



SBERBANK

Personal Data Processing and Protection

Effective as of 14.12.2018

PERSONAL DATA PROCESSING AND PROTECTION

according to the Regulation of the European Parliament and Council (EU) 2016/679 as of 27.04. 2016 on the protection of natural persons in connection with the processing of personal data and on the free movement of such data ("GDPR") and related legal regulations ("Information Memorandum").

Dear client,

thank you for confidence you have displayed in using products and services of our bank. We would like to provide you in this Information Memorandum with clear and comprehensible information concerning in particular the methods we use to process your personal data, in which categories, scope and for which purposes, from which source it is received and to whom it is transmitted. As well, you will find information on your rights in the field of personal data processing in this document.

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Who are we and how can you contact us?

Your personal data is administered by Sberbank CZ, a.s., with its registered address at U Trezorky 921/2, Jinonice, 158 00 Prague 5, Id. No.: 250 83 325, incorporated in the Trade Register of the Municipal Court Prague, Section B, File 4353 ("Sberbank"). Sberbank as the administrator of your personal data determines the purpose and means used for your personal data processing, it processes your personal data and is responsible for such processing. In some cases, Sberbank may also be in the position of a personal data processor when processing personal data for purposes determined by another administrator. For more information on Sberbank's activities and services see www.sberbankcz.com.h www.sberbankcz.cz. If you do not find answers to your questions in this Memorandum on the Sberbank website or should you need more detailed explanation of some information, you may contact us:

by e-mail: mail@sberbankcz.cz
by phone: +420 800 133 444 (Monday to Friday 7:00 a.m. 8:00 p.m.)
by mail: U Trezorky 921/2, Jinonice, 158 00 Prague 5

Starting from 25.5.2018, you may also contact the Sberbank Personal Data Protection Officer by e-mail at dpo@sberbankcz.cz.

Which personal data do we process?

Identification and address details: name, surname, academic degree, date of birth, birth certificate number, identity card details (including, where applicable, making photocopies of the identity document at the date of the emergence of a business relationship or during the term of such relationship in accordance with legal regulations), permanent address, mailing or other contact address, registered office, ID. No., VAT No. (or similar identifier for clients who are not tax residents of the Czech Republic)

Demographic data: marital status, number of children, sex, data on family members or household members, education achieved

Electronic contact details: (cell) phone number, e-mail address, data box ID

Other electronic data: IP address, data related to the use of electronic banking services and other Sberbank client systems (identifiers), localisation data of your device, cookies (short text files that are stored in your computer when loading the Sberbank website)

Product and service data: bank account number, client number, SIPO link number, specimen signatures and signatures of the client, amount of payments and their history, account balances, credit card details, other personal data provided by the client in the contract, addendum, application or other documents, at meetings, and in telephone or e-mail communication

Information on the financial situation (creditworthiness, payment status and credibility): transaction history and fulfilment of payment obligations, product and service information, information from client information registers and other open and non-public registers and records, client's (investment) profile, maintenance obligation payments, ordered executions

Sensitive and similar personal data: health condition data (disability, pregnancy), legal capacity, data contained in the criminal record, details of any possible criminal proceedings

Phone call records and information from these records

Camera records from cameras located in Sberbank (especially at branch offices)

How do we obtain your personal data?

We obtain your personal information from you, from third parties, from public sources or from our own activities. Should such personal data be collected from you, we inform you whether the provision of such personal information is required by the law of by the contract or, as the case may be, a requirements that has to be included to the contract, whether you are obliged to provide your personal data and what would be possible consequences of your refusal to provide the personal data. We obtain your personal data:

From you, in particular:

- based on your requests, queries and contract negotiations,
- from phone communication (in particular communication with the information line and marketing communication)
 - note that we monitor and record all calls for the purpose of fulfilling legal obligations, improving the quality of services provided and protecting our rights and legitimate interests and you are always informed on this at the beginning of the phone conversation,
- when communicating via e-mail or in other written communication,
- in personal communication at a branch, in other premises.

