

Procedure for Processing and Protecting Clients' Personal Data

On the basis of the provisions of the Law of Ukraine "On Personal Data Protection", ProCredit Bank JSC (hereinafter "the Bank") hereby presents the **procedure for processing personal data and the rights of the personal data subject**.

The Bank carries out banking activities exclusively in accordance with the requirements of the law of Ukraine and takes all necessary measures to comply with the Constitution of Ukraine, the Law of Ukraine "On Banks and Banking Activities", the Law of Ukraine "On Personal Data Protection", other laws and by-laws of Ukraine, the Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data, and international treaties to which Ukraine is a signatory.

The main terms in the field of personal data protection include the following:

Personal database means a named set of organised personal data in electronic form and/or in the form of personal data card files.

Personal data controller means a natural person or a legal entity that decides on the purpose of the processing of personal data, on which personal data should be stored, and on what processing operations should be applied to the data, unless otherwise stipulated by the law.

Consent of the personal data subject means voluntary expression of the will of a natural person (provided that he/she is informed) regarding the granting of permission for the processing of his/her personal data in accordance with the formulated purpose of their processing, expressed in writing or in a form that makes it possible to conclude that consent has been given. In the field of electronic commerce, consent of the personal data subject can be given during registration in the information and telecommunications system of the subject of electronic commerce by indicating that the subject has granted authorisation for the processing of his/her personal data in accordance with the stated purpose of their processing, provided that the system does not allow personal data to be processed until the consent of the personal data subject to have his/her personal data processed has been entered into the system.

Anonymisation of personal data means the removal of information that allows direct or indirect identification of a person.

Card file means any structured personal data accessible in accordance with the defined criteria, regardless of whether the data are centralised, decentralised or divided according to functional or geographical principles.

Personal data processing means any operation or set of operations such as collection, registration, accumulation, storage, adaptation, alteration, updating, use and dissemination (distribution, implementation, transfer), depersonalisation, or destruction of personal data, which in particular may involve the use of information (automated) systems.

Personal data means information or aggregate information about a natural person who is identified or may be identified.

Personal data processor means a natural person or a legal entity that has obtained the right to process personal data on behalf of the personal data controller or in accordance with the provisions of the law.

Personal data subject means a natural person whose personal data are processed.

Third party means any person, except for the personal data subject, the personal data controller or processor and the Commissioner for Human Rights of the Verkhovna Rada of Ukraine, to whom the personal data controller or processor transfers personal data.

Purpose of Personal Data Processing

The Bank processes clients' personal data in order to establish business relations with them, to provide them with banking (financial) services, and to prepare and submit financial, tax, statistical or other reports in accordance with the requirements of the law of Ukraine.

In order to ensure a high level of banking (financial) services and to comply with the requirements of the law of Ukraine, a client signing any contract with the Bank, a payment order or another document in the context of a bank (financial) transaction gives to the Bank, without any reservations, his/her consent:

to the collection, registration, accumulation, storage, adaptation, alteration, updating, use and dissemination (distribution, implementation, transfer), depersonalisation, destruction of personal data,

including using information (automated) systems, for the purpose of preventing and counteracting the legalisation (laundering) of proceeds from crime, financing terrorism and financing proliferation of weapons of mass destruction, providing financial (banking) services and ensuring the exercise of rights and performance of obligations in the field of financial (banking), economic, administrative and legal, tax and bookkeeping relations, relations in the field of security, credit risk management, relations arising with institutions that can audit the Bank's activities under the law of Ukraine and/or contracts concluded with the Bank, relations arising in the event of the client's failure to perform his/her obligations under the contracts concluded between the client and the Bank, including those related to forced debt collection, relations in cases where the Bank concludes claim assignment agreements, other relations that require personal data processing provided for by the provisions of the Constitution of Ukraine, the laws of Ukraine, regulations, contracts concluded with the client, etc.

to the inclusion and processing of his/her personal data in personal databases owned by the Bank, namely:

