statutory representative, attorney or other person authorised to represent the entity, as well as to beneficial owner of the entity.

Legal basis for collection and processing of the Personal Data is prescribed by a law (e.g. Law on Prevention of Money Laundering and the Financing of Terrorism, etc.), or the processing is needed for execution of a contract, or to pursue a legitimate interest of the Bank or a third party, or it may be founded on a consent. Please find more details below.

(a) Providing services and performing contracts

The processing of Personal Data is needed for preparation and execution of a contract with the entity providing the Data to the Bank, or for providing the services to that entity, or for taking the steps prior to entering into the contract. Refusal to provide Personal Data necessary for the said purpose do not allow the Bank to fulfil the relevant requests and/or enter into the contract.

(b) Complying with the Bank's legal obligations

Processing of Personal Data in order to comply with the regulatory provisions is mandatory and consent of the Data Subject is not required. Such processing is performed, for example, when it is required by anti-money laundering or taxation regulations, fraud prevention regulations in the payment services, or for risk management purposes or fulfilling instructions or requests of supervisory and control authorities (such as the National Bank of Serbia, Administration for the Prevention of Money Laundering).

(c) Legitimate interest of the Bank or third parties

The Bank may process Personal Data on the ground of pursuing its own or third party's legitimate interest if such interest overrides the interests and fundamental rights and freedoms of the Data Subject. Data processing is founded on pursuing legitimate interest, for example, in the following cases:

- when the purpose of the processing is to ensure IT security of the Bank's systems and activities, including the security of services offered to clients;
- when the processing is done for the purpose of monitoring and preserving physical security in the business premises of the Bank (e.g. in case of video surveillance of the Bank's business premises, or visitor logs);
- when the purpose is to prevent and/or investigate fraud and other criminal offences against the Bank, its clients and/or third parties;
- when the processing is required to initiate and conduct legal disputes in order to exercise the rights and interests of the Bank or third parties.

The Bank may process the Data in order to pursue any other legitimate interests or interest of the Bank or third party, subject to evidence that achieving such interests does not override fundamental rights and freedoms of the Data Subjects, which is assessed by the Bank's Data Protection Officer through so called "balancing test".

In the said cases the Data Subject has the right to require protection of his/her rights at any time, as described in Section 7 below.

(d) Consent to Data processing

Concerning the fact that the Bank is legally obliged to process Personal Data of beneficial owners, statutory representatives and other natural persons representing an entity or which are generally connected with the entity, such processing is allowed without the Data Subject consent.

Categories of Personal Data processed

(A) Basic Identification Data

In order to establish a business relationship, the Bank needs basic Identification Data, as to meet its legal obligations (e.g. under the provisions of the Law on Prevention of Money Laundering and the Financing of Terrorism, or the regulations on payment services or foreign exchange operations, etc.). For the said purposes, the Bank collects Personal Data, such as: name and surname, date and place of birth, unique personal identity

number (JMBG), domicile/residence address, type, number and validity of identification document, citizenship, etc. Copy of ID document of the Data Subject is kept in accordance with the Anti-Money Laundering regulations, but also for the purpose of pursuing legitimate interest of the Bank regarding fraud prevention.

Refusal to provide the specified Data will result in the rejection of the entity's application for establishing a business relationship with the Bank.

(B) Other Data categories

In certain cases, the Bank also processes Contact Data needed for mutual communication and/or fraud prevention, such as: postal address, phone or mobile phone number, e-mail address (e.g. when private address, phone, mobile phone or e-mail are used). Those Data may be used for the purpose of performance of a contract or in the event of prevention of potential card frauds and/or other frauds.

Communication with the Bank's Contact Centre by telephone is recorded, of which caller/person receiving call will be warned beforehand and have possibility to quit the conversation.

Other Data presented below are collected and processed depending on the type of products and services demanded by a legal entity, and they are necessary for execution of a contract or taking necessary steps prior to entering into a contract.

Loans, guarantees – In order to prepare contractual documentation for a loan or guarantee, the Bank processes Personal Data of a natural person representing the legal entity, and particularly Identification Data specified under (A) and some of other Data mentioned under (B) above. When other parties also participate in the credit arrangement with a legal entity (e.g. joint and several debtor, guarantor, lien debtor, etc.), the Bank also processes their Personal Data (basic Identification Data and other data), referring to natural persons being other party, or connected to other entity – party in the arrangement. When other party in the loan arrangement is a natural person, the Bank assesses his/her creditworthiness for the purpose of credit monitoring and debt collection (e.g. the Bank obtains the report for that person from the Credit Bureau, evaluates his/her ability to meet financial obligations, etc.).

