

Information regarding data processing pursuant to Art. 13 and 14 of the EU General Data Protection Regulation (GDPR)

With the following information we wish to provide you with an overview regarding our processing of your personal data and your rights derived from the GDPR. The specific data processed and the purpose for which it is employed relate directly to the services received.

1. Who is responsible for data processing and whom can I contact?

The responsible controller is:

Oberbank AG
Untere Donaulände 28
A-4020 Linz

Tel. +43 (0732) 7802 - 0
E-mail: office@oberbank.at

Our Data Protection Officer is available under:

3 Banken IT GmbH
Data Protection Off
Untere Donaulände 28
4020 Linz

E-mail: datenschutz@oberbank.at
Tel. +43 (0732) 7802 - 0

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

We process the personal data, which in the course of our business relationship is made known to us by you or a third party that you have commissioned. In addition, where this is necessary for the provision of our services, we process data provided by other companies and services suppliers (processors pursuant to Art. 28 GDPR) in the Oberbank Group, credit agencies, debtor registers (e.g. CRIF GmbH, KSV 1870 Holding AG, Creditreform, SCHUFAs), or that we have obtained permissibly from publically accessible sources (e.g. company register, land register, association register, media, Internet)

Relevant personal data consists of your particulars (name, address, contact data, date of birth and place, nationality, family status, number of children, professional information), legitimisation data (e.g. passport data) and authentication data (e.g. sample signature, U-pad signature). In addition, order data (e.g. payment orders), data from the fulfilment of our contractual obligations (e.g. turnover data from payment transactions), information concerning your financial situation (e.g. creditworthiness, scoring and rating data), advertising and sales data, documentation data (e.g. consulting protocols), registration data, pictorial and acoustic data (e.g. video or telephone recordings), data concerning electronic business transactions (e.g. apps, cookies, IP address), as well as data comparable with that in the aforementioned categories.

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

We process personal data in accordance with the provisions of the European Union's General Data Protection Regulation (GDPR) and the 2018 Austrian Data Protection Act.

- **For the fulfilment of contractual obligations (Art. 6 Para. 1 Clause b GDPR)**
The processing of personal data (as defined by Art. 4 No. 2 GDPR) takes place for the performance of banking transactions and financial services within the context of the completion of our contracts with you, or the carrying out of pre-contractual measures, which take place upon enquiry. The purposes of data processing relate primarily to the actual product (e.g. an account, loan, securities, deposits, home savings, mediation) and amongst other activities can include requirement analyses, consulting, asset management and support, as well as the execution of transactions. Further details regarding the purposes of data processing can be found in the relevant contractual documentation and terms and conditions of business.
- **For compliance with a legal obligation (Art. 6 Para. 1 Clause c GDPR)**
The processing of personal data may be necessary owing to a diversity of legal obligations (e.g. the Austrian Banking Act, Financial Market Money Laundering Act and 2018 Securities Supervision Act) or regulatory requirements (e.g. from the European Central Bank, the European Banking Supervisors, the Austrian National Bank and Financial Market Authority) to which we as a bank are subject. The purposes of data processing include creditworthiness assessment, identity and age checks, fraud and money laundering prevention, the fulfilment of tax law related control and reporting obligations, and the evaluation and control of risks in the bank and the Oberbank Group.
- **On the basis of your consent (Art. 6 Para. 1 Clause a GDPR)**
Where you have granted us your consent to the processing of your personal data for certain purposes (e.g. for advertising), this provides the basis of the legality of such processing. You may withdraw your given consent at any time with effect for the future. This shall have no effect upon the legality of the data processed prior to this withdrawal.
- **Within the scope of the balancing of legitimate interests (Art. 6 Para. 1 Clause f GDPR)**
Where necessary, we will process your data beyond the actual fulfilment of the contract for the protection of the legitimate interests of Oberbank AG or third parties. Examples in this regard include:
 - Consultations and data exchanges to and from credit agencies and debtor registers (e.g. KSV 1870 Holding AG, CRIF GmbH, Creditreform, SCHUFA) for the determination of credit and default risks;
 - The assessment and optimisation of requirement analyses and direct customer contacts;
 - Advertising or market and opinion research, to the extent that you have not objected to the use of your data;
 - The assertion of legal claims and their defence during litigation;
 - The guaranteeing of the IT security and operation of the bank;
 - Crime prevention and solution;
 - Video monitoring for the protection of domiciliary rights, the gathering of evidence in the case of criminal acts, or as evidence for withdrawals and deposits, e.g. using cash machines;

- Building and equipment security measures (e.g. access controls);
- Measures for business management or the further development of services and products;
- Measures for risk control within the Oberbank Group.

