Oberbank
Not like any other bank

Data Protection Information – Financing Enquiry Corporate Clients

As part of the assessment of your financing enquiry, Oberbank AG will, for the purpose of assessing creditworthiness, make enquiries with the operators of credit-related information systems listed below regarding your personal details (borrower/personally liable guarantor/other obligors) and, in the course of this, will transfer data to them.

1. Who is responsible for data processing and who can you contact?

The data controller is:

Oberbank AG
Untere Donaulände 28, A-4020 Linz
Telephone: +43 (0732) 7802-0
Email: office@oberbank.at

You can contact our Data Protection Officer at:

Oberbank AG – Data Protection Officer
Untere Donaulände 28, A-4020 Linz
Telephone: +43 (0732) 7802-0
Email: datenschutz@oberbank.at

2. What data do we process and what sources do we use?

We transmit the following data to the operators of credit-related information systems listed below as part of the assessment of the credit application to evaluate creditworthiness: name, address, date of birth; in the case of the small loans register, additionally: amount of the planned loan liability, repayment terms, steps taken by Oberbank AG in connection with the demand for repayment and legal proceedings, and misuse of payment instruments. Insofar as the data is not collected directly from you within the meaning of Article 14 of the GDPR, the following additional categories of personal data are obtained either from publicly accessible databases (e.g. the Land Register, the Commercial Register, the Central Register of Associations, the Edict File, the Central Register of Residents, the Central Credit Register of the Austrian National Bank) or from operators of creditworthiness-related information systems (e.g. Kreditschutzverband von 1870, CRIF GmbH), from group companies or from cooperation partners (e.g. credit intermediaries) or from funding bodies: Creditworthiness data, including data on payment behaviour (e.g. the banks' warning list and the small loans register of the Kreditschutzverband von 1870 [debtors' registers] and the credit reference agency CRIF GmbH) and insolvency data.

3. Who receives your data?

There are the following categories of recipients: operators and participants in credit-related information systems for the purpose of creditor protection and risk minimisation; these include, in particular:

1. **KSV (Kreditschutzverband von 1870), Wagenseilgasse 7, 1120 Vienna:**
   The KSV is a creditor protection association in Austria which minimises the financial risks of its clients by assessing the creditworthiness of individuals and companies.
   The **Small Loans Register** is an information network system (data exchange platform) operated by credit institutions, credit-granting insurance companies and leasing companies for the purposes of creditor protection and risk minimisation; it is operated by the Credit Protection Association of 1870 (KSV). Data from the Small Loans Register is disclosed exclusively, upon request, to credit institutions in accordance with Section 1(1) of the Austrian Banking Act (BWG), credit-granting insurance companies in accordance with Section 5(1) of the Austrian Insurance Act 2016 (VAG 2016) and leasing companies with their registered office in a Member State of the

Oberbank AG, Rechtsform: Aktiengesellschaft, Sitz: Linz, Firmenbuch Nr. FN 79063 w, Landesgericht Linz

European Economic Area (EEA), provided that these entities are under a legal obligation to correctly assess the credit risk posed by a credit applicant.

2. **CRIF GmbH, Rothschildplatz 3/Top 3.06.b, 1020 Vienna:**
   CRIF is a globally active group of affiliated credit reference agencies specialising in identity, creditworthiness and company information. CRIF identifies individuals and companies and provides information on their creditworthiness.

3. **Creditreform Wirtschaftsauskunftei Kubicki KG, Muthgasse 36–40, 1190 Vienna**
   Creditreform is a creditor protection organisation and provider of business and credit information, as well as solutions for debt management and insolvency representation.

In the event that the aforementioned data is transferred to the respective credit reference agencies or entered into the Small Loans Register, the borrower, guarantor or other obligor shall be entitled to the data subject rights set out in Articles 15 to 22 of the GDPR (right of access, rectification, restriction, erasure, objection and data portability) to the extent defined therein. These rights must be exercised directly with the relevant credit reference agencies or the Small Loans Register (KSV 1870).

Furthermore, data relating to the borrower, guarantor or other obligor, or to a group-affiliated company, which has come to the bank's attention in the course of its business relationship with the borrower, guarantor orother obligors and which is necessary or appropriate for risk assessment or the sale of loans, shall be disclosed to financing, refinancing and risk partners, as well as to group-affiliated companies which are deemed to be institutions pursuant to Section 1(1) of the Banking Act (BWG) and Article 4(1)(1) of the Capital Requirements Regulation (CRR), for the purposes of risk assessment or the sale of loans. The disclosure of such data to institutions which, pursuant to Section 1(1) in conjunction with Section 38 of the Austrian Banking Act (BWG), are themselves subject to banking secrecy, as well as to the Austrian National Bank, the Austrian Control Bank AG, the European Central Bank and the European Investment Bank, is permitted.

Furthermore, the Bank may transfer, assign or pledge its claims arising from credit agreements, together with all ancillary rights, to the aforementioned institutions and to credit purchasers within the meaning of the KKG for the purposes of refinancing and sale.

Data provided to the Bank by the borrower, guarantor or other obligor may be disclosed to members of the Oberbank AG group of affiliated companies, namely Oberbank Leasing Gesellschaft m.b.H., 3 Banken Kfz Leasing GmbH, Oberbank Kfz-Leasing GmbH, Oberbank Immobilien Leasing GmbH, Oberbank Operating Leasing GmbH, Oberbank Immobilien-Service GmbH, 3 Banken IT GmbH and Oberbank Service GmbH.