From public and non-public registers and records, in particular from the following:

- the Commercial Register,
- the Register of Trades
- the Insolvency Register,
- the Central Accounts Register,
- the Central Executions Register,
- the Actual Owners Data Register,
- the Trust Fund Register,
- the Associations Register,
- the Foundations Register,
- the Institutions Register,
- the Unit Owner Register,
- the Economic Entity Register:
- the Land Register:
- from social networks and from the Internet.

From third parties, including but not limited to:

- other users of the Bank Client Information Register (BRKI) and Non-bank Client Information register (NRKI),
- from state administration bodies in the fulfilment of our legal obligations or under special legal regulations,
- from a court, an insolvency trustee or a bailiff.

From our own activities, including but not limited to the following:

- evaluation and analyses of your personal data obtained from other above mentioned sources.

For what purposes do we process your personal data?

We process your personal data only to the extent necessary for the given purpose and for the time necessary to achieve the specified purpose. Once the original purpose (such as performance of the contract) has been met, we can process personal data for other purposes (for example, to fulfil the statutory archiving time). Processing purposes are given below in this section. We generally archive your personal data for a period of time specified by legal regulations, contract or based on our legitimate interest (for example, for the duration of the limitation period when we may be interested in applying or defending our legal claims).

We process your personal data for the following purposes:

- a) contract negotiations and fulfilment, implementation of measures taken before the conclusion of the contract on your request, handling your requirements and requests (hereinafter referred to as "**fulfilment of the contract**"),
- b) fulfilling our legal obligations,
- c) risk management, in particular reviewing your creditworthiness, payment status and credibility and enforcing or defending our legal claims ("**risk management and property protection**"),
- d) support of the sale of our products and/or products of our business partners ("**marketing purposes**"),
- e) internal administration purposes.

a) Performance of the contract

We process your personal data for purposes related to the performance of contractual obligations including but not limited for the purpose of (i) valid conclusion, fulfilment, change and termination of the contract (e.g. account or credit contract), (ii) related bank charges, (iii) use of credit cards, (iv) complaints and (v) related communication.

The provision of such personal data is therefore a contractual requirement. The provision of such personal data is necessary for the conclusion of the contract and refusal to provide such data will therefore result in the refusal to enter into a contract. After the conclusion of the contract, the provision or updating of these personal data may be your contractual obligation.

Legal basis for the processing (legal title):

For the specified purposes, we process your personal data under the legal title of the performance of the contract to which the client is a party as the subject of the data or for the implementation of measures adopted prior to the conclusion of the contract on the request of such data subject according to the art. 6 par. 1 letter b) of the GDPR.

Personal data categories:

For the above purposes, we process the following categories of personal data (the content of each category is specified above): identification and address information, demographic data, electronic contact information, other electronic data, product and service information, financial status information (creditworthiness, payment status and credibility), sensitive and similar personal data, telephone call records.

Those who receive personal data (processors or third parties to whom personal data is or may be provided):

For the given purposes, we use the following categories of processors: payment transaction processors, financial institutions and associations, insurance providers, public and non-public registers and records, real estate appraisers, financial consultants, external call centres, printing and mailing service providers, discarding and archiving services providers, IT service providers.

Should the payee have an account with another bank, we use the CERTIS interbank payment system to transfer money. We use the AMOS web application operated by the Czech National Bank, to access the CERTIS system data and to transfer and download data.

We make international transfer payments through the Society for Worldwide Interbank Financial Telecommunication (SWIFT) registered in Belgium. The SWIFT network, we use, like other banks offering international payments, meets the highest technical and organizational security requirements. The SWIFT has its operational centres in Europe and the United States of America, where all data from financial transactions is temporarily stored and such data is stored in identical form on several geographically separated servers in order to ensure payments fluency which meets international standards and banking supervision requirements. Please note that your personal data entered when executing international payment transactions (name, address, as the case may be, account number, amount, or payment purpose, as the case may be) may be part of the information communicated by SWIFT to the United States Treasury Department for the purposes of fights against terrorism.