Payment accounts and payment transactions – When concluding a framework contract on payment services with an entity (including opening a transaction account), the Bank processes Personal Data of a natural person that represents the entity and signs the contract on behalf of the entity, as well as Personal Data of persons authorised to dispose the account, specified in the Specimen Form ("KDP"), and beneficial owners. For the purpose of production, activation and maintenance of **business payment cards**, we also collect and process Personal Data of natural persons – direct users of the cards. In order to prevent misuse and fraudulent actions by third parties, responding to customers' disavowals, etc., the Bank processes Data on **business payment card** users' phone/mobile phone numbers, as well as some specific Data required by card processors (Dina/Visa/MasterCard/Amex).

The Bank also processes Personal Data of a natural person signing **deposit agreement (term deposit)** on behalf of a legal entity, depending on the type of deposit (e.g. Identification Data).

In order to perform agreement on using **electronic/mobile banking** and ensure adequate technical support and improve the quality of its digital services, the Bank processes also the technical Data that are a prerequisite for using the service by means of remote communication (e.g. mobile phone number, the type of mobile device or computer, name and version of the mobile application, etc.).

Brokerage transactions – For the purpose of performance of contracts on the use of brokerage services, the Bank may collect and process the basic Identification Data under (A) and the Contact Data of a natural person representing the legal entity in those transactions, as well as Data on its beneficial owners. During the telephone conversation being recorded, for the purpose of unambiguous identification and performance of the contract on brokerage services, the Bank may ask natural person representing the legal entity for his/her Personal Data.

(C) Personal Data processed by the Bank as the Processor

Except as controller, the Bank processes certain Personal Data as a processor on the basis of a contract for the assignment of certain Data processing activities by third parties. In such cases, the Bank processes Personal Data exclusively by order and according to the instructions received from the controller pursuant to the Law.

Manner of Personal Data collection

Personal Data are collected directly from the Data Subject (e.g. statutory representative of the legal entity entering into agreement with the Bank) or from third parties (e.g. statutory representative provides Data on beneficial owners or other persons authorised to dispose the account, listed in the Specimen Form – KDP). If the Data are not obtained directly from the Data Subject, this Notice will be delivered to the legal entity that provided the Data, which shall forward it to the Data Subjects (its beneficial owners, legal representatives, etc.).

Section 4 - CATEGORIES OF RECIPIENTS TO WHOM YOUR PERSONAL DATA MAY BE COMMUNICATED

To achieve the purposes of Data processing, the Bank might communicate the Data to the following categories of recipients:

- 1) **Intesa Sanpaolo** S.p.A., Torino, Italy (hereinafter: "the Parent Company") and members of its Group;
- 2) **third parties** that process the Personal Data within:
 - banking, financial or insurance services, payment systems, revenue offices or treasuries;
 - recording the financial risks for the purpose of preventing and controlling the risk of insolvency;
 - credit recovery and related activities;
 - providing and managing procedures and IT systems;
 - security and CCTV management services;
 - real estate appraisal services;
 - auditing activities and consultancy;
 - managing communication with customers, as well as the storage of Data and documents, whether in paper or electronic form;
 - recording of service quality, market research, information and commercial promotion of the Bank's products and/or services.
- 3) **responsible Authorities and institutions** (such as the National Bank of Serbia, judicial and administrative authorities);
- 4) **public information systems** (e.g. Single Register of Accounts of Entities, maintained by the National Bank of Serbia).

The recipients of Personal Data may act as: 1) independent Data Controllers, i.e. subjects which determine the purposes and means of the Personal Data processing; 2) Data Processors, i.e. subjects which process the Personal Data on behalf of the Bank as the Controller or 3) Joint Data Controllers, which determine, together with the Bank, the relevant purposes and means. When processing Personal Data, the recipients are due to apply measures to protect the Data at the same level as the Bank.

More details on Data Processors and Joint Data Controllers may be obtained in any Branch Office of the Bank or from the Data Protection Officer.

Section 5 - TRANSFERRING PERSONAL DATA TO A THIRD COUNTRY OR TO AN INTERNATIONAL ORGANISATION

Personal Data are processed by the Bank in Republic of Serbia and exceptionally the Data are transferred to other country or international organisation. The Data Subject consent is not required if such other country or international organisation guarantees appropriate safeguards.

It is considered that appropriate safeguards are ensured in the countries and international organisations: (a) parties to the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, or (b) vis-à-vis the “adequacy” decisions of the European Commission based on the appropriate safeguards, or (c) when the transfer of Personal Data is regulated by governmental agreement with such country or international organisation.

When necessary, the Bank transfers the Personal Data to the Parent Company’s central Databases and to the Intesa Sanpaolo Group members operating in the countries fulfilling conditions specified above.

Transfer of the Data to a third country or international organisation not fulfilling the said prerequisites may not be executed without explicit consent of the Data Subject, if other requirements defined in Article 69 of the Law are satisfied.

More details on safeguards may be obtained in any Branch Office of the Bank or from the Data Protection Officer.

