

## **Personal Data Protection Notice to the Customers of Bulgarian - American Credit Bank AD Privacy notice**

### **Who are we?**

Bulgarian - American Credit Bank AD is registered in the Commercial Register kept at the Registry Agency under UIC: 121246419 / **BACB AD**/

### **What do we do?**

Bulgarian - American Credit Bank AD (BACB AD / the Bank) is a licensed credit institution. The Bank offers the full range of bank products and services under the Credit Institutions Act (CIA), including investment services and activities under the Markets in Financial Instruments Act (MFIA) to individuals and business customers at competitive prices and high quality of the service. BACB is a cutting edge, hi-tech institution that meets adequately the ever increasing requirements of today's consumers. The Bank adapts quickly to the changing banking market conditions and takes advantage of all technology innovations that might be harnessed to serve its customers.

### **BACB AD contact data**

#### Headquarters

1000 Sofia, 2 Slavyanska str.  
E-mail: [bacb@bacb.bg](mailto:bacb@bacb.bg)  
Tel.: +359 2 9658 358; 0700 144 88  
Fax: +359 2 9445 010  
SWIFT (BIC): BGUSBGSF  
<https://www.bacb.bg/bg>

#### Virtual Bank BACB Plus

E-mail: [contact@bacbplus.bg](mailto:contact@bacbplus.bg)  
Tel.: +359 2 9658 370  
<https://transact.bacbplus.bg/>

### **BACB AD Data Protection Officer (DPO):**

Dimitar Kolchakov  
E-mail: [dpo@bacb.bg](mailto:dpo@bacb.bg)  
Tel.: 02 9058337

**Personal data that we collect from you and process include:**

**For the purpose of lending and credit card issuance activities:**

- Names
- Personal ID number
- Date and place of birth
- Nationality
- Data from identity document
- Address, e-mail, telephone, fax
- Transactions, movements and balances on accounts
- Property and financial position
- Education and additional qualifications
- Marital status
- Video recordings
- Other: Data regarding place of work, income, indebtedness.
- IP address
- **Customer health-related data (sensitive data)\***

\* Borrowers' health-related data (**sensitive data**) are processed when the respective credit product agreement has a provision requiring the signing of life / health insurance for the borrower.

The above-mentioned personal data are processed and stored for the purpose of the Bank's legal and regulatory obligation to identify its customers in fulfilment of its duties under the Measures against Money Laundering Act, to determine their creditworthiness in fulfilment of its duties under the Credit Institutions Act, the Consumer Loans Act, the Consumer Real Estate Loans Act, the Commercial Act and other applicable laws and for the purpose of fulfilment of an agreement with BACB AD, under which the data subject (the customer) is a party, or to undertake steps at the request of the data subject (the customer) prior to the signing of an agreement with BACB AD.

**For the purpose of the provision of:**

- **payment products and services, including one-off payment transactions at BACB AD office or via BACB Plus Virtual Bank**
- **payment services related to the issuance of debit cards**
- **financial instrument transaction services:**
  - Names
  - Personal ID number
  - Date and place of birth
  - Nationality
  - Data from identity document
  - Address, e-mail, telephone, fax
  - Transactions, movements and balances on accounts
  - Marital status
  - Video recordings

- Other: tax number, jurisdiction where the party is a local entity for tax purposes; account number
- IP address
- **Customer health-related data (sensitive data)\***

\* Depositors' health-related data (**sensitive data**) are processed when the respective deposit product agreement has a provision requiring the signing of life / health insurance for the borrower.

The above-mentioned personal data are processed and stored for the purpose of the Bank's legal and regulatory obligation to identify its customers and to process their data in fulfilment of its duties under the Measures against Money Laundering Act, the Credit Institutions Act, the Services and Payment Systems Act, the Remote Financial Services Provision Act, the Electronic Document and Electronic Signature Act, the Markets in Financial Instruments Act and other applicable laws and for the purpose of fulfilment of an agreement with BACB AD, under which the data subject (the customer) is a party, or to undertake steps at the request of the data subject (the customer) prior to the signing of an agreement with BACB AD.

**For the purpose of the provision of products and services from BACB AD's BACBGold e-shop for purchase of precious metals and items made thereof:**

- Names
- Personal ID number
- Date and place of birth
- Data from identity document
- Address, e-mail, telephone, fax
- Other: Name and address of the recipient of the item;
- IP address

The above-mentioned personal data are processed and stored for the purpose of the Bank's legal and regulatory obligation to identify its customers and to process their data in fulfilment of its duties under the Measures against Money Laundering Act, the Commercial Act, the Remote Financial Services Provision Act, the Electronic Document and Electronic Signature Act and the other applicable laws, as well as for the purpose of signing an agreement between BACB AD and the customer / data subject for a purchase from the e-shop of BACB AD - BACB Gold.

The above listed personal data are also processed with respect to individuals to whom BACB AD has refused to provide the above-mentioned products and services and / or to enter into binding legal relations therewith. With respect to personal data of such parties BACB AD applies the same personal data protection measures as applied to the personal data of customers and parties that have a legal relationship with the Bank.