Period of data processing:

For these purposes, we process personal data for the duration of the negotiation on the contract, for the term of the contract and for the duration of the warranty, complaint and other deadlines applicable to the contract when the parties may exercise their rights and obligations resulting from of the contract.

b) Fulfilment of our legal obligations

As a bank, we have to comply with a number of legal regulations and obligations laid down therein, including but not limited to Act No. 21/1992 Coll., on Banks, as amended, Act No. 6/1993 Coll., on the Czech National Bank, as amended, Act No. 284/2009 Coll., on Payment System, as amended, Act No. 136/2011 Coll., Act on the circulation of banknotes and coins and amending Act No. 6/1993 Coll., on the Czech National Bank, as amended, Act No. 256/2004 Coll., on Stock Market Entrepreneurship, as amended, Act No. 240/2013 Coll., on Investment Companies and Investment Funds, as amended, Act No. 190/2004 Coll., on Bonds, as amended, Act No. 253/2008 Coll., on Certain Measures Against the Legalization of Proceeds from Crime and on Financing of Terrorism, as amended, Act No. 219/1995 Coll., the Foreign Exchange Act, as amended, Act No. 280/2009 Coll., the Tax Code, as amended, Act No. 277/2013 Coll., on Foreign Exchange Activities, as amended, Act No. 89/2012 Coll., the Civil Code, as amended, Act No. 90/2012 Coll., on Commercial Corporations, as amended, Act No. 563/1991 Coll., on Accounting, as amended Act No. 120/2001 Coll., on Court Executors and Enforcement Activities and on Amendments to Other Acts, as amended, Act No. 99/1963 Coll., the Code of Civil Procedure, as amended, Act No. 257 / 2016 Coll., on Consumer Credit, as amended, Act No. 634/1992 Coll., on Consumer Protection, as amended, Act No. 229/2002 Coll., on Financial Arbiter, as amended by later

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Act No. 40/2009 Coll., Criminal Code, as amended, Act No. 499/2004 Coll., on Archiving and File Services and on Amendments to Certain Acts, as amended, as well as by subsequent secondary legislation, the law of the European Union and the relevant legislation under the FATCA/CRS regulation.

The provision of these personal data is a statutory requirement and is, as a rule, mandatory. In the event of failure to do so, legal or contractual penalties may be applied to you or the contractual relationship may be terminated.

Legal basis for the processing (legal title):

For the mentioned purposes, we process personal data under the legal title of compliance with the legal obligation of Sberbank pursuant to Article 6 par. 1 letter f) of the GDPR.

Personal data categories:

For the above purposes, we process the following categories of personal data (the content of each category is specified above): identification and address information, demographic data, electronic contact information, other electronic data, product and service information, financial status information (creditworthiness, payment status and credibility), sensitive and similar personal data, telephone call records.

Those who receive personal data (processors or third parties to whom personal data is or may be provided):

We are subject to the supervision by a number of state bodies including but not limited to the Czech National Bank and we have to comply with our statutory information (reporting) obligation in respect of the Czech National Bank. As well, we have to provide necessary cooperation to respective state administration agencies including for instance the tax administrator or bailiffs, law enforcement bodies, offence or administrative proceedings authorities in the extent and subject to conditions laid down by legal regulations. We are also subject to the obligation to have audits conducted by independent external auditors. The abovementioned authorities, agencies and other entities are bound by the obligation of confidentiality in the exercise of their administrative or other activities.

For these purposes, we use these categories of processors: discarding and filing agencies, financial institutions and associations, property appraisers, public and non-public registers, records, registers, consultancy providers, printing and postal service providers.

Period of data processing:

For the above purposes, we process personal data for the period specified by the applicable legal regulations. Except for exceptions where the law provides for a longer period of retention of certain documents that may contain personal data, we keep personal data processed in order to fulfil our legal obligations for at least ten years.

c) Risk management and property protection

In order to comply with legal regulations that require us to manage risks, behave with caution, maintain capital adequacy (i.e. take into account asset structure with regard to possible risks) and provide consumer credits in line with the principle of responsible crediting and to protect the assets of the bank and the property of our clients, we check before the conclusion of

the contractual relationship as well as during the term of the contractual relationship your creditworthiness (financial situation), payment status (whether you are repaying properly and in a timely manner) and credibility and, where applicable, apply or defend our legal claims in court proceedings, at arbitrators or other state and non-state bodies, and/or in out-of-court negotiations (referring in particular to recovery of debts).

