

## NOTIFICATION ON PERSONAL DATA PROCESSING

Pursuant to the Law on Protection of Personal Data (hereinafter: the Law), we hereby inform you, the Party to whom the data relate (hereinafter: the Party), of the processing of the personal data by ProCredit Bank a.d. Belgrade (hereinafter: the Bank). This notification provides information on the personal data processing method, along with information regarding your rights in relation to such processing, according to the relevant Law.

### **1. Information about the data controller**

ProCredit Bank a.d. Belgrade

Registration number: 17335677

Address: Milutina Milankovica 17, 11070 Belgrade – New Belgrade, Republic of Serbia

E-mail address: [srb.infocentar@procredit-group.com](mailto:srb.infocentar@procredit-group.com)

Official website: <https://www.procreditbank.rs/>

### **2. Information on the person in charge of personal data protection**

Within the implementation of the highest standards for personal data protection, the Bank appoints a person responsible for personal data protection, available for any consultation or request regarding the process of your personal data, via e-mail at: [srb.dpo@procredit-group.com](mailto:srb.dpo@procredit-group.com) or via post at Milutina Milankovica 17, 11070 New Belgrade (with the following annotation: For the person in charge of personal data protection).

### **3. The purpose and legal grounds for data processing**

The Bank processes data in a legal, fair and transparent manner. When collecting data, the Bank is, without exception, guided by the rule to collect minimum data required to fulfil the purpose for which the data are being collected and to adhere to its legal requirements.

Purpose and legal grounds for data processing depend on the type of a business relationship with the Bank (for instance, concluding and performing an agreement on opening and maintaining an account, granting a loan and the like). Legal grounds for processing may be defined under law (for instance the Law on Prevention of Money Laundering and the Financing of Terrorism). However, legal grounds may also refer to performance of an agreement, acting upon a request prior to concluding an agreement, protection of the legitimate interest of the Bank or a third party, as well as your direct consent to data processing for the specified purpose.

#### **3.1 Provision of banking services and performing contracts**

The Bank processes data upon a request made by a Party, i.e. the Bank's client, for a product and/or service (for example, performance of a transaction, opening and maintaining an account, card issuance, granting and disbursing a loan). At the client's request, the Bank may process data prior to the conclusion of an agreement, and subsequently, when concluding the agreement and further fulfilling its obligations and exercising its rights defined under the Agreement, i.e. performing transactions.

The Bank may process personal data in cases when the Party is not a Bank's client, but enters into a business relationship with the Bank on other basis (for example, sureties and other security providers, persons authorised to access client's account).

### **3.2 Complying with the Bank's legal obligations**

The current regulations stipulate obligations which the Bank is obliged to perform in its regular operations. The Bank processes data which are necessary for the execution of its legal obligations, which specify the type and scope of data that the Bank is obliged to collect and keep in its records for a certain period of time (for example, data on representatives/procurators/authorised persons of legal entities, data on beneficial owners, as defined by the Law on Prevention of Money Laundering and the Financing of Terrorism).

### **3.3 Implementing legitimate interest of the Bank or a third party**

In certain cases, there may be a justified interest in data processing, and the Bank shall process data only if the processing in question does not violate the interest, rights and freedoms of the Party, i.e. when the interest of the Party or the exercise of rights and freedoms of the Party is not predominant. Situations in which the Bank bases data processing on the protection of a legitimate interest (of its own or a third party), may be security of the Bank's information system, security of products and services offered by the Bank, monitoring and preservation of security in the Bank's business premises (video surveillance, access control), prevention/detection of misuse, fraud and other criminal offenses, submission, conducting or defence of a legal claim, monitoring and assessment of risk that the Bank is required to monitor in its operations. The Bank is entitled to process data to protect its legitimate interest in other instances as well, having provided evidence that said interest is not outweighed by the interest, rights and freedoms of the Party.

### **3.4 The Party's consent**

The Bank may process personal data for specific purposes and based on the consent of the Party. The Party shall grant his/her consent clearly, unambiguously, unconditionally, freely and voluntarily, upon obtaining information by the Bank, in advance, about the manner in which the Bank handles the data, expression of will, statement or clear affirmative action. An example of data processing upon consent may be processing for the purpose of delivering offers and advertising material, market research and customer satisfaction, acting on inquiries submitted via the Bank's website.

Consent withdrawal - The Party has the right to partially or completely withdraw consent at any time, provided that he/she notifies the Bank in one of the prescribed manners which allow for documentation and identity verification: via e-mail or post at the addresses defined under item 2 of this Notification. The Bank may provide alternative channels for consent withdrawal, depending on the type of processing and communication channel, to provide for a simple and easily available manner to withdraw consent.

Upon the receipt of the withdrawal, the Bank will stop using the data for the purpose to which the withdrawal relates, and will handle the data in accordance with current regulations. Withdrawal of consent takes effect from the moment of its submission to the Bank and does not affect the permission to data processing prior to the submission, i.e. has no retroactive effect, therefore, processing prior to the withdrawal is considered permitted.