**BACB AD has the right to process your data for the above-listed purposes on one or several of the following grounds:**

- processing is required for the performance of an agreement with the Bank under which the personal data subject (the customer) is party or to undertake steps to

- sign an agreement with the Bank at the request of the data subject (the customer) prior to the signing of an agreement with the Bank.
- processing is required for compliance with a legal obligation which applies to the Bank in its capacity as controller of personal data.
  - The data subject (the customer) has given consent for the processing of their personal data for one or more specific purposes. The data subject (the customer) has the right to withdraw their consent at any time.
  - Legitimate interest of BACB AD or of a third party when the latter shall prevail over the interests or the fundamental rights and freedoms of the data subject (the customer), for example for the purpose of preventing crime, including fraud, preventing money laundering and financing of terrorism, other lawful objectives.

**The organisations / persons listed below may receive from BACB AD your personal data, which the Bank processes on one or more of the grounds listed above:**

- persons to whom BACB AD has assigned activities related to the servicing and collection of the Bank's receivables, as well as transferees under agreements by virtue of which BACB AD transfers its contractual receivables;
- insurers for the purpose of signing and maintaining a personal and / or property insurance under agreements signed with BACB AD;
- persons that the Bank has signed an agreement with, under which agreement the Bank has assigned to such persons the processing of personal data for organisational or other reasons;
- traders which under an agreement with the Bank, provide goods on credit or render other types of services related to the bank's agreements signed between BACB AD and the persons whose personal data are processed;
- Bulgarian, international or foreign authorities, institutions and persons which the Bank is obliged to provide personal data to under the provisions of the applicable legislation (the Bulgarian National Bank, the National Revenue Agency, the National Social Security Institute, the Financial Supervision Commission, the National Statistics Institute, the State Agency for National Security, the courts, the prosecution, the investigation authorities, the Ministry of Interior, the external auditors, the Central Depository, the Bulgarian Stock Exchange, etc.);
- other banks, payment system operators and participants, international card organisations and other persons participating in the process of processing and servicing of payment services in compliance with the applicable legislation, whereby these parties may provide customer personal data to authorities, institutions and persons which these parties are obliged to provide such data under the legislation relevant to their operations;
- parties operating in the area of direct marketing (only following explicit consent of the data subject / customer)
- operators providing electronic communication services which BACB has signed agreements for the provision of the SMS notification service

BACB AD does not use any automated decision making, including profiling.

### **Personal data processing on the grounds of consent by the data subject / Right for withdrawal of the consent:**

BACB AD processes subject's (customer's) personal data only in case of consent given thereby in the following cases: (a) for direct marketing purposes; (b) upon provision of personal data to third parties and (c) upon processing of sensitive data the processing of which is not part of the regulatory obligations of the controller.

In the cases when we ask for consent concerning special (sensitive) personal data, we will always justify why and how is this information going to be used, except in the cases when we process sensitive data in fulfilment of regulatory obligations.

In the cases when the subject's (customer's) personal data are being processed only on the grounds of their consent, we can withdraw such consent at any time by filing consent withdrawal request.

You are not entitled to withdraw your consent if BACB is processing your personal data on the grounds of and for the purpose of signing an agreement with the Bank, fulfilment of BACB AD's regulatory obligation as personal data controller or protection of the Bank's or third parties' legitimate interest.

### **Transmission of personal data to a non-EU country or an international organisation**

Bulgarian - American Credit Bank AD has no intention to transmit your personal data to any third party in countries outside the EU or to international organisations without obtaining your consent in advance, except to the organisations / parties listed above, which can receive your personal data from BACB AD.

### **Data storage period**

Bulgarian - American Credit Bank AD will store your personal data for a period not exceeding the terms set out by law.

### **As personal data subject you have the following rights:**

You have the following rights at any time during the period over which we store or process your personal data:

- you have the right to request a copy of your personal data that are being processed by BACB AD and the right to access to your personal data at any time;
- you have the right to request your personal data from BACB AD in a form suitable for transfer to another personal data controller and to request us to do so without any hindrances thereto on our part;
- you have the right to request BACB AD to correct any inaccuracy in your personal data without undue delay, as well as data that are no longer current;
- you have the right to request that BACB AD deletes your personal data without undue delay in case of existence of any of the grounds listed below:
  - you personal data are no longer needed for the purposes they have been initially collected for;
  - when you have withdrawn your consent (in the cases when your personal data processing is done only based on your consent);
  - when you have objected against the processing;

- when the processing is illegal;
- when personal data should be deleted in order to comply with a legal obligation under the EU law or the laws of a member state, which applies to us as personal data controller;
- when the personal data were collected in relation to the offering of services to information society.

We have the right to refuse to delete your personal data due to the following reasons:

- compliance with a legal obligation by BACB AD
- for statistic purposes to the extent it is probable that the deletion will render impossible or will seriously hinder the attainment of the objectives of such processing; or the establishment, exercising or protection of legal claims.
- you have the right to request BACB AD to restrict the processing of your personal data, and in such case the data will only be stored but not processed. Our refusal to limit will be solely in writing and we are obliged to provide legal justification for any such refusal;
- you have the right to withdraw your consent for the processing of your personal data at any time in a separate request sent to the controller, in the cases when the processing of your personal data is only based on your consent;
- you have the right to object against certain types of processing, such as direct marketing (unsolicited advertising messages);
- you have the right to object against automated processing, including profiling;
- you have the right not to be subject to decision made only on the grounds of automated processing, including profiling;
- if we need to use your personal data for any new purpose that has not been covered by this data protection statement, we will provide you with a new data protection statement and when and where necessary we will request your prior consent as to any such new processing.

