



SBERBANK

Information memorandum

of the Client Information Bank Register
(including basic information about the exchange of information
with the Client Information Non-Bank Register)

INFORMATION MEMORANDUM of the Client Information Bank Register (including basic information about the exchange of information with the Client Information Non-Bank Register)

Dear clients,

Client Information Bank Register

The Client Information Bank Register (hereinafter the “**CIBR**”) is a shared database containing data compiled on the basis of information exchanged between banks about the contractual (credit) relations between banks and their clients (for detailed information about the content of the CIBR see section entitled “CIBR and Its Content”).

The CIBR is a joint project between banks as the controllers of personal data and companies engaged in the development and operation of information systems intended for the exchange of information as the processors of personal data.

Basic Purpose of the CIBR

The basic purpose of the CIBR is defined by law. Specifically, it is by the provision of Section 38a(1) of Act No. 21/1992 Coll. on banks, as amended (hereinafter the “**Banking Act**”), according to which banks and branches of banks operating in the Czech Republic may (within the framework of their mandatory prudence) inform one another about matters that are descriptive of the payment prospects and credibility of their Clients or prospective Clients, including through a third party owned solely by banks (for detailed information about such a third party through whom the banks exchange information see the section entitled “CIBR Operator”).

For the purposes of this document, “Client” means:

- (a) a natural person (whether or not an entrepreneur) or a legal person with whom a bank has concluded an agreement;
- (b) a natural person and/or a legal person representing the Client – a legal person with whom a bank has concluded an agreement on a contractual, legal or other basis, in particular, a person who is a statutory body member, an attorney representing a legal person on the basis of a power of attorney, a proxy holder, a branch manager, an authorised person pursuant to Section 430 of the Civil Code, an employee of a legal person pursuant to Section 166 of the Civil Code (hereinafter the “**Representative of a Client**”) provided that such persons, if they are natural persons, have given their consent with the processing of personal data; and
- (c) natural or legal persons who are the owners of legal persons, in particular, if they are the sole members of a private limited liability company or the sole shareholders of a joint stock company (hereinafter “**Owners of a Client**”) provided that such persons, if they are natural persons, have given their consent with the processing of personal data.

CIBR Operator

The operator of the CIBR is CBCB – Czech Banking Credit Bureau, a.s., ID No.: 261 99 696, with its registered office at Štětškova 1638/18, Nusle, 140 00 Prague 4, (hereinafter “**CBCB**”), which is owned solely by banks in accordance with the Banking Act. CBCB processes the data of the banking Clients – individuals in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter “**General Data Protection Regulation**” or “**GDPR**”) in the capacity of the processor of personal data.

CIBR Users and Recipients of Personal Data

The users of the CIBR include the individual banks, which are the controllers of personal data within the meaning of the GDPR and which have concluded the Agreement on Participation in the CIBR Project with CBCB. The identities of the individual users of the CIBR and their contact details are provided at www.cbcb.cz.

In addition to CBCB, CRIF S.P.A., CRIF – Czech Credit Bureau, a.s. and the users of the Client Information Non-Bank Register, the users of the CIBR are the only possible recipients of the personal data kept in the CIBR.

CRIF S.P.A.

Another person participating in the processing of information in the CIBR is the Italian company CRIF S.P.A. (hereinafter “**CRIF**”), which is an additional processor of the personal data under the relevant contractual documents, providing for CBCB the final automated technical processing of the Client information transmitted to the CBCB by the individual banks.

CRIF – Czech Credit Bureau, a.s.

CRIF – Czech Credit Bureau, a.s. (hereinafter “**CRIF CZ**”) is an additional processor of the personal data under the relevant contracts, providing for CBCB services related to the sharing of Client payment prospects and credibility between the banks and the operation of the Client Centre.

The CIBR and Its Content

The CIBR is a database containing data regarding the contractual (credit) relations between banks and their Clients. The CIBR is created on the basis of information that is provided to CBCB by the banks and that, whether individually or when combined, indicate the payment prospects and credibility of the Clients of the banks.