Section 6 - PROCESSING METHOD AND PERSONAL DATA RETENTION TIME

Personal Data are processed using manual and electronic tools and in a way that ensures their security and confidentiality.

In accordance with the Law on Prevention of Money Laundering and the Financing of Terrorism, the Data are retained for a time period of 10 years, starting from the end of the business relationship with the Bank, or from ceasing the connection between the natural person and the entity (e.g. in case of changing statutory representatives, or authorised persons, or beneficial owners). Other Personal Data are kept until achieving the purpose they had been collected for, unless the Bank needs them in order to comply with its prescribed obligations or to pursue a legitimate interest.

Section 7 - RIGHTS OF THE DATA SUBJECT

The Data Subject may exercise his/her rights by sending a specific request to the Data Protection Officer at any time, and using any of the channels specified in Section 2 above. Any communications and actions undertaken by the Bank in connection with exercising the rights listed below, will be made free of charge. However, if the requests are manifestly unfounded or excessive, in particular due to their repetitive character, the Bank may charge a fee, taking into account the administrative costs incurred, or refuse to act on the requests.

The Data Subject has the following rights:

7.1 Right of access

Right of access enables the Data Subject to obtain from the Bank information as to whether or not his/her Personal Data are being processed and, where that is the case, to obtain access to the Personal Data and the information, such as: the purposes of the processing, type of processed Data, Data recipients, retention period, etc. Where Personal Data are transferred to a third country or to an international organisation, the Data Subject has the right to be informed of the appropriate safeguards relating to the transfer, as provided in Section 5 above. If requested, the Bank shall provide the Data Subject with a copy of the Personal Data undergoing processing. For any further copies requested, the Bank may charge a reasonable fee based on the administrative costs. If the request is submitted by electronic means, and unless otherwise requested, the information shall be provided by the Bank in a commonly used electronic form.

7.2 Right to rectification

If requested by the Data Subject, the Bank will correct the Data that are inaccurate, as well as amend Data that are incomplete.

7.3 Right to erasure

The Data Subject may require from the Bank to erase his/her Personal Data, if any of the reasons provided by Article 30 of the Law occurs (e.g. when the Data are no longer necessary in relation

to the purposes for which they were collected or processed). The Bank may not erase Personal Data: if their processing is necessary, for example, to comply with a legal obligation, for reasons of public interest (complying with the regulatory order), for the establishment, exercise or defence a legal claim (e.g. filing a court claim, conducting judicial/administrative proceedings, etc.).

7.4 Right to restriction of processing

The Data Subject may obtain the restriction of processing his/her Personal Data if one of the cases provided by Article 31 of the Law applies (e.g. should the accuracy of the Data or legitimate grounds of the processing be contested, etc.).

7.5 Right to Data portability

At the Data Subject request, the Bank will provide him/her with the Data in a structured, commonly used and machine-readable format (e.g. at a computer) and enable him/her to transmit the Data to another Data Controller without hindrance from the Bank, subject to all of the following conditions: (a) the processing is based on the consent or it is necessary for the execution of a contract, and (b) the processing is automated, and (c) the Data transfer does not affect fundamental rights and freedoms of other persons.

Subject to technical feasibility, the Data Subject may request to have his/her Personal Data transmitted directly from the Bank to another Data Controller.

7.6 Right to object

The Data Subject may object at any time to the processing of Personal Data, if the processing is grounded on pursuing legitimate interest or public interest or the Bank’s rights established by the law. In such case, the Bank will abstain from further processing the Data, unless compelling legitimate grounds for the processing occur, overriding interests, rights and freedoms of the Data Subject, or the processing is necessary for the establishment, exercise or defence of legal claims (e.g. filing a court claim, counter-claim, etc.).

7.7 Automated decision-making process relating to natural persons, including profiling

In case of certain applications, the Bank adopted fully automated decision-making processes. If the Data Subject deem that his/her rights might be harmed by a decision reached in such process, he/she have a right to object such decision and require from the Bank to re-consider it in presence of human intervention.

7.8 Right to lodge a complaint with the Commissioner for Personal Data Protection and right to initiate court and/or administrative proceedings

Should the Data Subject deems that the processing of his/her Personal Data takes place in breach of the Law and/or the applicable regulations, he/she may lodge a complaint with the Commissioner for Information of Public Importance and Personal Data Protection. The Commissioner’s rulings may be challenged in administrative proceedings within 30 days of delivery of its decision. Initiating administrative proceedings does not affect right of the Data Subject to appeal to any other administrative or jurisdictional court.

Section 8 - PROCESSING OF SPECIAL CATEGORIES OF PERSONAL DATA

Processing of special categories of Personal Data (biometric Data for the purpose of uniquely identifying a natural person), requires explicit consent of the Data Subject, without prejudice to specific cases provided by the Law, which allows the processing of such categories of Data also without the explicit consent (e.g. when collecting copy of the ID document with the fingerprint specimen).