

PERSONAL DATA PROCESSING AND PROTECTION POLICY

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1. PURPOSE

The “Personal Data Processing and Protection Policy” of AS “Industra Bank” has been developed to create such a Personal Data Processing System in the Bank that would ensure the following objectives:

- to maintain a high quality of Personal Data Processing and to ensure Data Protection in accordance with the requirements of the law;
- to maintain and increase confidence of existing and potential Customers in the Bank;
- to ensure transparent and understandable Procedure of Personal Data Processing;
- to prevent the risk of unauthorized Processing of Personal Data, to regulate the Bank's actions in events where Data Protection breaches are detected.

2. TERMS AND ABBREVIATIONS

Bank	AS “Industra Bank”, including the Lithuanian branch and the subsidiary of the Bank - AS “MTB Finance”
Customer	A private person who receives the Bank’s services
DSI	The Data State Inspectorate (in Lithuania – the State Data Protection Inspectorate)
FCMC	The Financial and Capital Market Commission (in Lithuania – the Bank of Lithuania)
Person (Data Subject)	A private person (for example, a current or potential Customer of the Bank, Customer’s representatives, current and potential employees of the Bank, guarantors, pledgers, etc.)
Personal Data	Any information on any medium that may help to identify a Person (Data Subject), directly or indirectly
Policy	Personal Data Processing and Protection Policy
Regulation	REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing the Directive 95/46/EC (General Data Protection Regulation)
SRS	State Revenue Service (in Lithuania – State Tax Inspectorate)

The use of other terms and abbreviations is consistent with the use of terms in the [Regulation](#).

3. GENERAL PROVISIONS

- 3.1. The Policy governs the Protection and Processing of Personal Data, that is carried out with or without automated means, where **processing** is any operation with data, including data

collection, registration, structuring, requesting, storing, deletion, etc. (see definitions in cl.4 of the [Regulation](#)).

- 3.2. The Policy is developed in accordance with the requirements of the [Regulation](#), which are focused on the Protection of Personal Data and of Personal Rights. The Bank processes Personal Data, respecting the wishes of Persons to protect their privacy.
- 3.3. The Policy defines the basic principles of Personal Data Protection at the Bank.
- 3.4. Principles of Personal Data Protection and Processing shall be observed in all processes of Data Processing, incl. when servicing existing and potential Customers, recruiting new employees and managing information about existing employees, entering into cooperation agreements, initiating new processes and introducing new services, improving data processing technologies, transferring documents for archiving, destroying documents after expiration of storage period. The Bank ensures a high level of confidentiality for Personal Data, implements Data Protection measures, awareness-raising measures for the Persons, as well as other measures in ensuring legitimate, bona fide and transparent Data Processing.
- 3.5. The Board of the Bank appoints a **Data Protection Officer**. He/she is responsible for ensuring communication with Persons, assessing the Data Processing-related processes in the Bank, ensuring cooperation with the supervisory authority (in Latvia - DSI, <http://www.dvi.gov.lv>; in Lithuania – SDPI, <https://www.ada.lt/>), providing consultations to the Bank's employees in matters related to processing of Personal Data, incl. requirements of regulatory enactments, procedure of Personal Data processing, etc.
- 3.6. Development of the Policy is ensured by the Board and approved by the Council.
- 3.7. The Policy is binding for all employees of the Bank.

4. WHAT IS PERSONAL DATA

Personal data is a term defined by the [Regulation](#) concerning all types of information that can help to identify a Person, by using this information or using this information along with other information at the disposal of the Bank (or together with the data the Bank has access to). Examples of Personal Data processed by the Bank:

- name, surname, date of birth, personal identity number, passport or identity card data, citizenship, tax residence of a Person;
- contact information (phone number, e-mail, address, language used for communication);
- financial data of a Person - income, financial liabilities, source of income, borrowings, turnover of financial assets, other financial information;
- information required for making and processing of payments, such as current account number of a Person in the bank, payment card information, payment history;
- information about Person's work experience, education;
- information about users of the Bank's website (cookies, IP address);
- information about family members, associated persons;

- Person's visual appearance (video surveillance).