In order to protect the property, the life and/or the health of employees, clients and/or other persons entering Sberbank premises (including but not limited to our branch offices), image recording security cameras are installed in such premises. The client is always informed on the operation of the camera system by information boards placed at the entrance to the monitored space.

In order to protect the property of Sberbank and its clients, we also monitor your electronic banking systems activities. We also run a system detecting potentially unauthorized (e.g. fraudulent) transactions. This system automatically blocks transactions that are found unauthorized.

Legal basis for the processing (legal title):

For the above purposes, we process personal data on the basis of legal titles (i) of the fulfilment of the legal obligation applicable to Sberbank, in accordance with article 6, par. 1, letter c) of the GDPR and (ii) legitimate interests of Sberbank pursuant to article 6, par. 1, letter f) of the GDPR, namely legitimate interests in the field of property protection, risk management (including within the group) and enforcement and defence of our legal claims.

Personal data categories:

For the above purposes, we process the following categories of personal data (the content of each category is specified above): identification and address information, demographic data, electronic contact information, other electronic data, product and service information, financial status information (creditworthiness, payment status and credibility), sensitive and similar personal data, telephone call records, camera records.

Those who receive personal data (processors or third parties to whom personal data is or may be provided):

The recipients of the personal data are the authorized users of the client information registers (see the Information Memorandum of the Banking Register of Client Information and the Non-Banking Register of Client Information), relevant state administration bodies (in particular the Czech National Bank) and in the event of a dispute also the respective body supposed to decide the dispute (court, arbitrator, auctioneer, financial arbitrator, etc.). Personal data may be passed on to other entities to the extent necessary, under conditions laid down by law, if necessary for the protection of our rights such as insurance companies when raising an insurance claim or to entities responsible for internal audits.

Camera records may be transmitted in order to ensure legitimate interests of Sberbank (protection of life, health, property) to law enforcement authorities. Except for this purpose, camera records may be passed to law enforcement authorities, only, if requested by such authorities in compliance with law (duty of co-operation).

For these purposes, we use the following categories of processors: IT service providers, real estate appraisers, public and

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non-public registers, consulting service providers, assignees, debt collection agencies (including so called collection agencies).

Period of data processing:

We process personal data for the following purposes:

- (i) For the period determined by respective legal regulations (except where the legal regulations provide for a longer retention period for certain documents that may contain personal data, we keep personal data processed in order to fulfil our legal obligations for at least ten years).
- (ii) As long as our legitimate interest lasts (as a rule for the duration of limitation periods when we may have interest in claiming or defending our legal claims and in the event of the commencement of a court, arbitration, execution or other similar proceeding or during such proceedings and subsequently during the term for the filing of extraordinary remedies and during proceedings after the filing of such extraordinary remedies).

Camera records are kept for maximum 30 days.

d) Marketing purposes

We have to process the below personal data in order to be able to offer you services that are fit and interesting for you. Marketing activities include in particular marketing processing, analyses and profiling in order to adapt our offer to your needs and to improve the services provided. So, do not worry we will oversupply you with the offer of inappropriate products.

Legal basis for the processing (legal title):

For the above purposes, we process personal data based on the legal titles:

- (i) Sberbank's legitimate interests under article 6, par. 1 letter f) of the GDPR, specifically legitimate interests of promoting our products when we process only your basic personal data (identification and address data, electronic contact details) using simple methods (without profiling), only if the products offered are related to the products originally purchased by you and to the extent that you can reasonably expect the offer of similar products. You may terminate the offer of Sberbank products any time by raising an objection (see the advice concerning your rights below).
- (ii) Your consent under article 6, par. 1, letter a) of the GDPR, namely „consent to the processing of personal data for marketing purposes“ granted for the purpose of more detailed personalization of the offer and extension of our offer by including products of our business partners subject to conditions and to the extent stipulated in that consent letter, or, as the case may, subject to conditions given in another consent letter to the processing of personal data collected at our marketing events or in connection with our consumer competitions. You give your consent always on a voluntary basis and you may revoke it any time. Refusal to give or withdrawal of your consent will have no effect on your contractual relationship and the use of our products and services the provision of which is not subject to such consent. You may revoke your consent through our offices.

