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## CLIENT PERSONAL DATA PROCESSING NOTICE

Approved by the Board of JSC "Rietumu Banka", Minutes No. 26, 25.05.2018

The Client Personal Data Processing Notice stipulates the procedure how JSC "Rietumu Banka" processes personal data of clients and private individuals related to him/her while providing banking services.

The following terms are used in the document:

**Bank** – the joint stock company "Rietumu Banka", the unified registration number 40003074497, the legal address: 7 Vesetas Street, Riga, LV-1013, the Republic of Latvia.

**Notice** – Client Personal Data Processing Notice.

**Client** – a private individual or a corporate entity to whom the Bank provides services under the Terms and Conditions of JSC "Rietumu Banka" and Client Agreement, the loan agreement and other agreements on providing banking services or private individuals or corporate entities who are bound to the Bank with a transaction. The Client, in the understanding of the Notice, is also a potential client of the Bank who furnished information to the Bank with an aim to establish contractual relationship on providing banking services, and the former clients of the Bank.

**Processing** – any activities with Personal Data including but not limited to: collection, storage, alteration, transfer, erasure.

**Personal Data** – any information directly or indirectly connected with the Data Subject.

**Data Subject** – the Client (a private individual) and private individuals the processing of whose information is related with the provision of banking services to the Client (a private individual or a corporate entity). Related persons are including but not limited to: the Client's representatives, whose Personal Data the Bank processes to fulfil the Terms and Conditions of JSC "Rietumu Banka" and Client Agreement or in line with another legal relations with the Client, the shareholders and owners of the Client (a corporate entity), the contact persons, relatives, co-borrowers, guarantors, pledgors and other private individuals related to the Client.

### Categories of Personal Data

Within the framework of providing services the Bank may collect and process various information about the Data Subject. This information comprises, including but not limited to, the following categories and types of Personal Data:

**Identification and contact details:** a name, a surname, an identity number, details and a copy of the identification document, a signature sample, the date and place of birth, an address, a phone or fax number, an e-mail address;

**Information on activity and status:** citizenship, an activity type, a position, an authority level, tax residence, the taxpayer's code, a residence permit, education and professional experience, a family status, related business partners and persons, the source of wealth or income, the connection of the activity with the Republic of Latvia, presence on the list of persons who are banned to establish contractual relationship with, negative information or reputation, the status of politically exposed person or connection with such a person, the status of beneficial owner, the purpose of opening an account or service use, investment goals, data on planned transactions, CV, links to the USA or another country, an account with another bank, credit history;

**Information on financial status:** the type and value of assets on accounts, details of investment portfolio, data on the owned company shares or corporate equity, the owned property, the amount of income, details on debts and liabilities, solvency, turnover for a period, average balance;

**Information concerning service use:** the account number, the services used (provided by the Bank), details of transactions and operations and performance of obligations thereof, applicable tariff plans, details of payment card, communication with the Bank, private identifier, audio records of phone calls, video records, payment details, Rietumu ID, details of electronic signature, voice password, IP address, data on visits to the webpage of the Bank or use of Internet bank/mobile application, contacts with the Bank;

**Information on cooperation with authorised bodies:** data from information requests prescribed by the law from bailiffs, investigation bodies, courts, tax authorities, insolvency administrators, notaries, orphans' courts, subjects of investigative activities, public and supervisory bodies, counterparties, stock exchange, depositories.

The Bank receives information which includes Personal Data directly from both the Data Subject, his/her representatives or related persons and public sources, public and private registers and/or databases of various countries, including but not limited to: from the Enterprise Register, the Credit Register, the Land Register etc. Information about the Data Subject may also be received by the Bank from counterparties, payment systems, stock exchanges, depositories involved in providing services to the Client or from public bodies.

The Bank may request or process information about the Data Subject when establishing contractual relationship, in the process and after cooperation. Depending on the service the Bank renders, the Bank may request Personal Data on the basis of applicable law and for signing and/or fulfilment of provisions of contract between the Bank and the Client. Refusal to present Personal Data can result in limitation of rendering banking services or make their rendering impossible since the Bank lacks all necessary information.