5. IN WHAT CASES THE BANK REQUESTS OR OBTAINS PERSONAL DATA

5.1. The Bank processes various types of Personal Data, the volume and nature of which varies due to the diverse nature of data processing purposes. The Bank requests and processes Personal Data only when there is a concrete purpose and a legal basis for the processing. The Bank does not process information that is not required for achieving a concrete, specifically set legal purpose.

5.2. Personal Data can be obtained by the Bank in various ways, for example, when:

- conducting a potential Customer identification and due diligence;
- entering into contractual relations with a Customer and performing contractual obligations;
- providing one-time service to a Person who is not Customer of the Bank;
- reviewing applications in response to job advertisements, when recruiting new employees;
- consulting a Person over the phone or at Customer service centres of the Bank;
- receiving a letter or an e-mail message from a Person;
- the Bank's website, internet banking, or the Bank's accounts in social media are being used by a Person;
- conducting video surveillance at the Bank premises or outside the Bank;
- using information about a Person from Internet resources, requesting information about a Person from various registers, and from other publicly available sources.

6. POSSIBLE LEGAL BASIS FOR PROCESSING OF PERSONAL DATA

The Bank may initiate processing of Personal Data only if the processing has a **specific purpose** (for example, conclusion of a contract, the provision of a specific service, performance of the statutory obligations, etc.) and if the processing has an appropriate **legal basis**.

A legal basis for processing of Personal Data may be as follows:

Legal basis	Notes
1. Establishment and performance of contractual obligations	<p>In the event of this legal basis, the Bank processes the data required for concluding and performing the contract. Examples of data processing in conjunction with this legal basis:</p> <ul style="list-style-type: none"> - The Bank requests all information necessary for concluding a contract (the legal basis also applies if the contract is not concluded for some reason); - The Bank transfers information to other parties of the envisaged agreement (for example, by entering into a tripartite agreement);

	<ul style="list-style-type: none"> - The Bank sends information to international payment card organizations (MasterCard, VISA, etc.) to ensure execution of payment card transactions (if it is provided for in the agreement concluded between the Bank and the Customer); - The Bank transfers information to correspondent banks in order to ensure execution of payments (if it is provided for in the agreement concluded between the Bank and the Customer).
2. Compliance with a legal obligation	<p>This legal basis applies to the data processing when the Bank has no free choice of action - the relevant activity is governed by the provisions of applicable regulatory enactments of the EU or Latvia/Lithuania.</p> <p>For example, provision of information to the SRS or to the FCMC in line with the legal acts, requesting information from a potential customer for identification purposes, etc.</p>
3. Protection of the vital interests of a Person (Data Subject) or of a third party	<p>This legal basis is used in exceptional cases, when data processing is carried out, for example, with an effort to protect life or health of a Person.</p>
4. Observance of public interest or exercise of official powers	<p>This legal basis is rarely used and is similar to the compliance with a legal obligation, since the public interest or official powers of the Bank must be specified in legal acts, unlike as with a legal obligation, the Bank can have a free (or a partially free) choice of action</p>
5. The legitimate interests of the Bank or of a third party	<p>A frequently used legal basis. It is applied, for example:</p> <ul style="list-style-type: none"> - when indicating third party-related information that is essential for the use of the Bank's products (guarantors, pledgers, parties involved in transactions in case of opening of an escrow account, etc.) in the application; - when recording telephone conversations for the purposes of service quality control, etc. <p>Prior to performing data processing in accordance with this legal basis, the Bank shall evaluate the effect on the Data subject, perform an interest balancing test.</p>
6. The consent of a Person (Data Subject)	<p>The consent of a Person is used as a legal basis, for example, in marketing purposes, when a Person applies for a lottery or receipt of informative materials.</p> <p>A person has a free choice - to give his/her consent to data processing or not, and a Person has the right to withdraw his/her consent at any time, thus terminating the processing.</p> <p>For example, if, on the basis of the consent of a Person, the Bank sends informative material about the Bank and its</p>

	products to a Person, the Bank shall stop sending the information as soon as the Person has withdrawn the consent.
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7. HOW PERSONAL DATA IS PROCESSED AND PROTECTED