4. Who receives my data?

Within Oberbank AG, those departments and employees receive access to your data that require it for the fulfilment of the contractual, legal and regulatory obligations, or for legitimate interests. In addition, processors contracted by us (processors pursuant to Art. 28 GDPR) receive your data to the extent that this is needed for the provision of the respective service. Such processors are companies in the financial sector services, IT services, logistics, printing, telecommunications, debt collection, advice and consulting, and sales and marketing categories. All processors and sales partners are contractually obliged to maintain banking confidentiality and secrecy regarding all matters about which they gain knowledge and must treat your data as confidential.

Within the Oberbank Group, your data may be passed on to 3 Banken IT GmbH, Banken DL Servicegesellschaft m.b.H., Oberbank Leasing GmbH and its leasing companies (e.g. 3 Banken Kfz Leasing GmbH, Oberbank Kfz-Leasing GmbH, Oberbank Immobilien Leasing GmbH, Oberbank Operating Leasing GmbH and Oberbank Immobilien-Service GmbH), as well as our branches within the EU for administrative reasons, risk controls owing to legal or official obligations, or because customer data processing is necessary.

As far as the transfer of data to other third parties is concerned, we wish to inform you that as an Austrian credit institute we are obliged to maintain bank confidentiality in accordance with § 38 of the national Banking Act and therefore secrecy regarding all customer-related information and facts of which we obtain knowledge in connection with our business relationship. Consequently, we may only pass on your personal data, when you have released us from the obligation to banking confidentiality expressly and in writing, or when legal, contractual or regulatory provisions oblige or empower us to provide information.

Subject to such preconditions, should a legal or official obligation exist, your personal data may be transferred to official organisations and institutions (e.g. Financial Market Authority, European Central Bank, fiscal authorities) or other credit and financial services institutes or similar bodies that we require for the completion of the business relationship (depending on the contract, e.g. correspondent banks, depot banks, stock exchanges, credit agencies).

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

A data transfer to recipients in states outside the European Union (so-called third countries) takes place when this is necessary for the execution of your orders (e.g. payment and securities orders), legally prescribed, or you have given us your express consent. We will inform you separately regarding details where this is legally stipulated.

6. For how long will my data be stored?

We process and store your personal data for as long as this is necessary for the fulfilment of our contractual and legal obligations. It should be noted that our business relationship represents a continuing obligation, which is designed to last for several years. Should your personal data be no longer required for the discharge of contractual obligations, it will be erased at regular intervals unless its fixed-term further processing is needed for the fulfilment of trading and tax law retention periods as stipulated by Austrian legislation such as the Commercial Code (UGB), the Federal Fiscal Code (BAO), the Banking Act (BWG), the Financial Market Money Laundering Act (FM-GwG) and the 2018 Securities Supervision Act

(WAG 2018). The prescribed periods for retention and documentation range between five and seven years.

In addition, the statute of limitation applying to the retention of evidence is of decisive importance with regard to the storage period, e.g. pursuant to the Austrian General Civil Code this generally amounts to three years, but in certain cases may extend to up to thirty years.

7. What data protection rights do I have?

Every data subject has the right to information (Article 15 GDPR), rectification (Article 16 GDPR), erasure (Article 17 GDPR), restricted processing (Article 18 GDPR), data portability (Article 20 GDPR) and the right to object to data processing (Article 21 GDPR).

You may withdraw the consent that you have given us for the processing of your personal data at any time. This shall also apply to any declarations of consent that you granted to us prior to the coming into force of the General Data Protection Regulation. Please note that a withdrawal of consent first applies to the future. Processing that occurred prior to your revocation shall remain unaffected.

If you are of the opinion that the processing of your personal data does not conform to the data protection law regulations, please contact us in order that your concerns can be addressed.

In addition, you have the right to draw the attention of the following authority to your concerns regarding the processing of your personal data:

Austrian Data Protection Authority
Wickenburgasse 8-10
1080 Vienna
Tel.: +43 1 52 152-0
E-mail: dsb@dsb.gv.at

8. Am I subject to an obligation to provide data?

Within the scope of our business relationship, you are obliged to provide that personal data, which is necessary for the initiation and completion of a business relationship, or that we are legally obliged to elicit. As a rule, without this data we must reject the conclusion or performance of an order, or are no longer able to carry out an existing order and therefore may possibly be forced to terminate it. However, you are not obliged to give your consent to data that is neither relevant, nor necessary for legal or regulative purposes for contractual fulfilment.