The following personal data of the Clients are processed in the CIBR:

- Client identification details (i.e. name, surname, surname at birth, date of birth, place and country of birth, address and birth certificate number of the Client);
- Personal data indicating whether or not a contractual relationship has been established between the Client (or applicant in the case of guarantors) and the bank;
- Personal data indicating the financial obligations of the Client that have arisen or that will or may arise with regard to the bank in connection with the contractual relationship, as well as data concerning the fulfilment of these obligations by the Client;
- Personal data indicating the security of the Client's liabilities related to the contractual relationship with the bank;
- Personal data indicating whether a receivable has been assigned with respect to the Client under the contractual relationship with the bank, and data indicating further fulfilment of liabilities by the Client in relation to such an assigned receivable; all this only provided that the bank continues to administer the relevant assigned receivable and that other contractual terms and conditions are met;

INFORMATION MEMORANDUM of the Client Information Bank Register

(including basic information about the exchange of information with the Client Information Non-Bank Register)

- Any other personal data indicating the payment prospects, payment discipline and credibility of the Client that the Client has communicated or may communicate to the bank or that the bank has obtained or may obtain in connection with the performance or non-performance of the relevant contractual relationship, including data about the Client's identification document.

The legal basis for the processing of the Clients' personal data in the CIBR is (a) compliance with the legal obligations of the banks and (b) consent of the Representatives or Owners of the Client with the processing of their personal data.

The information (data) is included in the CIBR and then processed to the extent to which it can be used for the assessment of the payment prospects and credibility of the Client and to which the Client has provided such data in connection with the contractual relationship, or to which such information may arise from the contractual relationship for the duration thereof (see the above-mentioned list of the personal data processed in the CIBR).

No special categories of personal data of the Clients – natural persons within the meaning of the GDPR (e.g. health data) are processed in the CIBR.

The information (data) contained in the CIBR is regularly updated on a monthly basis and is kept for the purposes of mutual information between the banks for the term of the contractual relationship between the bank and its Client and for another four (4) years after the end of that relationship. If an agreement applied for by the Client has not been concluded, the information (data) is stored in the CIBR for one (1) year from the date of the Client's application for the relevant agreement. Upon the expiration of the relevant period, the processing of such information (data) is restricted (meaning that the data are made unavailable and unprocessable) and the data are in no manner provided for the purposes of mutual information between the bank; after the expiration of the restriction period of five (5) years, the information (data) is automatically deleted.

The information (data) about the contractual (credit) relations with the Clients are provided by the banks to CBCB, which further processes these data in the CIBR, including the utilisation of the final automated technical processing system provided by the Italian company CRIF. In the course of this processing, there is also the profiling of the clients of the individual banks, the result of which becomes one of the underlying documents in the bank's decision-making about whether or not to conclude the requested product agreement with the client. However, the decision-making about whether or not the bank concludes the product agreement with the client does not take place in the CIBR by automated means.

CBCB makes the information (data) that is processed in this manner available in the form of credit reports to the banks who use the services of the CIBR at their request and solely for the purpose of sharing information about the payment prospects and credibility of the Clients between the banks.

The information (data) is also subject to additional processing by CBCB, which is used by the banks to comply with their obligation to assess the Client's payment prospects and credibility, verify the Client's identity documents or the data in such Client's documents, conduct their business prudently, and with other obligations of the banks in accordance with the applicable laws and regulations.

The information (data) regarding the **Representatives of the Client and the Owners of the Client** as physical persons is provided by CBCB to the banks on the basis of the consent of such persons with the processing of their personal data in the CIBR.

The information (data) relating to legal persons is provided by the CBCB to the banks on the basis of the consent of the Client – a legal person – with breaking the banking secrecy in accordance with the relevant provisions of the Banking Act.

Client Centre

The Client Centre, operated by CRIF CZ, serves as a contact point where you can address your requests related to the processing of your personal data in the CIBR and/or NBCIR. In particular, the Client Centre provides the Clients of the banks the following services:

- It informs Clients about the data that are processed about them in the CIBR and NBCIR (in accordance with the requirements of the GDPR);
- It serves as the point where Clients can submit the requests for information about what data about them are being processed in the CIBR and NBCIR;
- It serves as the point where complaints or objections may be submitted by Clients in connection with any inaccurate data processed in the CIBR and NBCIR;
- It serves as the point where the Clients' other rights under the GDPR can be exercised.

Transfer of personal data to third countries.

The processing of information in the CIBR does not involve the transfer of personal data outside the territory of the European Union.

