

**JSC CB «PRIVATBANK», Cyprus branch** (referred to as ‘we’, ‘us’, ‘our’, ‘Cyprus branch’ or the ‘Bank’) is committed to protecting your privacy and handling your data in an open and transparent manner. The personal data that we collect and process depends on the product or service requested and agreed in each case.

This privacy statement:

- provides an overview of how the Cyprus branch collects and processes your personal data and tells you about your rights under the local data protection law and the EU General Data Protection Regulation (‘GDPR’),
- is directed to natural persons who are either current or potential customers of the Bank, or are authorised representatives/agents or beneficial owners of legal entities or of natural persons which/who are current or potential customers of the Bank,
- is directed to natural persons who had such a business relationship with the Bank in the past,
- contains information about when we share your personal data with Head Office of JSC CB «PRIVATBANK» and other third parties (for example, our service providers or suppliers).

In this privacy statement, your data is sometimes called “personal data” or “personal information”. We may also sometimes collectively refer to handling, collecting, protecting and storing your personal data or any such action as “processing” such personal data.

For the purposes of this statement, personal data shall mean any information relating to you which identifies or may identify you and which includes, for example, your name, address, identification number.

## **1. Who we are**

JSC CB «PRIVATBANK», Cyprus branch is a licensed credit institution registered in Cyprus under registration number AE1072 with registered office at 52a, Arch. Makarios avenue, CY-1075, Nicosia, Cyprus.

## **2. What personal data we process and where we collect it from**

We collect and process different types of personal data which we receive from our potential or current customers in person or via their representatives or via our alternative channels of communication such as Privat24, in the context of our business relationship.

We may also collect and process personal data which we lawfully obtain not only from you but from other third parties e.g. credit reference agencies such as Artemis Bank Information Systems Limited, public authorities.

We may also collect and process personal data from publicly available sources (e.g. the Department of Registrar of Companies and Official Receiver, the Land Registry, the Bankruptcy Archive, commercial registers, the press, media and the Internet) which we lawfully obtain and we are permitted to process.

**If you are a prospective customer, or a non-customer counterparty in a transaction of a customer (e.g. account or payment authorization (by SWIFT or not) and over-the-counter**

**transactions) or prospective security provider (e.g. a guarantor for a credit facility) or an authorised representative/agent or beneficial owner of a legal entity or of a natural person which/who is a prospective customer, the relevant personal data which we collect may include:**

Name, address, contact details (telephone, email), identification data, EU basic payment account identification, birth date, place of birth (city and country), marital status, employed/self-employed, if you hold/held a prominent public function (for PEPs), FATCA / CRS info, authentication data [e.g. signature].

**When we agree to provide products and services to you or the legal entity you represent or beneficially own, then additional personal data will be collected and processed which may include:**

**In the context of providing banking facilities**

Current income and expenses, employment history, property ownership and personal debts, number of dependent children, personal investments and investment income, life insurances (life insurance companies, policy numbers, current surrender values, other banking relationship details, tax residence and tax ID, credit reference agency data [e.g. Artemis, Worldcheck], residence or work permit in case of non-EU nationals, own and/or third party security [e.g. if an existing personal guarantor], employment position [e.g. as per corporate certificates of directors/shareholders].

For individuals who will be providing their personal guarantees, the Bank will request personal data disclosing their economic and financial background and credit reference agency data [e.g. Artemis].

**For payment services [applying also for online banking] either for ad hoc or for standing order/direct debit set up [additional to the account opening data]**

Personal data relative to the order data [e.g. payment and transfer orders] and personal data arising from the performance of our contractual obligations.

**Savings and deposits**

Personal data arising from the performance of our contractual obligations, tax information (e.g. defence tax, tax residency, tax identification number), financial info (as expected annual credit/debit turnover, nature of transactions, source of income, source of assets,), information on any third-party beneficiaries.

**Retail financing [including credit cards]**

Nature and term of the employment relationship, other banking relationships, proof of tax return submissions, statements and transaction history, purpose of financing, property documentation for house financing [e.g. property description, property valuation reports, construction and municipal permits, land registry reports, sale agreements].

**Commercial financing [for self employed individuals]**

Data that will be collected and processed refer to business records, i.e. cash flows and balance sheets and business management information as well as tax declarations, proof of tax return submissions, purpose of financing, collateral information, property documentation [property description, Land Registry report, property valuation reports].

**Investment and interest rate and currency products and services**

Specific information which we may request includes: knowledge and experience with shares, funds

and interest rate/currency products (e.g. for MiFID services), investment strategy and scope, personal investment portfolio, personal objectives.