### **Purposes for Processing of Personal Data**

The Bank processes Personal Data according to requirements of laws and regulations, provisions of applicable contracts and its legitimate and legal interest for implementation, including but not limited to, the following aims:

#### **To ensure rendering of banking services**

Primarily the Bank processes Personal Data to enter into contractual relationship with the Client for rendering banking services, for taking necessary actions prior to entering in the contract, for implementation of the contracts signed with the Client, for assessment of the Client and the persons involved in a transaction with an aim to define a possibility and provisions for cooperation, for due execution of transactions with the Client, for signing contracts in the Client's interests, for making payments with the Client, for communication with the Client, for maintenance of remote access to Internetbank.

The Bank processes Personal Data for rendering banking services on the basis of a respective contract with the Client or because of taking actions prior to its signature on the Client's request, on the basis of the legitimate interests of the Bank to provide the services to the Client, which he wishes to receive, and for performing legal obligations of the Bank in relation to the provision of specific service.

#### **To ensure performance of legal obligations of the Bank**

The activity of the Bank is governed by a number of laws and regulations which require the Bank to Process Personal Data. Including but not limited to the Bank processes Personal Data with an aim to meet anti-money laundering and counter-terrorist financing requirements, to identify and monitor the Client's activity, to assess the potential borrower/co-borrower/guarantor/pledgor and to meet lending requirement, to register pledge and collateral, to withhold taxes, to assess and manage risks and capital, to ensure security, to make reports, to maintain accounting records and bookkeeping, to manage records, to conduct audits, to keep assets, to make payments, to meet international and national sanctions, to cooperate with public and private bodies.

The Bank processes Personal Data to perform its legal obligations, based on applicable requirements of laws and regulations in the sphere of banking activity, anti-money laundering and counter-terrorist financing, tax liabilities and bookkeeping, lending, executing transactions, financial instruments, payment services, international sanctions, activity of public bodies and requirements of other laws and regulations applicable to the Bank. The Bank also processes Personal Data on the basis of its legitimate interests to ensure comprehensive observance of requirements of the law and prevent from violation, make internal assessment and promote the compliance with the statutory requirements, to meet requirements of the supervisory body.

#### **To ensure risk management**

Within the cooperation with the Client the Bank processes Personal Data to monitor the observance of the Client's liabilities and its compliance with the set norms and requirements of the Bank, to keep evidence and information on the course of cooperation, to disclose and prevent illegal actions, to ensure physical security and security of information systems, to protect the Bank against damage, to recover debts, to protect rights of the Bank, to represent the Bank's interests in the course of examination of claims and disputes.

In order to manage risks the Bank processes Personal Data based on the necessity to perform the contract with the Client or take actions prior to its signature, based on the Bank's legitimate interests to ensure meeting the cooperation conditions, to prevent potential damages, to collect debts, and to protect interests of the Bank and/or the Client, to ensure security of the Bank and/or the Client and to perform legal obligations of the Bank in regard to risk management.

#### **To ensure the Bank's legitimate interests**

The Bank may process Personal Data to improve the quality of its services, to provide the Client with additional banking services or to develop new products, to carry out internal analysis and statistics, to support the activities of the Bank and compliance with the internal administration procedures, to improve and test the Bank's technical infrastructure, to ensure the cooperation with the Bank's counterparties, to obtain necessary consultations from external specialists, to examine complaints or applications of the Client, to manage the rights and obligations of the Bank under the signed contracts.

The Bank processes Personal Data based on the necessity to perform the contract with the Client, based on the Bank's legitimate interests to ensure the activities and development of the company, to improve the quality of its services, to maintain the technical infrastructure, to perform the Bank's activities towards the counterparties, based on the legitimate interests of the Bank's counterparties related to the provision of services to the Client, and to perform the legal obligations of the Bank in regard to banking and commercial activity.

Bank carries out recording of telephone calls with the Data subject with the purpose of improving the quality of service and recording oral orders.