Special protection of the rights of Clients – natural persons

This is to instruct you about your rights under the relevant provisions of the General Data Protection Regulation in relation to the processing of your personal data in the CIBR and NBCIR by CBCB under authorisation from the individual banks.

You may exercise these rights in the Client Centre:

Right of access to personal data: you have the right to make a request to CBCB to confirm whether your personal data are actually processed in the CIBR and, if so, you have the right to access these personal data and the specified information. In that case, CBCB will provide you a copy of the personal data that are being processed in the form of an extract from the CIBR database free of charge once a year and otherwise against the payment of the material costs.

INFORMATION MEMORANDUM of the Client Information Bank Register

(including basic information about the exchange of information with the Client Information Non-Bank Register)

You will also receive an extract from the register upon the rectification of any incorrect data.

Right to rectification: you have the right to have any inaccurate personal data that concern you and are being processed in the CIBR rectified without undue delay. You also have the right to have incomplete personal data completed, including by providing an additional statement.

Right to erasure (“right to be forgotten”): you have the right to have personal data concerning you erased without undue delay if any of the reasons set forth in the GDPR arise (e.g. the data are no longer needed for the purposes of the processing or their processing is unlawful).

Right to restriction of processing: you have the right to have the processing of your personal data restricted if any of the reasons set forth in the GDPR arise (e.g. due to the inaccuracy of the personal data that are being processed, or if their processing is unlawful).

Please note that the right to data portability, i.e. the right to obtain personal data (which concern you and which you have provided to the user) in a structured, commonly used and machine-readable format, and the right to transmit these data to another data controller without the bank who is a user of the CIBR preventing this, is not relevant to the nature of the processing of your personal data in the CIBR, and therefore we cannot comply with any data portability requests. However, this right will apply if your personal data are processed on the basis of your consent (or that of the Representative of the Client or the Owner of the Client).

Right to lodge a complaint: if you believe that the processing of your personal data in the CIBR constitutes a violation of the applicable laws, in particular the General Data Protection Regulation, you may lodge a complaint with:

Office for Personal Data Protection
<https://www.uoou.cz/>
Pplk. Sochora 27
170 00 Prague 7

The requested information and documents and/or information on the measures taken will be provided to you without undue delay, but no later than one (1) month from the date of receipt of your request. In some cases, however, this period may be extended, of which we will notify you. If it is impossible to comply with your request, we will inform you of this fact and of the reasons, including an advice on your further rights (the right to lodge a complaint and the right to judicial protection).

If necessary, we may ask you to provide additional information to confirm your identity in connection with your request. If we cannot establish your identity, we cannot usually comply with your request.

You may exercise your rights free of charge. If the submitted requests are apparently unfounded or excessive, in particular because of their repetitive nature, we may charge a reasonable fee or refuse to act on your request.

Right to object

For reasons related to your particular circumstances, you have the right at any time to object to the processing of personal data that concern you and that are being processed on the basis of a legitimate interest (cf. below in the second part of the memorandum). CBCB will no longer process your personal data unless we demonstrate to you compelling legitimate interests for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

As regards the procedure for the exercise of the right to object, the rules set out above for the exercise of other rights apply accordingly.

Data Protection Officer

If you are unable to resolve your issue through the Client Centre, you can also contact the Data Protection Officer of the CIBR at poverenec@cpcb.cz.

EXCHANGE OF INFORMATION WITH THE CLIENT INFORMATION NON-BANK REGISTER

The objective of this section of the Information Memorandum is to provide you – the Clients of banks – basic information about the exchange of information (data) between banks and non-banking credit entities as well as about the CIBR and the Client Information Non-Bank Register (hereinafter the “NBCIR”).

The CIBR and NBCIR databases are two separately existing databases (albeit having certain identical features, which are further described below). The NBCIR is a shared database containing data compiled on the basis of information exchanged between non-banking credit entities (in particular, lease companies and companies providing consumer loans, hereinafter referred to as “**Credit Entities**”) regarding the contractual relations between the Credit Entities and their Clients. The NBCIR contains information similar to that contained in the CIBR.

During the exchange of information (data) between banks and Credit Entities the CIBR and NBCIR databases continue to be separated because data is exchanged through the operators of the two registers (for detailed information about the operators see the sections entitled “CIBR Operator” and “NBCIR Operator”), who continue to provide the information (data) to their users (i.e. banks as the users of the CIBR and Credit Entities as the users of the NBCIR, respectively); provided that all the legal requirements are met, the operators provide their users information (data) from both registers from a certain point (for detailed information see the section entitled “Exchange of Information between the CIBR and the NBCIR”).