Personal data categories:

Based on the legitimate interest legal title, we only process the following categories of your personal information (the content of each category is listed above): identification and address information and electronic contact information. Based on your consent, we may further process demographic data, other electronic data, product and service information, financial status information (creditworthiness, payment status and creditworthiness), sensitive and similar personal data, telephone call records and other personal information given in the marketing consent letter, as the case may be. In this case, processing of your personal data may occur to a generally larger extent because it includes, for example, profiling (in order to increase the personalization of the products offered). Profiling means the use of your personal information to evaluate your personal aspects, especially to analyse or predict your economic situation, behaviour, personal preferences or interests.

Those who receive personal data (processors or third parties to whom personal data is or may be provided):

For the above purposes, we use these categories of processors: external call centres, marketing agencies, market research agencies, printing and mailing service providers.

We may transfer your personal information to our business partners named in the consent letter only with your consent.

Period of data processing:

For the above purposes, we process personal data on a legitimate interest basis for as long as our legitimate interest lasts (usually for the duration of the contractual relationship with the client and for a further period of one year) and/or for the period specified in the respective consent letter to the processing of personal data.

e) Internal administrative purpose

Because we are a subsidiary of an Austrian bank, we process your data for our internal purposes, too, (such as reporting, administrative purposes within the group, operation and development of IT systems and applications, optimization of processes within Sberbank, etc.).

Legal basis for the processing (legal title):

For the above purposes, we process personal data based on the legal title of Sberbank's legitimate interest under art. 6, par. 1, letter f) of the GDPR, namely the legitimate interests in the proper operation of internal administrative processes and their optimization.

Personal data categories:

For the above purposes, we process the following categories of personal data (the content of each category is specified above): identification and address information, demographic data, electronic contact information, other electronic data, product and service information, financial status information (creditworthiness, payment status and credibility), sensitive and similar personal data.

Those who receive personal data (processors or third parties to whom personal data is or may be provided):

For these purposes, we pass on your personal data to the parent company Sberbank Europe AG with its registered office in the Republic of Austria and the leading company of the Sberbank Group that is Sberbank of Russia based in the Russian Federation in particular for the purpose of aggregate analyses and risk management at the group level.

For these purposes, we use the following categories of processors: IT service providers, public and non-public registers, records and registers, providers of consulting services.

Period of data processing:

For the specified purposes, we process personal data for the duration of the contractual relationship with you and for the period of time until the preparation of respective internal reports for the period when you were still our client, but for a maximum of two years starting from the moment you ceased to be our client.

How do we process your personal information and how is it secured?

We are fully aware of the importance of personal data and client privacy. We process your personal data in a way to keep them secure as much as possible and could not be misused. All client's data is also subject to banking secrecy.

Your personal data may be processed either manually or automatically. Automated processing takes place in information systems of Sberbank or, as the case may be, in information systems of our processors. Your personal data is processed primarily by selected Sberbank employees and categories of processors always listed for the respective processing purpose. We have implemented measures that ensure that your personal data may be accessed only by Sberbank employees and processors involved in their processing and that these employees and processors will keep confidential all facts, data and information (personal or otherwise) they may learn when performing their work. We have entered into written personal data processing agreement with all processors where we place emphasis on security of your personal data and that contains identical guarantees for personal data processing processes by such processors as set forth for our bank. We operate a data leak prevention system that makes it possible to detect and prevent possible security incidents.

We also operate a system that detects potentially unauthorized (e.g. fraudulent) transactions. This system automatically blocks transactions that are found unauthorized. In case a transaction is blocked, we will always inform you about the situation and also advise you immediately how to authorise the transaction retroactively if it was legitimate. In addition to the system that blocks potentially unauthorized transactions, Sberbank **does not have any automated decision making process**, i.e. decision-making based solely on automated processing (including profiling) that would have any legal effects or any similar significant impacts on you.

We process your personal data on the territory of the Czech Republic and, where applicable, in other countries of the European Union (especially in the Republic of Austria) where the same level of personal data protection as in the Czech Republic is ensured. In addition to these countries, certain personal data is transferred to Sberbank of Russia based in the Russian Fed-

eration and such transfer is based on appropriate guarantees specifically on standard contractual clauses on the protection of personal data). We do not transfer your personal data to any other countries except for international banking.

What are your rights?

