

Privacy Notice to the Clients of "Bulgarian-American Credit Bank" AD

This privacy notice governs the data subject's rights under **Regulation (EU) 2016/679** of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (EU GDPR) and under the Commission's Implementation Decision of 28.06.2021 pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the adequate level of protection of personal data by the United Kingdom and the UK Data Protection Act 2018 (UK GDPR), including data subjects' rights under any future amendments or extensions of said legislation and other legal regulations relating to the processing, security, protection and retention of personal data.

I. Information about the controller:

Who are we?

Bulgarian-American Credit Bank AD is entered in the Trade Registry kept by the Registry Agency, with UIC: 121246419 /**BACB AD**/

What do we do?

Bulgarian-American Credit Bank AD (BACB AD/the Bank) is a licensed credit institution and offers the full package of banking products and services under the Credit Institutions Act /CIA/, including investment services and activities under the Markets in Financial Instruments Act /MFIA/, to individual and business clients at competitive prices and high service level. BACB is a modern, high-tech institution that adequately meets the increasingly high demands of modern consumers, adapts quickly to the changing conditions on the banking market and takes advantage of all technological innovations that can benefit its clients.

Contact details of BACB AD

Headquarters

Sofia 1000, 2 Slavyanska St
E-mail: bacb@bacb.bg
070014488 and *4488
SWIFT (BIC): BGUSBGSF
<https://www.bacb.bg/bg>

BACB Online banking

E: onlinebanking@bacb.bg
T: +359 2 9058 370; 0700 144 88
<https://online.bacb.bg/>

Data Protection Officer (DPO) of BACB AD:

Lilia Mileva

E-mail: dpo@bacb.bg

II. The purposes of data processing:

1. For the purposes of the credit activity and for issuing credit cards, we process the following personal data:

- Full name
- PIN
- date and place of birth
- citizenship
- data from the identity document
- address; e-mail, telephone, fax
- account operations, movement and balances
- property and financial status
- education and additional qualification
- marital status
- video surveillance
- Other: data on the place of work, income, credit indebtedness.
- IP address
- **Data relating to the client's health (sensitive data)***

* Data relating to the health of borrowers (**sensitive data**) are processed where the contract for a certain credit product contains a requirement to take out insurance on the borrower's life/health.

The above personal data are processed and stored for the purpose of compliance with the Bank's legal obligation to identify its customers pursuant to the provisions of the Measures Against Money Laundering Act, to determine their creditworthiness in fulfillment of its obligations under the Credit Institutions Act, the Consumer Credit Act, the Consumer Credits Related to Immovable Property Act, the Commerce Act, and the other applicable legislation and for the performance of a contract with BACB AD to which the data subject /client/ is a party, or to take steps at the request of the data subject /client/ before concluding a contract with BACB AD.

2. For the purpose of providing payment products and services, including one-time payment operations at an office of BACB AD or through remote banking channels of BACB, payment services relating to the issue of debit cards, services relating to transactions in financial instruments and others, we process the following personal data:

- Full name
- PIN
- date and place of birth
- citizenship
- data from the identity document
- address; e-mail, telephone, fax

- account operations, movement and balances
- marital status
- video surveillance
- Other: tax number, the jurisdiction of tax residency of the person; account number
- IP address
- **health data of the client (sensitive data)***

* Data relating to the health of the depositors (**sensitive data**) are processed where the contract for the relevant deposit product contains a requirement to take out life/health insurance for the borrower.

The above personal data are processed and stored for the purpose of complying with the Bank's legal and regulatory obligation to identify its customers and process their data in fulfillment of its obligations under the Measures Against Money Laundering Act, the Credit Institutions Act, the Payment Services and Payment Systems Act, the Remote Financial Services Act, the Electronic Document and Electronic Authentication Services Act, the Markets in Financial Instruments Act and the other applicable legislation and for the performance of a contract with BACB AD to which the data subject /client/ is a party, or to take steps at the request of the data subject /client/ before concluding a contract with BACB AD.

The personal data listed above are also processed in relation to persons to whom BACB AD has refused to provide the above-described products and services and/or to enter into legal relations. With regard to the personal data of such persons, BACB AD applies the same data protection measures as it applies to the personal data of clients and persons entering into a legal relationship with the Bank.