All of the above-mentioned requests will be forwarded, if there is a third party (recipients, including outside the EU and international organisations) upon the processing of your personal data.

### **You have the right to file complaint to the supervisory authority**

You have the right to file a complaint directly with the supervisory authority. The competent body in Bulgaria is the Commission for Personal Data Protection, address: 1592 Sofia, 2, Prof. Tsvetan Lazarov blvd. ([www.cpdp.bg](http://www.cpdp.bg)).

If you wish to file a complaint concerning the processing of your personal data via Bulgarian - American Credit Bank AD (recipients, including outside the EU and international organisations), you can do so at the provided contact data of Bulgarian - American Credit Bank AD or directly to the Personal Data Protection Officer (at the above contact data).

### **Questions and answers:**

#### **What is personal data?**

According to the General Data Protection Regulation, personal data is defined as:

"Any information relating to an identified or identifiable natural person ("data subject"); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;"

### **Why does Bulgarian - American Credit Bank AD collect, process and store personal data?**

Bulgarian - American Credit Bank AD processes and stores personal data for the purpose of provision of bank products and services and / or execution of bank and other commercial transactions with the persons whose data is processed or in order to consider the possibility to render such services. Provision of personal data is voluntary. In case of refusal to provide personal data Bulgarian - American Credit Bank AD will not provide the requested bank product or service, or perform the respective bank or commercial transaction to the extent the processing of personal data at large is in fulfilment of the Bank's regulatory obligations.

For the purpose of communicating advertising and marketing initiatives, Bulgarian - American Credit Bank AD will request further consent on your behalf.

### **How are you using my personal data?**

Personal data provided to Bulgarian - American Credit Bank AD upon filing a request for the provision of a bank product or service and / or performance of bank and other commercial transactions are processed in order to analyse whether these persons meet the conditions for the provision of the respective product or service, as well as to achieve reliable identification of the parties to the bank and commercial transactions performed in fulfilment of the Bank's regulatory obligations. Personal data are treated as strictly confidential and will not be transmitted to third parties, except in the cases listed above.

### **Are my personal data going to be forwarded and shared with other organisations or persons?**

We will not sell your data to any third party, nor shall we transmit them to obtain any other benefits.

Bulgarian - American Credit Bank AD may provide your personal data to our service providers that have signed an agreement with us.

All third parties which may obtain your data are obliged to safeguard your data and use them solely to fulfil the obligations undertaken towards us. When they no longer need your data in order to perform such obligations, they will be provided with detailed instructions as to their destruction in accordance with the procedures developed by Bulgarian - American Credit Bank AD.

When we intend to transfer special (sensitive) personal data to a third party, we will do so only after we have obtained your prior consent thereto. (the only exception is the case when we are obliged to do otherwise by law).

Recipient of your data may include government authorities, to which we provide such data under specific and clear legal obligation.

### **How are my personal data collected by you going to be stored and safeguarded?**

Subject's personal data will be stored over the periods provided for by law.

We will not store information about you longer than reasonably needed for the performance of the specific objectives, which the data is collected for, and which you are notified about herein.

We will take all technical and organisational measures required in order to ensure protection of your data against unauthorised access.

### **Can I understand what personal data of mine you have and process?**

At your request Bulgarian - American Credit Bank AD will reply what is the information we store about you and how such information is processed.

If we process your personal data, you can request the following information:

- Data Protection Officer contact data
- Purpose of the processing;
- Legal grounds for the processing;
- The respective personal data categories which are processed;
- Recipients or recipient categories which the data is or will be disclosed;
- Recipients in third countries or international organisations, if personal data has been transmitted to such, as well as assurance that the data security with them will be at least at EU level;
- If processing is based on the legal interest of Bulgarian - American Credit Bank AD or any such third party, information regarding such interests.
- The envisaged period over which personal data will be stored;
- Details regarding your right to request correction or deletion of personal data or restriction in the processing of personal data, as well as to object against any such processing;
- Information as to your right to withdraw your consent at any time;
- Details as to your right to file a complaint with a supervisory authority;
- Information as to whether the provision of personal data is a statutory or contractual requirement, or requirement for the signing of an agreement, and as to whether you are obliged to provide your personal data and the possible consequences of your failure to provide such data.
- The source which your personal data is collected from, in the cases when not obtained directly from you.
- All details and information as to any automated decision making, such as profiling and any meaningful information as to the logic of such operations, as well as the meaning and expected consequences of such processing.

### **How can I get access to my data which is being processed?**

You have to fill in a data subject request form or file a request at the provided contact data of Bulgarian - American Credit Bank AD, or directly at the provided contact data of the Data Protection Officer.