- 7.1. The Bank does not request from a Person, and does not process, more information than it is necessary to achieve certain goals, thus observing the so-called **principle of data minimization**. The amount of Personal Data required for a number of purposes is determined by the regulatory enactments of the country. In other cases, the Bank itself estimates what information should be requested from a Person in order to be able to achieve the purpose (for example, to provide a certain service to the Customer), while observing the principle of data minimization.
- 7.2. The Bank continuously **develops information technologies** in order to ensure the protection of Personal Data.
- 7.3. The Bank ensures that only those employees who need it for the performance of their job duties have **access** to Personal Data. The Bank has developed a number of normative documents regulating the procedure for granting access rights to information, the procedure for taking inventory of the rights, the procedure for working with Personal Data, other confidential or secret information.
- 7.4. In order to minimize the risk of a Personal Data **breach**, the Bank monitors personal data processing activities, records every incident effecting data security and takes measures to prevent any further data-threatening situations. The Bank carries out training of its employees, improves Information Systems, documents circulation procedure and cooperates with the DSI in order to maintain a high quality of information processing and protection.
- 7.5. If Personal Data breach poses / may pose a high risk to the rights and freedoms of a Person, the Bank shall **inform the Person and the DSI** thereof.
- 7.6. The Bank takes efforts to ensure that it is processing only correct and accurate data. If the Bank has doubts about the applicability or accuracy of the information submitted by a Person, the Bank shall contact the Person to clarify the information processed. In addition, each Customer and employee of the Bank is obligated to report to the Bank in the event of changes in the information submitted to the Bank (for example, telephone number, residence address, etc.).
- 7.7. Personal data is processed for no longer than is necessary to achieve a certain purpose.
- 7.8. The Bank respects the rights of a Person, allowing the Person to control and monitor their Data Processing (see Clause 11 of the Policy on Personal Rights).
- 7.9. The Bank maintains **Data Processing Register**, that shows the types of Personal Data Processing, purposes and legal justification thereof.

7.10. The Bank carries out, on a regular basis, training of employees, incl. on Personal Data Processing, protection, as well as on confidentiality and ethical standards.

8. AUTOMATED DECISION MAKING

8.1. When performing the processing of Personal Data, the Bank uses automated systems, but does not take individual decisions without participation of specialists of the Bank.

8.2. The Bank uses automated systems, e.g. for payment control, Customer due diligence, detection of suspicious and unusual transactions, sanctions risk management in accordance with the current legislation of Latvia and Lithuania.

9. IN WHAT CASES AND FOR WHAT PURPOSES PERSONAL DATA MAY BE TRANSFERRED TO THIRD PARTIES

9.1. When processing Personal Data, it is the priority of the Bank to keep the information confidential. Information may be transferred to third parties to the extent and in cases stipulated by the applicable regulatory enactments of Latvia/ Lithuania and of the EU, as well as in order to ensure the provision of high-quality and efficient services, or, when it is necessary for the performance of contractual obligations to the Customer.

9.2. Personal data may be transferred to:

- FCMC, SRS, DSI, the Bank of Latvia and other state institutions, control services, sworn bailiffs and investigating authorities - in accordance with the regulatory enactments;
- Holders of different registries (e.g. credit registers, commercial register, securities registers, etc.);
- External auditor of the Bank;
- Subsidiary of the Bank;
- Persons who are guarantors for obligations of the Bank's Customer (guarantors, pledgers);
- Beneficiary of a payment or transaction;
- Insurance companies;
- Bank's business partners, incl. those who provide the following services to the Bank: courier service, telecommunication service, information technologies, payment company services, data analysis, archives services, etc.;
- Business partners that provide Customer and Employee loyalty programs and privileges;
- Other credit institutions, financial institutions, payment card companies, financial services intermediaries, etc.