– “Reporting”, the purpose of processing personal data, which includes: ensuring the implementation of tax, bookkeeping, administrative and legal relations, which require personal data processing and are aimed at the exercise by the Bank of the rights and performance of the obligations provided for by the law of Ukraine, including the Tax Code of Ukraine, the Commercial Code of Ukraine, the Labour Code of Ukraine, the Laws of Ukraine “On Personal Data Protection”, “On Accounting and Financial Reporting in Ukraine”, “On Employment of the Population”, “On the National Bank of Ukraine”, “On Banks and Banking Activities”, “On Payment Services”, “On Organisation of Formation and Circulation of Credit Histories”, “On Deposit Guarantee System for Individuals”, “On Prevention and Counteraction of the Legalisation (Laundering) of Proceeds from Crime, Financing Terrorism and Financing Proliferation of Weapons of Mass Destruction”, other laws of Ukraine, whereunder the Bank has the right/obligation to submit reports and regulations adopted pursuant thereto

– “Clients”, the purpose of processing personal data in which includes: ensuring the implementation of relations between the Bank and its clients in the field of economic, financial (banking) services, relations in the field of security, credit risk management; relations arising in case of the client's failure to perform his/her obligations under the contracts concluded between the client and the Bank, including related to forced debt collection, other relations that require personal data processing and are aimed at the exercise by the Bank of rights (including restoration of a violated right) and performance of obligations provided for by the contracts concluded with the Bank and/or the charter, regulations, other by-laws of the Bank and/or the Constitution of Ukraine, the Civil Code of Ukraine, the Commercial Code of Ukraine, other codified laws, the Laws of Ukraine “On the National Bank of Ukraine”, “On Banks and Banking Activities”, “On Payment Services”, “On Enforcement Proceedings”, “On Organisation of Formation and Circulation of Credit Histories”, “On the Bar”, other laws of Ukraine and regulations adopted pursuant thereto

to grant access to his/her personal data by the authorised state body for personal data protection and administrators of personal databases, as well as third parties entitled to receive and/or process the client's personal data in accordance with the law of Ukraine and/or written permission/consent of the client and/or the contract concluded between the Bank and the third party, including in cases of restoration of a violated right of the Bank, if the client has committed a violation by non-performance or improper performance of the terms and conditions of the contracts concluded with the Bank and/or conclusion of claim assignment agreements by the Bank, etc.

The personal data databases are located at: 107-A Beresteiskyi (Peremohy) Ave., Kyiv, 03115.

Grounds for Personal Data Processing

The Bank processes personal data with the consent of the personal data subject and in other cases provided for by Article 11 of the Law of Ukraine “On Personal Data Protection”.

Grounds for personal data processing in accordance with the law of Ukraine are:

- consent of the personal data subject to the processing of his/her personal data
- permission to process personal data granted to the personal data controller in accordance with the law exclusively for the exercise of its powers

- conclusion and execution of a deed to which the personal data subject is a party or which was concluded for the benefit of the personal data subject or for the implementation of measures preceding the conclusion of a deed at the request of the personal data subject
- protection of vital interests of the personal data subject
- the need to perform the obligation of the personal data controller provided for by the law
- the need to protect the legitimate interests of the personal data controller or a third party whom personal data are transferred, except when the need to protect the fundamental rights and freedoms of the personal data subject in connection with the processing of his/her data prevails over said interests

Please note that the Bank processes personal data obtained from publicly available sources without the consent of the personal data subject.

The appeal of the personal data subject to the Bank or the use of the Bank's services implies the consent of the subject to the processing of his/her personal data by the Bank in connection with the appeal or use of the Bank's services.