Basic Purpose of the NBCIR and Its Link to the CIBR

The basic purpose of the NBCIR is the mutual exchange of information between Credit Entities concerning matters

INFORMATION MEMORANDUM of the Client Information Bank Register

(including basic information about the exchange of information with the Client Information Non-Bank Register)

that indicate of the payment prospects, payment discipline and credibility of their Clients. The basic purpose is similar to that of the CIBR and, with regard to these similar or identical purposes, the requirement for the compatibility of the purposes within the meaning of the GDPR is met as regards the mutual exchange of data concerning the Clients between banks and Credit Entities.

NBCIR Operator

The operator of the NBCIR is CNCB – Czech Non-Banking Credit Bureau, z.s.p.o., ID No.: 712 36 384 with its registered office at Štětškova 1638/18, Nusle, 140 00 Prague 4 (hereinafter “CNCB”), which is an interest association of legal persons. CNCB is the controller of the personal data in the NBCIR and it processes the data of the clients of Credit Entities in accordance with the GDPR and other applicable laws and regulations.

NBCIR Users

The NBCIR users are the individual Credit Entities, who are the recipients of the personal data from the NBCIR and who have concluded an agreement on the processing of data in the NBCIR with CNCB. The identities of the individual users of the NBCIR and their contact details are provided at www.cncb.cz.

Legal Basis for the Processing of Personal Data in the NBCIR

The legal basis for the processing of the personal data concerning the Clients in the NBCIR is (a) compliance with the legal obligations of the Credit Entities if a consumer loan is provided to a natural person, (b) legitimate interests of the Credit Entities if credit other than a consumer loan is provided to a natural person, and (c) consent with the processing of the personal data in the case of Representatives of the Client or Owners of the Client and always when the birth certificate number of the natural person is being processed. However, the birth certificate number that is processed by banks in the CIBR may be used to request information from the NBCIR even without the Client’s consent.

Exchange of Information between the CIBR and NBCIR Users

Information concerning a certain Client may be exchanged between the CIBR and NBCIR users. The information (data) is exchanged between the banks and Credit Entities under the relevant agreements concluded between CBCB (being the CIBR operator) and CNCB (being the NBCIR operator) and between CBCB and banks and between CNCB and Credit Entities.

The processing on the basis of the exchange of information between banks and Credit Entities is possible on the basis of (a) compliance with the legal obligations of the Credit Entities if a consumer loan is provided to a natural person, (b) legitimate interests of the Credit Entities if credit other than a consumer loan is provided to a natural person, and (c) consent with the processing of the personal data in the case of Representatives of the Client or Owners of the Client and, with regard to the NBCIR, always when the birth certificate number of the natural person is being processed. However, the birth certificate number that is processed by banks in the CIBR may be used by the banks in the exchange of information between the CIBR users and the NBCIR users even without the Client’s consent.

The treatment of the information (data) in the NBCIR (i.e. except for making the data available to the CIBR users) is governed by special rules, about which Credit Entities inform their Clients in connection with the contractual relationship between a Credit Entity and the Client. Such information does not concern the mutual exchange of information (data) between banks and Credit Entities.

NBCIR – Data Protection and Protection of the Clients’ Rights

The principles that apply to the protection of the Clients’ information (data) in the processing of the data during the exchange of information between the users of the CIBR and of the NBCIR and the rights the Client – a natural person – may exercise in this context are similar to those specified for the CIBR above.

Any additional information is available from the Client Centre; you can also contact the CIBR Data Protection officer at poverenec@cbcb.cz.

CLIENT CENTRE

CRIF – Czech Credit Bureau, a.s.

Štětškova 1638/18
140 00 Prague 4 - Nusle
Czech Republic
Tel.: + 420 844 111 777
E-mail: klient@crif.com
Signature container ID: R4QDCBE

Opening hours of the Client Centre:

Monday:	9:00 – 18:00
Tuesday:	8:00 – 17:00
Wednesday:	9:00 – 18:00
Thursday:	8:00 – 17:00
Friday:	8:00 – 16:30

For more information please visit www.cbcb.cz, www.cncb.cz, www.kolikmam.cz or kc.kolikmam.cz.