4. For what purposes and on what legal basis is your data processed?

The processing of your personal data takes place in particular:

- for the purpose of fulfilling a contract with you or carrying out pre-contractual measures undertaken at your request, which require a credit check to enable responsible lending **(Article 6(1)(b) of the GDPR)**;
- or for the purpose of complying with a legal obligation in the context of credit assessment, such as Regulation (EU) No 575/2013 (Capital Adequacy Regulation) and the Guidelines on lending and supervision (EBA/GL/2020/06); for the purpose of complying with statutory sustainability analyses (ESG risk scoring based on the EU Taxonomy, as well as the calculation of the Green Asset Ratio and Eligibility Ratio); and other statutory provisions to which we are subject **(Article 6(1)(c) of the GDPR)**;

Oberbank AG, Rechtsform: Aktiengesellschaft, Sitz: Linz, Firmenbuch Nr. FN 79063 w, Landesgericht Linz

- or the processing is necessary to safeguard legitimate interests (such as creditor protection) (e.g. the ESG stress test and the calculation of CO_2 emissions in accordance with PCAF); to minimise risk; to establish, exercise or defend legal claims by us or a third party; for the purposes of implementing customer-focused and profit-enhancing measures; and the legitimate interest in outsourcing counterparty default risk to third parties, where applicable, through reinsurance, syndication or the sale of credit **(Article 6(1)(f) of the GDPR)**.

5. Is data transferred to a third country or to an international organisation?

No data is transferred to entities in countries outside the European Union and the European Economic Area (so-called third countries) for the purposes set out above.

6. How long will your data be stored?

The data will be stored for a period of 3 (three) years from the date the credit enquiry is processed, in order to justify the credit decision. If a credit agreement is concluded, the data will be retained for the retention period applicable to credit relationships (usually three years beyond the end of the credit term) as determined by the data controller.

7. Are you obliged to provide data?

The loan cannot be granted if Oberbank AG is unable to carry out the creditworthiness assessment because the necessary information or supporting documents required for this assessment have not been provided. It is therefore necessary to collect and transfer data so that Oberbank AG can assess whether a loan agreement can be concluded.

8. To what extent is automated decision-making used in individual cases?

As part of the creditworthiness assessment when a customer requests an online increase to their account limit, automated decision-making takes place in accordance with Article 22 of the GDPR. This creditworthiness assessment falls under Article 22(2)(a) of the GDPR, as it is necessary for the conclusion of a credit agreement in order to carry out the legally required creditworthiness assessment in accordance with Section 7 of the VKrG or Section 9 of the HIKrG.
Various data are incorporated into the credit assessment to calculate a score:

- name, address, date of birth, marital status;
- occupation, sector, length of employment and income details;
- For existing customers: payment reminder history, debt collection history and history of payment demands; and
- further information that we receive from credit reference agencies.

If profiling is to be carried out for other purposes, we require separate and explicit consent (which may be withdrawn at any time). Your personal data will not be used for other purposes without your prior explicit consent.

As a general rule, we do not use fully automated decision-making in accordance with Article 22 of the GDPR to establish and manage the business relationship. Should we use such procedures, we will inform you of this separately, provided this is required by law.

9. Does profiling take place?

We use a scoring or rating system as part of the assessment of your creditworthiness. The calculated score is derived using a recognised and tried-and-tested method based on mathematical statistics, in order to determine, using a tiered system, the probability of default on the product applied for. Factors that may

Oberbank AG, Rechtsform: Aktiengesellschaft, Sitz: Linz, Firmenbuch Nr. FN 79063 w, Landesgericht Linz

be taken into account in the calculation include, for example, income, expenditure, existing liabilities, occupation, employer, length of employment, experience from previous business dealings, the repayment of previous loans in accordance with the terms of the contract, and information from credit reference agencies. The calculated values assist us in our decision-making process regarding the granting of products and are incorporated into our ongoing risk management. If the risk of default is too high, the loan application will be rejected. For information regarding the data held about you in the KSV1870 and CRIF databases, please contact KSV1870 or CRIF directly.

If, as a result of the credit assessment, the credit rating defined in accordance with internal strategic guidelines is not achieved, we will be unable to offer you the product you have applied for, or your application for finance will be rejected.

For information regarding the data stored about you in the credit reference agencies' databases, please contact the relevant credit reference agency directly. In accordance with Article 22(3) of the GDPR, you have the right to request a manual review of the automated decision by staff at Oberbank AG, to state your own point of view, to receive an explanation of the decision taken, and to contest the automated decision.

10. What data protection rights do you have?

Every data subject has the right of access (Article 15 of the GDPR), the right to rectification (Article 16 of the GDPR), the right to erasure (Article 17 of the GDPR), the right to restriction of processing (Article 18 of the GDPR), data portability (Art. 20 GDPR), as well as the right to object to data processing where this is based on a legitimate interest, within the framework of the statutory provisions (Art. 21 GDPR), and the right not to be subject to a decision based solely on automated processing – including profiling – (Art. 22 GDPR). These rights may be exercised directly with the aforementioned credit reference agencies (as separate data controllers responsible for obtaining creditworthiness data) and also with Oberbank AG. If you believe that the processing of your personal data does not comply with data protection regulations, please contact us so that we can address your concerns. Furthermore, you have the right to raise your concerns regarding the processing of your personal data with a supervisory authority in the EU. In Austria, the supervisory authority is:

Austrian Data Protection Authority
Barichgasse 40–42, 1030 Vienna
Telephone: +43 (01) 52152-0
Email: dsb@dsb.gv.at

11. Information on data protection

Up-to-date information on data protection at Oberbank AG is available at any time at www.oberbank.at/datenschutz .

Oberbank AG, Rechtsform: Aktiengesellschaft, Sitz: Linz, Firmenbuch Nr. FN 79063 w, Landesgericht Linz