9.3. Before transferring data to a third person, the Bank shall conclude an agreement detailing the procedure in accordance with which the business partner will process and protect the Personal Data. During the cooperation, only information required for a stipulated purpose will be transferred to the partner, and if there is such a possibility, the Bank transfers anonymized information, so that the business partner is not able to identify the particular Person. The Bank may not enter into a contract with a third party only in cases where the

transfer of the relevant data is regulated by the applicable regulatory enactments of Latvia and of the EU.

10. WHETHER PERSONAL DATA MAY BE TRANSFERRED TO OUTSIDE THE EU/EEA

Personal data of a person may be transferred to outside the EU/EEA, when doing so is necessary for ensuring the provision of a specific service, in the event when the business partner of the Bank is located outside the EU/EEA. When transferring the personal data outside the EU/EEA, the Bank ensures a data protection level compliant with the Regulation.

11. PERSONAL RIGHTS OF A PERSON

11.1. Persons have the following rights regarding the processing of his or her information:

- a) **to receive information** on the type, purpose and legal basis of their data processing;
- b) **to access their data** and obtain confirmation of their data processing. By using MultiNet Internetbank, a Customer is able to acquaint oneself with the information on the concluded agreements with the Bank, balances of the accounts, his/her Personal data submitted to the Bank, payment history, etc. Upon receipt of a Customer's request for information on personal data processing, the Bank may require the Customer to specify in more detail to which information and to which data processing activities the request relates.
- c) **to rectify their data** if it is incorrect or inaccurate;
- d) **to delete their data** or "to be forgotten", for example, if the data is no longer necessary for the purposes for which it was collected or if the Person has withdrawn his/her consent on which the data processing is based;
- e) **restrict the data processing**, for example, if the accuracy of the personal data is contested by the Person, or if the Bank no longer needs the data for the stipulated purposes, but the Person objects to deletion of the data, with the aim of implementing or defending legal claims, etc.;
- f) **to object to processing of data** (on grounds relating to the Person's particular situation) if processing is based on the Bank's legitimate interests or public interest. The right to object may not be realized if the legal basis for processing is the consent given by the Person, the establishment and performance of contractual relations, fulfilment of a legal obligation, protection of vital interests of the data subject or of third parties;
- g) **right to data portability** or movement, in order to store or to enable the reuse of data, for example, by transferring to another service provider. The right may be not realized for absolutely all information. Rights may be realized in respect of the data submitted by the Person, for example by filling in forms and applications, applying for the use of the Bank's products and services, as well as in respect of the data processed by automated means (other than paper documents) and the legal basis thereof is either consent given by the Person or the establishment and performance of contractual relationships.

11.2. The Bank shall consider the Persons' requests without undue delay and, in any case, inform the Person about the actions undertaken **within a month**. The Bank may **extend the period**

of consideration of the claims for another two months on a reasonable basis (for example, large number of requests or complexity of requests).

- 11.3. The Bank replies to the requests of a Person, as well as carries out any other activities related to the fulfilment of the requests of Persons, **free of charge** (except in cases where the request is manifestly unfounded, excessive, or depending on what resources are required for handling the request). When providing a reply to a request or fulfilling a request, the Bank may charge a reasonable fee for additional costs incurred.

12. DATA PROTECTION OFFICER, CONTACT INFORMATION

- 12.1. The tasks of the Data Protection Officer are to inform and advise the Bank's employees on issues related to the processing of Personal Data, to monitor compliance with the provisions of the [Regulation](#) at the Bank, to cooperate with the supervisory authority, and to advise the Persons who are contacting the Bank on matters related to data processing.
- 12.2. A person has the right to receive answers to questions related to the processing of his/her data, to withdraw the consent given, to submit a complaint related to the processing of data. A person can contact the Data protection officer of the Bank by e-mail: dpo@industria.finance or by sending a letter, marked "Data Protection Officer", to the address: Elizabetes iela 57, Rīga, Latvija, LV-1772 (contacts in Lithuania - info_lt@industria.finance, Kęstučio Street 51, LT-08124, Vilnius, Lithuania).
- 12.3. If the Person is dissatisfied with the reply provided by the Data Protection Officer, he/she has the right to contact the DSI (www.dvi.gov.lv; <https://www.ada.lt/>).