### **3. Whether you have an obligation to provide us with your personal data**

In order that we may be in a position to proceed with a business relationship with you, you must provide your personal data to us which are necessary for the required commencement and execution of a business relationship and the performance of our contractual obligations. We are furthermore obligated to collect such personal data given the provisions of the money laundering law which require that we verify your identity before we enter into a contract or a business relationship with you or the legal entity for which you are the authorized representative / beneficial owner. You must, therefore, provide us at least with your identity card/passport, your full name, place of birth (city and country), and your residential address so that we may comply with our statutory obligation as mentioned above.

Kindly note that if you do not provide us with the required data, then we will not be allowed to commence or continue our business relationship either to you as an individual or as the authorized representative/agent or beneficial owner of a legal entity.

### **4. Why we process your personal data and on what legal basis**

As mentioned earlier we are committed to protecting your privacy and handling your data in an open and transparent manner and as such we process your personal data in accordance with the GDPR and the local data protection law for one or more of the following reasons:

#### **A. For the performance of a contract**

We process personal data in order to perform banking transactions and offer financial services based on contracts with our customer but also to be able to complete our acceptance procedure so as to enter into a contract with prospective customers.

The purpose of processing personal data depends on the requirements for each product or service and the contract terms and conditions provide more details of the relevant purposes.

#### **B. For compliance with a legal obligation**

There are a number of legal obligations emanating from the relevant laws to which we are subject as well as statutory requirements, e.g. the Cyprus banking law, the Money Laundering Law, the Cyprus Investment Services Law, Tax laws, Law on Deposit Guarantee and Resolution of Credit and Other Institutions Scheme, Payments Law. There are also various supervisory authorities whose laws and regulations we are subject to e.g. the European Central Bank, the European Banking Supervisory Authority, the Central Bank of Cyprus, the Cyprus and Securities Exchange Commission. Such obligations and requirements impose on us necessary personal data processing activities for credit checks, identity verification, compliance with court orders, tax law or other reporting obligations and anti-money laundering controls.

#### **C. For the purposes of safeguarding legitimate interests**

We process personal data so as to safeguard the legitimate interests pursued by us or by a third party. A legitimate interest is when we have a business or commercial reason to use your

information. But even then, it must not unfairly go against what is right and best for you. Examples of such processing activities include:

- Initiating legal claims and preparing our defence in litigation procedures,
- Means and processes we undertake to provide for the Bank's IT and system security, preventing potential crime, asset security, admittance controls and anti-trespassing measures,
- Setting up CCTV systems for the prevention of crime or fraud,
- Measures to manage business and for further developing products and services.
- Sharing your personal data within JSC CB «PRIVATBANK» for the purpose of updating/verifying your personal data in accordance with the relevant anti-money laundering compliance framework,
- The transfer, assignment (whether outright or as security for obligations) and/or sale to one or more persons (including the Central Bank of Cyprus) of and/or charge and/or encumbrance over, any or all of the Bank's benefits, rights, title or interest under any agreement between the customer and the Bank.

#### **D. You have provided your consent**

Provided that you have given us your specific consent for processing (other than for the reasons set out hereinabove) then the lawfulness of such processing is based on that consent. You have the right to revoke consent at any time. However, any processing of personal data prior to the receipt of your revocation will not be affected.

#### **5. Who receives your personal data**

In the course of the performance of our contractual and statutory obligations your personal data may be provided to various departments within the Cyprus branch but also to Head office of JSC CB «PRIVATBANK». Various service providers and suppliers may also receive your personal data so that we may perform our obligations. Such service providers and suppliers enter into contractual agreements with the Bank by which they observe confidentiality and data protection according to the data protection law and GDPR.

It must be noted that we may disclose data about you for any of the reasons set out hereinabove, or if we are legally required to do so, or if we are authorized under our contractual and statutory obligations or if you have given your consent. All data processors appointed by us to process personal data on our behalf are bound by contract to comply with the GDPR provisions.

Under the circumstances referred to above, **recipients of personal data may be**, for example:

- Supervisory and other regulatory and public authorities, inasmuch as a statutory obligation exists. Some examples are the Central Bank of Cyprus, the European Central Bank, the Cyprus Securities Exchange Commission, the income tax authorities, criminal prosecution authorities,
- Credit and financial institutions such as correspondent banks and the European Investment Fund,
- Share and stock investment and management companies,

- Valuers and surveyors,
- Non-performing loan management companies,
- Debt collection agencies,
- For our anti-money laundering process, such as credit reference agencies,
- Artemis Bank Information Systems Limited,
- External legal consultants,
- Financial and business advisors,
- Auditors and accountants, law companies,
- Marketing companies and market research companies,
- Companies which help us to provide you with debit, credit, pre-paid or charge cards such as Visa and Mastercard,
- Card payment processing companies, such as JCC Payment Systems Ltd,
- Fraud prevention agencies,
- File storage companies, archiving and/or records management companies, cloud storage companies,
- Companies who assist us with the effective provision of our services to you by offering technological expertise, solutions and support and facilitating payments,
- Purchasing and procurement and website and advertising agencies,
- Rating agencies such as Moody's or Fitch.
- Potential or actual purchasers and/or transferees and/or assignees and/or chargees (including the Central Bank of Cyprus) of any of the Bank's benefits, rights, title or interest under any agreement between the customer and the Bank, and their professional advisors, service providers, suppliers and financiers.