## **4. Primaoci podataka o ličnosti**

In certain cases, to fulfil the purpose of the processing, the Bank is entitled to submit the personal data to the following:

- Bank's shareholders (ProCredit Holding AG & Co. KgaA, Frankfurt, Republic of Germany) or other banks and institutions within ProCredit Group, whose updated list may be found on the following website: <https://www.procredit-holding.com/procredit-worldwide/procredit-institutions-worldwide/>;
- National Bank of Serbia;
- Credit Bureau of the Association of Serbian Banks;
- National Mortgage Insurance Corporation;
- The Administration for the Prevention of Money Laundering;
- The Chamber of Commerce and Industry of Serbia;
- External Bank auditors;
- Correspondent banks;
- State bodies and authorised persons and organisations to which it is obliged to submit data;
- Third parties with whom the Bank has concluded a relevant agreement regulating handling confidential and personal data (for example, providers of IT services hired to develop and maintain the Banks information systems, providers of marketing services, authorised receivables collection agents, persons assessing the value of pledge, archiving service providers and administrative service providers).

## **5. Personal data transfers**

The Bank may transfer personal data to other countries, parts of their territories or one or more sectors within those countries and international organisations considered to provide an adequate level of personal data protection, and which are members of the Council of Europe's Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, as well as those which are recognised by the European Union to provide an adequate level of protection as determined under the RS Decision - Decision on the list of countries, parts of their territories or one or more sectors within those countries and international organisations which are considered to provide adequate level of personal data protection.

In the event of data transfer into countries, parts of their territories or one or more sectors within those countries and international organisations which are not on said List, the Bank shall, prior to data transfer, conduct a comprehensive analysis and undertake adequate data protection measures and provide for legal protection and the ability to exercise all rights the Party is entitled to in accordance with Law. Personal data protection measures may also include the following:

- Contractual provisions which include standard contractual clauses drafted by the Commissioner for Information of Public Importance and Personal Data Protection (hereinafter: The Commissioner);
- Contractual provisions previously approved by the Commissioner;
- Existence of binding rules, approved code of conduct (including a binding and enforceable implementation of adequate protection measures) or issued certificate in accordance with the Law;
- Existence of legally binding agreement between state organs, which provide for an adequate protection of legal entities to whom the data relate to.

Data transfer into a country or an international organisation not included in the aforementioned sections, shall be permitted in exceptional cases and in a manner prescribed under Article 69 of the Law. For any additional information concerning protection measures in data transfers, please contact the person for personal data protection as defined in section 2 of this Notification.

## **6. The time limit for personal data keeping**

The Bank processes personal data for the duration of time required to fulfil the purpose of the processing, and for the following periods:

- duration of the business relationship with the Bank;
- bank's obligation defined under the current legislation;
- after termination of the business relationship with the Bank for the duration of time prescribed by relevant regulations (10 years after the end of the business relationship) or to pursue legitimate interest;
- until the withdrawal of consent to data processing for a specified purpose.

## ***7. The rights of the Party to whom the data relate***

In certain cases, in the manner and with limitations prescribed under the Law, the Party to whom the data relate is entitled to request from the Bank the exercise of the following rights:

### ***7.1 Right to access the data***

The Party to whom the data relate has the right to request from the Bank information on data processing, access to the data as well as information on the following:

- the purpose and type of personal data being processed;
- recipient or type of recipients of the data within the country or abroad;
- time limit for data keeping or elements which determine such time limit;
- right to request correction or deletion of their Personal data by the Bank;
- right to limit data processing and right to object;
- right to submit a complaint to the Commissioner;
- information on the source of Personal data;
- any automatized decision-making process, including profiling, as well as information on logic based on which the automated decision is made, expected consequences and their significance;
- protection measures pertaining to data transfer, if data are transferred abroad or to international institutions.

The Party may request a copy of data which are being processed by the Bank.

### ***7.2 Right to correction and amendment of data***

If, upon access, i.e. obtaining information on data processing from the Bank or a copy of the data, the Party determines that the data held by the Bank are inaccurate or incomplete, he/she may request the Bank to correct or update and amend such data.

### ***7.3 Right to deletion***

The Party to whom the data relate may request the Bank to erase his/her personal data which are being processed. The Bank shall, without delay, act in accordance with the Party's request as envisaged under the Article 30 of the Law.

### ***7.4 Right to processing limitation***

Provided that the conditions from Article 31 of the Law are met, the Party is entitled to request from the Bank to limit the processing of his/her personal data, in the manner defined under said Article, and especially in cases when, for instance, the Party disputes the accuracy of the personal data or indicates that their processing is illegal.

The Bank will consequently inform the recipients of personal data on any correction, update, amendment of data, or deletion of data or processing limitation, except in cases when it is not possible or requires excessive consumption of time and resources. The Party has the right to submit a request to the Bank for information on all data recipients.