#### **Recipients of Personal Data**

The Bank is entitled to transfer Personal Data, including, but not limited to, to the following recipients:

- state and supervisory bodies, bailiffs, investigation bodies, courts, tax authority, insolvency administrators, notaries, orphans' courts, subjects of investigative activities, and other representatives of state authorities within the framework of relevant requests, performance of the Bank's legal obligations, filing of reports;
- counterparties of the Bank or the Client, financial intermediaries, providers of payments and settlements, routing of orders, correspondent-banks, brokers, agents, trading venues, stock exchanges, depositories, liquidity providers, multilateral trading systems, systematic internalisers, payment systems, issuers of securities, insurers, carriers and recipients of valuable goods, customs intermediaries, and other persons who are involved in the execution of orders or transactions of the Client, rendering of services to the Client or custody of assets;
- international payment card systems, incl. Mastercard and Visa, persons involved in card payments, processing centres, persons who check infringements by the Client of the regulations of international payment systems, and to the persons related to e-commerce. Mastercard Europe SA processes Personal Data according to the corporate rules which are available at <https://www.mastercard.us/content/dam/mccom/en-us/documents/mastercard-bcrs-february-2017.pdf> and provide for a number of rights for the Data Subject, and also contain relevant information in respect of the use of Mastercard services;
- persons who register and record the right of ownership, transactions, collaterals, corporate entities, legal relations or statuses, events or other facts related to the activities of the Client or the Bank, including, but not limited to, commercial registers, registers of pledges or other collateral, land registers, credits registers, trade repositories, registers of accounts, approved publication arrangements and reporting on transactions with financial instruments, as well as other public and private registers;
- persons related to the protection of rights and interests, filing of claims, legal proceedings, dispute resolution, including, but not limited to, lawyers, state and arbitration courts, mediators, bailiffs, ombudsmen, alternative dispute resolution mechanisms;
- the Bank's auditors within the framework of the audit, drawing up of financial reports, and carrying out of other inspections;
- persons providing technical support to the activities of the Bank, including, but not limited to, IT and business service providers, consultants, postal couriers, translators, communications operators, developers;
- authorised representatives of the Client or the Data Subject, addressees of statements or excerpts upon the instructions by the Client, persons who are involved in the transactions of the Client, including, but not limited to, co-borrower, guarantor, pledgor, assignor or assignee, purchaser or seller;
- individuals and structural units within Rietumu group.

### **Transfer of Personal data**

Processing of data, first of all, is conducted in the territory of the European Union (EU), however, within the framework of providing of banking services or carrying out of banking activities, Personal Data may be transferred outside the EU.

Transferring of Personal Data outside the EU may occur especially in the situations where the activities of the Client or the Data Subject, transactions of the Client are entered into and executed in, pledges or security of obligations, place of storage of assets or execution of orders, dispute resolution, collection of debts, and other factors are related to a foreign country. Such transferring of Personal Data is based on the necessity to ensure the performance of the contract with the Client or take actions prior to entering therein, or to enter into the contract with a third party in the interests of the Client, and with the Data Subject's consent. Furthermore, the Personal Data may be transferred outside the EU to protect the rights and interests of the Bank within the legal proceedings or to exercise the Bank's rights in respect of the Client or the Data Subject. In individual cases, the transferring of Personal Data outside the EU may be stipulated by requirements of the laws and regulations applicable to the Bank.

If necessary, the Bank provides protection measures for the protection of information transferred outside the EU, e.g., the availability of duly approved corporate binding rules in respect of the Personal Data at the recipient, or entering into an agreement on transferring of information according to the EU standard contractual clauses. In separate cases, when transferring information to the countries which do not provide an EU equivalent level of protection for Personal Data, the transferred information will not be protected at the same level as stipulated under the EU laws and the Data Subject will not be able to fully exercise his/her rights related to the Processing. The list of countries providing the EU equivalent protection for Personal Data is established by the European Commission.