## **6. To what extent there is automated decision-making and whether profiling takes place**

In establishing and carrying out a business relationship, we generally do not use any automated decision-making. We may process some of your data automatically, with the goal of assessing certain personal aspects (profiling), in order to enter into or perform a contract with you, in the following cases:

- Data assessments (including on payment transactions) are carried out in the context of combating money laundering and fraud. An account may be detected as being used in a way that is unusual for you or your business. These measures may also serve to protect you.
- Credit scoring is used as part of the assessment of your creditworthiness. This calculates whether you or your business will meet your payment obligations pursuant to a contract. This helps us make responsible lending decisions that are fair and informed.

## **7. How we treat your personal data for marketing activities and whether profiling is used for such activities**

We may process your personal data to tell you about products, services and offers that may be of interest to you or your business.

The personal data that we process for this purpose consists of information you provide to us and data we collect and/or infer when you use our services, such as information on your transactions.

We study all such information to form a view on what we think you may need or what may interest you. In some cases, profiling is used, i.e. we process your data automatically with the aim of evaluating certain personal aspects in order to provide you with targeted marketing information on products.

We can only use your personal data to promote our products and services to you if we have your explicit consent to do so or, in certain cases, if we consider that it is in our legitimate interest to do so.

You have the right to object at any time to the processing of your personal data for marketing purposes, which includes profiling, by contacting at any time your personal banker or the Bank either in person or in writing.

## **8. How long we keep your personal information for**

We will keep your personal data for as long as we have a business relationship with you [as an individual or in respect of our dealings with a legal entity you are authorized to represent or are beneficial owner].

Once our business relationship with you has ended, we may keep your data for up to ten (10) years in accordance with the directive of the Data Protection Commissioner (<http://www.dataprotection.gov.cy>).

We may keep your data for longer than 10 years if we cannot delete it for legal, regulatory or technical reasons.

## **9. Your data protection rights**

You have the following rights in terms of your personal data we hold about you:

- **Receive access to your personal data.** This enables you to e.g. receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction [rectification]** of the personal data we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected.
- **Request erasure of your personal information.** This enables you to ask us to erase your personal data [known as the ‘right to be forgotten’] where there is no good reason for us continuing to process it.
- **Object to processing of your personal data** where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground. If you lodge an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms.

You also have the right to object where we are processing your personal data, for direct marketing purposes. This also includes profiling inasmuch as it is related to direct marketing.

If you object to processing for direct marketing purposes, then we shall stop the processing of your personal data for such purposes.

- **Request the restriction of processing** of your personal data. This enables you to ask us to restrict the processing of your personal data, i.e. use it only for certain things, if:
  - it is not accurate,
  - it has been used unlawfully but you do not wish for us to delete it,
  - it is not relevant any more, but you want us to keep it for use in possible legal claims,
  - you have already asked us to stop using your personal data but you are waiting us to confirm if we have legitimate grounds to use your data.
- **Request to receive a copy** of the personal data concerning you in a format that is structured and commonly used and transmit such data to other organisations. You also have the right to have your personal data transmitted directly by ourselves to other organisations you will name [known as the right to data portability].
- **Withdraw the consent that you gave us** with regard to the processing of your personal data at any time. Note that any withdrawal of consent shall not affect the lawfulness of processing based on consent before it was withdrawn or revoked by you.

To exercise any of your rights, or if you have any other questions about our use of your personal data, please contact your personal banker, or visit the Bank, or send a message through the Privat24 service if you are a subscriber of Privat24.

### **Right to lodge a complaint**

If you have exercised any or all of your data protection rights and still feel that your concerns about how we use your personal data have not been adequately addressed by us, you have the right to complain by completing our on line contact form ([http://www.bankofcyprus.com.cy/en-gb/contact\\_us](http://www.bankofcyprus.com.cy/en-gb/contact_us)). You also have the right to complain to the Office of the Commissioner for Personal Data Protection. Find out on their website how to submit a complaint (<http://www.dataprotection.gov.cy>).

### **10. Changes to this privacy statement**

We may modify or amend this privacy statement from time to time.