3. For the purposes of considering any submitted reports, objections, complaints from individuals, as well as for carrying out checks and providing feedback.

- Full name
- PIN
- address; e-mail, telephone, fax

4. For the purpose of ensuring the security of areas and premises and access control.

Information representing personal data is processed through video surveillance systems; where activities are performed at bank counters and offices and as part of managing and controlling the flow of people through the entrances and exits of areas protected by electronic control systems, based on the duties of the controller under the applicable Ordinance of the Ministry of the Interior and the BNB on the organization and control of the security of banks.

5. For the purpose of Automatic Exchange of Financial Information in the Field of Taxation:

BACB as a personal data administrator has a legal obligation under Article 142b, paragraph 1 of the Tax and Social Insurance Procedure Code to provide the National

Revenue Agency with financial information representing personal data on the Bank's clients, including beneficial owners of companies covered by the automatic exchange of information. The information to be provided includes:

- Ø names,
- Ø country of residence for tax purposes
- Ø tax number
- Ø address
- Ø date and place of birth
- Ø account number
- Ø account balance at the end of the reporting period or closing date
- Ø income earned on the account during the reporting period

III. Grounds for data processing:

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

1. The processing is required for the performance of a contract with the Bank to which the data subject /the client/ is a party, or for taking steps for conclusion of a contract with the Bank at the request of the data subject /client/ before the conclusion of such contract. The failure to provide your personal data will make it impossible for the bank to provide the services you have requested, taking steps before concluding a contract.
2. The processing is necessary to comply with a legal obligation to which the Bank, in its capacity as a data controller, is subject.
3. The data subject /the client/ has given their consent to the processing of his or her personal data for one or more specific purposes. Where the processing of your personal data for a specific purpose is based on your consent, you may withdraw it at any time without prejudice to the lawfulness of the processing prior to its withdrawal.
4. A legitimate interest of BACB AD or of a third party, where it overrides the interests or fundamental rights and freedoms of the data subject /client/, for example for the purpose of preventing crimes including fraud, preventing money laundering and terrorist financing, other lawful purposes, such as but not limited to:
 - Security and access control
 - Audio and video surveillance, audio and video recording for security purposes, access control, anti-fraud measures, documentation of communication
 - Where data is provided to third parties: in compliance with the legal or contractual obligations of the controller, or on another valid legal basis
 - To study and improve the customer service at "BACB AD", as well as for marketing and market research and analysis purposes

Where the processing of your personal data for a specific purpose is based on the legitimate interests of BACB AD, including profiling, you can object to the processing for the specific purpose at any time.

IV. The following organizations/persons may receive from BACB AD your personal data, which BACB AD processes on one or more of the grounds stated above:

1. The recipients of your data may include government authorities to whom we provide data in fulfillment of specific and clear legal obligations. These authorities include but are not limited to: BNB, the Financial Supervision Commission, the Commission for Personal Data Protection, the Consumer Protection Commission, the National Revenue Agency, the State Agency of National Security, the Ministry of the Interior, the court, the prosecutor's office, etc.
2. Persons to whom BACB AD has assigned actions relating to servicing and collection of Bank's receivables, as well as assignees under contracts, pursuant to which BACB AD transfers its receivables under contracts;
3. Insurers, in order to conclude and maintain personal and/or property insurance under contracts concluded with BACB AD;
4. Persons with whom the Bank has entered into a contract pursuant to which the Bank has entrusted such persons with personal data processing for organizational and other reasons;
5. Traders who, pursuant to a contract with the Bank, sell goods on credit or perform other types of banking-related services concluded between the Bank and the persons whose personal data are processed;
6. Bulgarian, international or foreign bodies, institutions and persons to whom the Bank is obliged to provide personal data pursuant to the applicable legislation (Bulgarian National Bank; National Revenue Agency; National Social-Security Institute; Financial Supervision Commission; National Statistical Institute; State Agency for National Security; the court; the prosecutor's office; investigation bodies; Ministry of Interior; external auditors; Central Depository; Bulgarian Stock Exchange, etc.);
7. Other banks, operators of and participants in payment systems, international card organizations, incl. VISA, and other persons participating in the process of processing and providing payment services in compliance with the applicable legislation, where these persons may provide the personal data of the Bank's clients to bodies, institutions and persons to whom they are obliged to provide such data by virtue of the laws applicable to their activity.
8. Persons who work in the field of direct marketing (only with the explicit consent of the data subject / client)
9. Operators providing electronic communication services, with whom BACB has concluded contracts for the provision of SMS - notification services.
10. Bulgarian-American Credit Bank AD may transfer your personal data to service providers who have entered into a contract with the bank.