### **Automated Decision-making, Profiling**

As a part of the provision of services, the Bank may apply profiling (i.e. automated Processing) to evaluate the Client or the Data Subject. For example, profiling can be used as an auxiliary tool in the context of the Client's monitoring, when the Bank fulfils its obligations in anti-money laundering and countering terrorism financing, taking into account the evaluation factors stipulated by the laws and regulations (e.g., services used, turnover of funds, type of activity etc). Taking into account the results of profiling, the Bank's employees may perform additional supervision or analysis of the Client. Likewise, the profiling can be used to assess the possibility of applying special terms of service to the Client, taking into account the financial indices of the Client (e.g., account balance, debt level etc.) and earlier cooperation with the Bank (e.g., range of used services, fulfilment of obligations). Based on the result, the Bank's employees take an individual decision. However, in some situations, the offer to receive an additional service of the Bank or to change the cooperation conditions can be sent to the Client automatically.

### **Personal Data Retention Period**

The Bank processes and stores Personal Data for the period that is necessary for the fulfilment of contractual obligations with the Client, the Bank's legitimate interests to retain information about the process of cooperation during the period of limitation of claims in civil actions, and the compliance with the requirements of laws and regulations (e.g., in the area of banking activities, archiving and records management, anti-money laundering and counter-terrorism financing etc.).

### **Rights of Data Subject**

The Data Subject as a whole has the following basic rights in respect of the Processing of Personal Data:

- the right to request the rectification of his/her Personal Data, if they are incorrect or contain incomplete information;
- the right to erase his/her Personal Data, as far as permitted by laws and regulations and legitimate interests of the Bank and the Client;
- the right to request information on whether the Bank processes Personal Data, and to access such data, as far as permitted by laws and regulations about the confidentiality of information;
- the right to withdraw his/her consent to the Processing of Personal Data, in cases where the actions with Personal Data are not grounded by the laws and regulations, and the necessity to fulfil the contract with the Bank or legitimate interests of the Bank, and there are no other legal grounds for Processing;
- the right to object to the Processing if it is justified exclusively by the legitimate interests of the Bank and in a particular situation does not correspond to the more important interests of the Data Subject. In the situations, when the Processing is based on the requirements of the laws and regulations, the Data Subject is not entitled to object to the Processing of the respective Personal Data;

- the right to require restriction to the Processing for the period while the Bank considers the request by the Data Subject to rectify the incorrect Personal Data or the validity of respective Processing, and the right to request a temporary retention of Personal Data, if the Processing of Personal Data is found to be ungrounded, but the Data Subject objects to their removal;
- the right to portability of Personal Data, receiving them in an electronic format with the purpose of transferring information to a third party, taking into account the restrictions stipulated by the laws and regulations;
- the right to request a revision of the decision related personally to the Data Subject, that has been taken completely automatically without the participation of the Bank's employees, and has legal consequences for the Data Subject, subject to the restrictions stipulated by the laws and regulations;
- the right to file a complaint with the State Data Inspectorate (11/13, Blaumana Street, Riga, LV-1011, Republic of Latvia) regarding issues related to the procedure of the Processing of Personal Data.

All requests related to the execution of the rights of Data Subjects must be addressed to the Bank in writing. The Bank examines the request within the period stipulated in the laws and regulations. If necessary, the Bank may request additional information from the Data Subject, which is necessary for the execution of the request. The rights of the Data Subject are subject to the terms and restrictions which are stipulated in the laws and regulations, and the above list of rights is only informative.

#### **Final Provisions**

The Data Subject can contact the Bank regarding the Processing of Personal Data, by sending a written request to the address: 7 Vesetas Street, Riga, LV-1013, the Republic of Latvia, e-mail address: info@rietumu.lv, phone +371 67025555, or at the Internet bank. Messages for the Data Protection Officer must contain a remark "To Data Protection Officer".

The Notice applies to all Clients and Data Subjects irrespective of the time of establishment of contractual relationship with the Bank or the receipt of the banking services. The Notice is applicable also to those Clients and Data Subjects whose Personal Data the Bank received prior to the publishing of the Notice, and the former Clients of the Bank.

The latest wording of the Notice is published on the Bank's website [www.rietumu.com](http://www.rietumu.com). The Bank has the right to unilaterally change the text of the Notice. Unless otherwise specified by the Bank, new wording of the Notice enters into force after published on the Bank's website. Please regularly check the current revision of the Notice.