In particular, under the Financial Market Money Laundering Act (FM-GwG), prior to the founding of a business relationship, we are obliged to identify you by means such as your passport and thereby ascertain your name, place and date of birth, nationality and your residential address. In order that we can fulfil this legal obligation, you must provide us with the necessary information and documents and point out without delay any changes that may occur in the course of the business relationship. Should you not provide us with the necessary information and documents, we may not commence the business relationship as requested by you.

9. To what extent does automated decision-making take place in specific cases?

As a rule, we do not employ fully automated decision-making pursuant to Article 22 GDPR for the justification and implementation of a business relationship. Should we use such a process in individual cases, we will inform you separately where this is legally prescribed.

10. Does profiling take place?

We partly process your data automatically with the aim of evaluating certain personal aspects (profiling). For example, we employ profiling in the following cases:

- Owing to legal and regulatory provisions, we are obliged to combat money laundering and the financing of terrorism. Data evaluations (e.g. during payment transactions) also take place during this process and at the same time such measures serve your protection.
- We utilise evaluation instruments in order to be able to provide you with targeted information and consulting. These facilitate need-related communications and advertising including market and opinion research.
- We use scoring during the assessment of your creditworthiness. This involves the calculation of the probability of a customer fulfilling its payment obligations as per contract. For example, this calculation can include income levels, expenditure, existing liabilities, profession, employer, length of employment, experience from the business relationship to date, the repayment of previous loans as per contract, and information from credit agencies. Scoring rests on a recognised and proven mathematical-statistical process. The calculated scores assist us during decision-making regarding product agreements and are incorporated into ongoing risk management.

11. Data security

Oberbank AG makes every effort to ensure the greatest possible safeguards and security during digital data traffic (e.g. e-mails) and the use of the Oberbank customer portal. Above all, this is for the protection of incoming or electronic messages received previously by Oberbank AG together with the data and information that they contain. The aim is to guarantee the up-to-date and duly diligent handling of digital data communications with Oberbank AG on the basis of a high-level of technical protection. For this purpose, Oberbank AG also employs software for the identification of malware, which may be found in the files attached to e-mails. Incoming digital messages are therefore examined for malware.

This serves the avoidance of the unauthorised accessing of your data and information, as well as that of the bank. Equally, these measures are intended to provide Oberbank AG with increased protection against malware such as computer viruses, spam and Trojans.

12. Oberbank online offers

12.1. Logging

Every accessing of the Oberbank's online offers is logged automatically along with the name of the accessed file, date and time of the access and the IP address of the enquiring browser. Logging serves the internal monitoring of our IT infrastructure and statistical purposes.

12.2. Determination, storage and protection of personal data

Personal data (e.g. name, address, postal address, telephone number, etc.) will only be determined and stored when you provide it voluntarily, as for example in the course of an enquiry, registration or a contractual relationship.

We will keep this data secret and only use it for replies to your enquiries, the handing of contracts concluded with you, for your information regarding banking services and product offered by Oberbank, and technical administration.

You have the right to withdraw given consent at any time with effect for the future.

12.3. Cookies

Our website employs cookies, which are stored on the browser of the data subject. Cookies are small text files that facilitate the recognition of the data subject. You as the individual data subject remain anonymous. We use cookies in order to match our offer to your requirements and make it more user-friendly, efficient and secure.

- You can prevent the storage of cookies on your computer by an appropriate adjustment of your browser software and thus reject the use of cookies via our website.
- Help for Firefox settings.
- Help for Internet Explorer settings.
- We wish to point out that in this case, it is possible that you will be unable to utilise all the functions of our website. Through the use of the website without the appropriate browser setting, you declare your consent to the use of cookies and the data thus determined.

12.4. Use of applications (apps)

We wish to point out that 3 Banken IT GmbH, Untere Donaulände 28, 4020 Linz, www.3beg.at is the controller of the following Oberbank AG apps:

- Oberbank App
- Oberbank Wallet
- Oberbank Business App

12.5. Oberbank App

No personal data is stored in the Oberbank App. Should you have provided us with personal data via the Newsboard contact possibility we will use this exclusively for the answering of your enquiry. If a business transaction results, your data will be stored in our customer management system.

12.6. Oberbank Wallet (app)

Operation of the Oberbank Wallet requires the processing of the personal data of the data subject. Without this processing, the data subject is unable to use the Wallet and its functions. Without the express consent of the data subject, personal data will neither be used nor passed on to third parties. Further information in this connection is available from the Oberbank Wallet data protection declaration.

13. Data protection information

Ongoing information regarding data protection within Oberbank AG can be obtained at any time under www.oberbank.at/datenschutz .