



## Data Protection Information – Financing Enquiry

### Private customers

As part of **the assessment of your financing enquiry**, Oberbank AG will contact the operators of credit-related information systems listed below to **assess** your creditworthiness and, in doing so, will transfer data to them. Furthermore, Oberbank AG is required to verify the details of **the salary statements** you have provided by making enquiries with your employer(s), and in doing so will also disclose details of the intended financing.

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

The responsible body is:

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

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

We transfer the following data to the operators of credit reference 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, 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 Register, 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 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 agency CRIF GmbH), salary statements 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 (in particular to fulfil the statutory obligations to assess the consumer's creditworthiness within the meaning of Section 7 of the VKrG and Section 9 of the HIKrG, and the due diligence obligations under banking and supervisory law); these include, in particular:

1. **KSV (Credit Protection Association of 1870)**, Wagenseilgasse 7, 1120 Vienna:

The KSV is a creditor protection association in Austria which minimises the financial risks faced by its clients by assessing the creditworthiness of private individuals and companies.

The **Small Loans Register** is an information network system (data exchange platform) operated by the Credit Protection Association of 1870 (KSV) on behalf of credit institutions, credit-granting



insurance companies and leasing companies for the purposes of creditor protection and risk minimisation. 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 European Economic Area (EEA), provided that they 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 corporate 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 reports, debt management solutions and insolvency representation.

Furthermore, Oberbank AG is required to verify the details of the salary statements (payslips) you have provided by making enquiries with your employer(s), and in doing so must also disclose details of the intended loan. Oberbank AG stores the data it has collected and received from third parties in IT systems. Consequently, companies acting on behalf of Oberbank AG to maintain the IT systems (hardware and software) have access to this data.

Data provided by the borrower to the bank may be disclosed to members of the Oberbank AG group of 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 is carried out, in particular, for the purpose of fulfilling a contract with you or for taking pre-contractual measures in response to your enquiry, 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 Section 7 of the Consumer Credit Act (VerbrauchercreditG) or Section 10 of the Commercial Credit Act (HIKrG), for the purpose of carrying out statutory sustainability analyses (ESG risk scoring based on the EU taxonomy, as well as the calculation of the Green Asset Ratio and Eligibility Ratio), as well as other statutory provisions to which we are subject (Article 6(1)(c) of the GDPR); or the processing is necessary to safeguard legitimate interests (including creditor protection) (for example, the ESG stress test and the calculation of CO<sub>2</sub> emissions in accordance with PCAF), to minimise risk, and also to assert, exercise or defence of legal claims by us or a third party (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 application 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 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. The collection and transfer of data are therefore necessary to enable Oberbank AG to assess whether a loan agreement can be concluded.

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

As part of the credit assessment carried out 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 credit 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.

The calculated credit score is derived using a recognised and proven method based on mathematical statistics to determine, using a tiered system, the probability of default on the product applied for. If, as a result of the credit assessment, the credit rating defined in accordance with internal strategic guidelines is not achieved, the product applied for cannot be offered to you or your application for financing 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.

If profiling is to be carried out for other purposes, we require your 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.

## 9. What data protection rights do you have?

Every data subject has the right to access (Art. 15 GDPR), rectification (Art. 16 GDPR), erasure (Art. 17 GDPR), restriction of processing (Art. 18 GDPR), data portability (Art. 20 GDPR) and 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, in the case of automated decisions, the right to obtain human intervention from the controller, to set out your own point of view and to contest the decision (Art. 22 GDPR). These rights may be exercised directly with the aforementioned credit reference agencies (as separate 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](mailto:dsb@dsb.gv.at)

## 10. Information on data protection

Up-to-date information on data protection at Oberbank AG is available at any time at [www.oberbank.at/datenschutz](http://www.oberbank.at/datenschutz).