11. Any third parties that may receive your data are obliged to keep your data in a secure manner and use it only to fulfill their obligations assumed to BACB.
12. Where we need to transfer special (sensitive) personal data to a third party, we will do so only after obtaining your consent, unless we are otherwise required by law.

Transfer of personal data to a third country or international organization

"BACB" AD does not transfer personal data to third countries or international organizations.

V. Automated Decision Making.

BACB AD does not usually perform automated decision-making, including profiling. In the event that automated decision-making is required, BACB will request your explicit consent.

VI. Data Retention Period

BACB AD will process your personal data for the terms established by the applicable legislation in force in the country and by the regulatory supervisory bodies.

VII. Your rights as a data subject are as follows:

At any time while we store or process your personal data, you will have the following rights:

1. You have the right to request access to your personal data processed by the Bank;
2. You have the right to request from BACB AD your personal data in a form convenient for transfer to another data controller and to request that we transfer such data, without being hindered by us, if the conditions of art. 20 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 /the Regulation/ have been met.
3. You have the right to ask BACB AD to rectify without undue delay any inaccurate personal data relating to you, as well as data that are no longer up-to-date;
4. You have the right to request from BACB AD that your personal data be erased without undue delay in the presence of any of the following grounds /The right to be forgotten/:
 - 4.1. the personal data are no longer necessary for the purposes for which they were collected;
 - 4.2. where you have withdrawn your consent /in cases where the processing of your personal data is solely based on your consent/; where you have objected to the processing and there are no overriding legal grounds for the processing;
 - 4.3. where the processing is unlawful;
 - 4.4. where the personal data must be erased in order to comply with a legal obligation under the EU law or the law of a Member State that applies to us as a data controller;
5. the right to request restriction of processing, according to Art. 18 of the Regulation.
6. You have the right to withdraw your consent to the processing of your personal data at any time with a separate request addressed to the controller, in cases where the

processing of your personal data is solely based on your consent. You have the right to withdraw your consent at any time without prejudice to the lawfulness of the processing based on your consent before its withdrawal. In cases where such consent is required to process your personal data and you make an informed decision not to give it, the Bank may not be able to provide the relevant product/service for which your consent was required. You may withdraw your consent with a written request in a free form, through BACB's registry desk or in the form of an electronic document signed with a qualified electronic signature and sent to the following email address: **dpo@bacb.bg**.

7. you have the right to object to certain types of processing, such as direct marketing (unsolicited marketing messages);
8. you have the right to object to automated processing, including profiling;
9. you have the right not to be subject to a decision based solely on automated processing including profiling;
10. if we need to use your personal data for a new purpose that is not covered by this Privacy Notice, we will provide you with a new privacy notice and, if and where needed, we will seek your prior consent to any new processing.

11. You have the right to lodge a complaint with a supervisory body

You have the right to lodge a complaint directly with the supervisory authority, the competent authority in Bulgaria being the Commission for Personal Data Protection, address: Sofia 1592, 2 "Prof. Tsvetan Lazarov" Blvd. (www.cdpd.bg).

In the event that you wish to file a complaint regarding the processing of your personal data through the Bulgarian-American Credit Bank AD (recipients, including non-EU and international organizations), you can do so at the specified contact details of the Bulgarian-American Credit Bank AD or directly to the Data Protection Officer (at the above contact details.)

VIII. How can you exercise your rights as a data subject?

You need to fill in the Data Subject Request form, which can be found on BACB's website - www.bacb.bg, section Legal information, "Privacy" or send a request at the contact data of "Bulgarian-American Credit Bank" AD, or directly to the specified contact details of the Data Protection Officer.