Upon the client's signing of any contract with the Bank, questionnaire, application for opening an account, payment order or another document in connection with a bank (financial) transaction, his/her personal data are included in the personal data databases "Reporting" and "Clients" owned by the Bank. Any client signing a contract with the Bank, questionnaire, application for opening an account, payment order or another document under a bank (financial) transaction confirms that the Bank, by means of this provision, in accordance with Part 2 of Article 12 of the Law of Ukraine "On Personal Data Protection", has properly notified the client in writing of the inclusion of his/her personal data in personal data databases, the location of personal data databases, his/her rights defined by the Law of Ukraine "On Personal Data Protection", the purpose of data collection and the persons to whom they are transferred and/or who have access to his/her personal data.

The procedure for accessing personal data is determined by the Bank independently in accordance with the requirements of the Law of Ukraine "On Personal Data Protection".

To obtain access to personal data and for other issues related to personal data processing, the Bank must be contacted in writing at the following address:

107-A Beresteyskyi (Peremohy) Ave., Kyiv, 03115.

Composition and Content of Personal Data Processed by the Bank

The composition and content of personal data processed by the Bank constitute any information about a natural person, including, but not limited to, information regarding:

- last name, given name, patronymic, information specified in the passport (or other identity document), registration number of the taxpayer's card (identification number)
- passport details (or details of other identity document)
- citizenship, date and place of birth
- place of residence/stay and registered place of residence, conditions of residence
- education, profession
- position and place of work, length of work
- financial status, income/charges, deductions
- voice recordings and/or photo and video images
- credit history and any information on the status of performance by the personal data subject of obligations under contracts concluded with the Bank and/or other institutions
- contact telephone and fax numbers, e-mail addresses
- cases of administrative or criminal liability, etc.

In order to monitor transactions using electronic means of payment in accordance with the law of Ukraine, the Bank processes personal data regarding the place of stay/location of the personal data subject and details of completed payment transactions (withdrawal of cash from ATMs, use of a payment card when paying for goods and services, other transactions).

In accordance with the effective law of Ukraine, the Bank has the right to demand from the client other documents and information containing personal data solely for the purpose of the Bank performing activities in compliance with the requirements of the law of Ukraine, which regulates relations in the field of preventing and counteracting the legalisation (laundering) of proceeds from crime, financing terrorism and financing proliferation of weapons of mass destruction.

The Bank processes personal data received from third parties if it is provided for by the law of Ukraine or on the condition that they provide a guarantee that such transfer is carried out by a third party in compliance with the requirements of the law of Ukraine and does not violate the rights of persons whose personal data are transferred to the Bank.

The Bank does not process personal data on racial or ethnic origin, political, religious or ideological beliefs, membership in political parties and trade unions, as well as data related to health, sexual life, biometric or genetic data.

Rights of Personal Data Subjects

In accordance with Article 8 of the Law of Ukraine “On Personal Data Protection”, the personal data subject has the right to:

1. know about the sources of collection, the location of his/her personal data, the purpose of their processing, the location or place of residence (stay) of the personal data controller or processor or give the appropriate instructions to obtain such information to persons authorised by him/her, unless otherwise stipulated by the law
2. receive information about the conditions for granting access to personal data, in particular information about third parties whom his/her personal data are transferred
3. access his/her personal data
4. receive, no later than thirty calendar days from the date of receipt of the request, unless otherwise stipulated by law, a response to enquiries asking whether his/her personal data are being processed and to receive the contents of his/her personal data
5. submit to the personal data controller a reasoned demand with an objection to the processing of his/her personal data
6. make a reasoned demand for the alteration or destruction of his/her personal data by any personal data controller and processor if the personal data are processed illegally or are unreliable
7. protect his/her personal data from illegal processing and accidental loss, destruction, damage due to intentional concealment, failure to provide or untimely provision of data, as well as protection from providing information that is unreliable or disgraces the honour, dignity and business reputation of a natural person
8. submit complaints about the processing of his/her personal data to the Commissioner or the court
9. apply remedies in cases of violation of the personal data protection legislation
10. define the extent to which his/her personal data may be processed when giving consent
11. revoke consent to the personal data processing
12. know the mechanism of automatic personal data processing
13. be protected from automated decisions that have legal consequences for him/her