We process your data in a completely transparent manner. At any time during the processing of your personal information, you may exercise the following rights:

- a) Right to **access** to your personal data and to make copies of your personal data we process.
- b) Right to **correct and complete** your personal data should you find that we process incorrect or inaccurate personal data about you.
- c) The right to **deletion** of your personal data (respectively the right to be forgotten). You may ask us to delete your personal information, and we will do so if:
 - The personal data is no longer necessary for the purposes for which they were collected or otherwise processed.
 - If you withdraw your consent based on which we process personal data and there is no other legal reason for the processing.
 - You raise objection against the processing based on a legitimate interest, unless there are any overriding legitimate reasons for processing on our part or if you raise objection against processing of personal data for direct marketing purposes (i.e. we will not send you any further direct business communications).
 - The personal data has been processed unlawfully.
 - Personal data has to be deleted in order to comply with a legal obligation laid down in the EU or Czech Republic law.

We call your attention to the fact that your personal data cannot be deleted provided their processing is necessary for the following:

- Exercising the right of freedom of speech and to information,
 - to fulfil a legal obligation requiring processing under the European Union or Czech Republic law or to fulfil a task required by public interest or in the exercise of public authority powers,
 - on grounds of public interest in the field of public health,
 - processing for archiving purposes in public interest, for scientific or historical research purposes or statistical purposes,
 - for the determination, exercise or defence of legal claims.
- d) Right to **limitation of the processing** of your personal data. You may also require us to limit the processing of your personal data if:
 - Processed personal data is not exact.
 - Processing is illegal.
 - The processed personal data is no longer necessary for the purposes for which it was collected or otherwise processed.
 - You will raise objections against the processing.

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If you exercise your right to limit the processing and if any of the above conditions is met, we will make an entry to our systems that the data is subject to limitation and we will not actively process such data any further (except in cases when it is required by legal regulations).

If the reasons for processing limitation are gone, we will remove the limitation of the processing of your personal data. We will inform you on it in advance.

- e) Right to **transfer**. In the case we process your personal data based on your consent or for purposes of the performance of the contract and the processing is automated, you have the right to obtain such personal data in a structured, commonly used machine-readable format and pass it on to another administrator. Your personal data will then be provided to you electronically in a secured file in the [pdf] format.
- f) If you believe that obligations laid down in personal data protection legal regulations (in particular the GDPR) were broken, you have the right **to file a complaint** with the Personal Data Protection Authority or another relevant supervisory authority of a Member State of the European Union that is responsible for supervision of compliance with obligations laid down in the GDPR (in particular the supervisory authority in the Member State of your habitual residence, place of employment or place of suspected violation).

You also have the **right to raise objection** against the processing of your personal data if the personal data is processed:

- For the purpose of performing a task carried out in public interest or in the exercise of public authority powers,
- for the purposes of the legitimate interests of a trustee or third party,
- for the purpose of direct marketing including profiling in order to customise your offer to your needs and to improve the services provided.

If you raise an objection, we will not process your personal data until we have substantiated processing grounds that prevail over your interests or rights and freedoms or for determining, exercising and/or defending our legal claims.

If you raise an objection against processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

If any of the above rights is exercised, we will inform you in writing on the manner in which your application is processed without any undue delay.

Do we process also personal data of non-clients?

In certain cases, personal data of data subjects – non-clients – need to be processed. The purpose of processing the said personal data is not to obtain the personal data unlawfully but rather to comply with our legal obligation and to protect our legitimate interests.

The said personal data are processed in the following cases:

- Wills, probate and inheritance – We collect the personal data of parties participating in the probate proceedings; to the extent stipulated by the respective court in a probate decision.

- Agents and proxies – We collect the personal data of agents and proxies; to the extent stipulated in the respective power of attorney or contract of mandate.
- Bills of exchange, drafts and notes – We collect the personal data of avalists specified on the respective bill of exchange, draft or note; and other data in order to secure the rights in exercising the respective instrument payable (if any) based on our legitimate interest.

For **further information** regarding the processing of your personal data, please visit the website www.sberbankcz.cz. If you have any questions regarding the processing of your personal data, you may also contact us using the above mentioned contact details.

Thank you for your confidence.

Sberbank CZ, a.s.