### **7.5 Right to data portability**

The Party is entitled to request data from the Bank in a structured, commonly used and electronically readable form, for the purpose of transferring said data to another controller, but also to request from the Bank direct transfer of data to a new controller, if it is technically feasible, taking into account the necessary data security standards, in the manner and under the conditions defined in Article 36 of the Law.

### **7.6 Right to objection**

The Party may at any time submit to the Bank an objection to the processing of personal data which is performed in order to fulfil the legally defined powers of the Bank or in cases of legitimate interest. The Party has the right to file an objection in cases of processing for the purpose of direct advertising, including profiling to the extent that it is related to direct advertising.

Immediately upon receipt of the objection, the Bank shall terminate the processing of personal data, unless there are legal reasons for processing that outweigh the interests, rights and freedoms of the Parties or are related to the submission, exercise or defence of a legal claim. If the complaint relates to processing for the purposes of direct advertising, the data of the Party may not be further used for the stated purpose.

A Party may submit a request for exercising his/her rights via e-mail or post at the addresses defined in section 2 of this Notification. The Bank reserves the right to request the submission of additional information necessary to confirm the identity of the Party who submitted the request, in order to act upon the request. As regards the objections, the Party may also file an objection through the channels defined in the Notification on the manner of submitting objections, which is published on the Bank's website. The Bank will provide all necessary assistance and clarifications to the Party in exercising his/her rights.

Upon the receipt of such request, the Bank must act without delay, the latest within 30 days from the receipt of the request, with a possibility to extend the deadline for another 60 days, if necessary, of which it must inform the Party within 30 days from the day of the receipt, in a manner prescribed by the Law. In the event the Bank is prevented from acting upon request, it is obligated to inform the Party about the reasons within 30 days from the day of the receipt of the request, along with a notification on the right to file a complaint to the Commissioner, i.e. a claim to the court.

## **8. Automated decision making**

The Bank does not have any automated personal data processes (including profiling) through which such decisions are made that may have any legal consequences or significantly affect the status of the Party to whom the data relate.

In the event that the Bank adopts any Automated decision-making process regarding these particular decisions, the Party to whom the data relate shall be notified of the settings and logic based on which the automated decision is made, along with information on the significance and consequences the Party may expect in this case, as well as the rights of the Parties as defined under Article 38 of the Law.

## **9. Notification on personal data violation**

In the event of the violation of personal data to such extent that produces a high level of risk against the rights and freedoms of the Party to whom the data relate, the Bank shall, without delay, inform the Party of such violation, stating all relevant information in a clear and understandable manner, except in cases when said is not envisaged by Law.

## **10. Obligation to provide data**

The Bank collects and processes data necessary for the entering into and execution of a business relationship, implementation of legal regulations and protection of legitimate interests of the Bank or a third party.

In the event that the Party fails to submit the requested data necessary for action pertaining to concluding and performing an agreement, the Bank shall not enter into or shall terminate such business relationship, i.e. shall not be able to provide requested service or product. The Bank shall not enter into a business relationship in the event it fails to collect necessary data in accordance with valid legislation and the existing business relationship shall be terminated.

Regarding data which are not necessary for the fulfilment of a specific business relationship, implementation of legal regulations and legitimate interests of the Bank or a third party, such data are collected and processed based on an unsolicited consent of the Party, and the Party may decide not to submit such data or consent, without any consequences to the banking services and products used by the Party, i.e. to the established business relationship.

## **11. Legal remedies**

The Party to whom the data relate has the right to submit the complaint against personal data processing to the Commissioner for Information of Public Importance and Personal Data Protection, if he/she feels that his/her personal data processing is in violation of the Law. The submission of such a complaint to the Commissioner does not affect the rights of this Party to initiate other legal or court proceedings to ensure protection.

## **12. Protection measures**

The Bank implements adequate organisational, staff and technical measures, with the aim to enable an adequate level of protection and implementation of data processing in accordance with the Law, especially taking into account the risk related to the rights and freedoms of the Party to whom the data relate. The Bank regularly updates and deliberates the adequacy of the implemented measures.

The Bank strives to limit the processing only to data which are necessary for the purpose of their processing, including the amount of data, scope of processing, time limit of their keeping and availability of the data. The Bank has established an organisational structure, procedural framework and a clear division of responsibilities, in a manner which precisely defines the obligations and responsibilities of the Bank's employees. The area of personal data protection is included in the system of internal training and development of employees, to raise awareness and familiarize them with the importance of handling personal data in accordance with high standards. Additionally, data access rights are based on the de minimis principle, with limited access rights and a password system, which guarantee the integrity and confidentiality of data processed by the Bank.

### **13. Final provisions**

This Notification is available on the Bank's official website at [www.procreditbank.rs](http://www.procreditbank.rs), as well as in its service points.

The provisions of the current Law and relevant regulation are applied in handling all issues which are not defined within the Notification or concluded agreement.



za pozive iz fiksne mreže  
(po ceni lokalnog poziva)  
0 700 700 000



za pozive sa mobilnih telefona  
(po ceni operatera sa kojih su usmereni)  
011 20 57 000



[www.procreditbank.rs](http://www.procreditbank.rs)