Ways to Transfer Personal Data

A client signing any contract with the Bank or performing a payment transaction using the Bank’s services thereby gives his/her consent to the processing of their data by the Bank (including data relating to the personal data of the client and/or are considered a bank secret) and the provision of the same to:

- persons working for the Bank
- institutions with a significant share in the Bank’s share capital
- institutions that can audit the Bank’s activities in accordance with the law of Ukraine and/or the contracts concluded with the Bank
- persons related to the provision of services to the Bank and/or the client (for example, issuers of bank cards, persons providing telephone or postal services, etc.)
- persons specified above or other persons located outside Ukraine in accordance with the requirements of the law of Ukraine, including foreign creditors of the Bank whose funds are involved in the Bank’s lending to the client
- databases to which the Bank is obliged to send information related exclusively to the client’s financial obligations or unpaid debts to the Bank in accordance with the law or agreement, including databases maintained by credit history bureaus to which the Bank transfers information that makes up

the client's credit history in accordance with the terms and conditions of the contracts concluded with them

the Credit Register of the National Bank of Ukraine in cases where the Bank carries out a credit transaction with respect to the client in the manner and under the conditions stipulated by the law of Ukraine

third parties in the form and scope determined by the Bank if it is necessary for it to establish, verify and analyse the financial status of the client for the purpose of granting him/her a loan, the state of collateral, security or assistance in the client's performance of the terms and conditions of the loan agreement, the security agreement, transfer of rights to the Bank under the loan agreement, the security agreement to third parties, as well as in cases in which the client violates the terms and conditions of contracts concluded between him/her and the Bank

banking and other institutions belonging to the group (parent (holding) company and its subsidiaries), which includes the Bank, by nature of its corporate ties, in particular the ProCredit group, the Bank's shareholders, rating agencies, auditing companies that carry out verification/rating of the Bank, legal entities that participate in the process of securitisation of the Bank's assets

law enforcement agencies when implementing law enforcement measures upon the client's request

state bodies, state notarial offices, private notaries, private enforcement officers, other banks, including the National Bank of Ukraine, etc. in the cases and manner prescribed by the Law of Ukraine "On Banks and Banking Activities"

Personal Data Protection

The Bank takes all necessary measures to ensure the confidentiality and to prevent the unauthorised disclosure of its clients' personal data. In the Bank, access to clients' personal data, including those processed using the Bank's automated systems, is granted exclusively to the Bank employees performing transactions related to such access and provided for by their job duties, rights and obligations.

In order to prevent the unauthorised disclosure of clients' personal data, the Bank has implemented and configured DLP (Data Leakage Prevention) mechanisms, which provide for control over the sending of clients' personal data by means of remote communication, as well as the Clean Desk Policy, which provides for the storage of documents and information with clients' personal data in paper and electronic form in securely protected cabinets and premises.

When establishing business relations with third parties, in order to prevent the unauthorised disclosure of clients' personal data, the Bank concludes an NDA (Non-Disclosure Agreement), which provides for the conditions of protection and strict non-disclosure of clients' personal data.

Regulations in the field of personal data protection:

The Constitution of Ukraine:

<https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80#Text>

The Law of Ukraine "On Banks and Banking Activities":

<https://zakon.rada.gov.ua/laws/show/2121-14#Text>

The Law of Ukraine "On Personal Data Protection":

<https://zakon.rada.gov.ua/laws/show/2297-17#Text>

The Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data:

https://zakon.rada.gov.ua/laws/show/994_326#Text

Additional Protocol to the Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data Regarding Supervisory Authorities and Transborder Data Flows:

https://zakon.rada.gov.ua/laws/show/994_363#Text

Control over compliance with the personal data protection legislation within the limits of the powers provided for by the law of Ukraine shall be carried out by:

*The Commissioner for Human Rights of the Verkhovna Rada of Ukraine
21/8 Instytutska Str., Kyiv, 01008, Ukraine*

*Tel.: (044) 299-74-08; 0800-50-17-20.
www.ombudsman.gov.ua*