

PRIVACY NOTICE

1. PROCESSING, DATA SUBJECT GROUPS

1.1 OTP Bank Plc. as controller (hereinafter: "OTP Bank Plc." or "controller") processes the following personal data in accordance with 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 Directive 95/46/EC (hereinafter: "General Data Protection Regulation or GDPR"), Act CXII of 2011 on the Right of Informational Self-Determination and the Freedom of Information (hereinafter: "Privacy Act").

1.2 Data Subject groups:

Data subject groups in relation to Data procession purpose 1 and Data procession purpose 2 are as follows:

- a) CEO and deputy CEOs of OTP Bank Plc.;
- b) members of management body of shareholders held more 5 % of shares issued by OTP Bank Plc.;
- c) members of management body and supervisory body of OTP Banking Group companies owned directly or indirectly by OTP Bank Plc.;
- d) member of Board of Directors and Supervisory Board of OTP Bank Plc.

1.3 Groups of data processed:

The following main groups of the Data Subjects' personal data are handled in relation to Data procession purpose 1 and Data procession purpose 2:

- a) name and position of the management body of shareholders holding more than 5 % of shares issued by OTP Bank Plc
- b) name and position of members management body and supervisory body of OTP Banking Group companies owned directly or indirectly by OTP Bank Plc
- c) name, position, tax identification number, address of CEO, deputy CEOs, Board of Directors and Supervisory Board of OTP Bank Plc.;

2. PURPOSES OF PROCESSING

2.1. OTP Bank Plc. processes the Data Subjects' personal data for the following purposes:

OTP Bank Plc. acquired 98.26% of the shares of OTP Bank S.A. (former Mobiasbanca - OTP Group S.A.), Moldavian credit institution as of July 26, 2020.

Data procession purpose 1: OTP Bank Plc. shall provide the personal data of the persons specified under clause 2.1. to the National Bank of Moldova regularly pursuant to the applicable Moldavian laws¹. Due to the aforementioned Regulation of the National Bank of Moldova OTP Bank Plc. the aim of the given personal data

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http://bnm.md/files/Regulation%20no_%20127%20EN%20pt%20WEB%20modif%20subsidiary%20pt%20NICORICI%20FARA%20TRACK%20CHA____.pdf
<https://www.bnm.md/en/content/law-banks-activity-no-202-06-october-2017>

processing is the compliance with the Regulation of National Bank of Moldova and performance of reporting obligation.

Data procession purpose 2: Based on the applicable Moldavian laws² OTP Bank S.A. shall quarterly collect and report data on affiliated persons to the board of OTP Bank S.A., therefore purpose of the data procession is to facilitate the compliance of OTP Bank S.A. with such quarterly internal recording and reporting obligation.

3. LEGAL BASES FOR PROCESSING

3.1 OTP Bank Plc. processes the Customers' data on the grounds of the following legal bases:

For Data procession purpose 1: OTP Bank Plc.'s legitimate interest: ensuring the compliance of OTP Bank S.A., as its subsidiary with the applicable laws of Moldova and performance of reporting obligation of OTP Bank S.A. towards the National Bank of Moldova.

For Data procession purpose 2: OTP Bank Plc.'s legitimate interest: ensuring the compliance of OTP Bank S.A., as its subsidiary with the applicable laws of Moldova and performance of its recording and reporting obligations towards the board of OTP Bank S.A..

4. DATA RETENTION PERIOD

OTP Bank Plc. stores the data of Data Subject's for as long as necessary to achieve the purposes of the processing determined under clause 2.1.. For enhancing effectiveness of cooperation (i.e. answering questions in relation to the concerned data, facilitate the regular updates), OTP Bank Plc. does not delete Customers' data immediately after forwarding them to OTP Bank S.A. as independent data controller. OTP Bank Plc. stores the data of Data Subjects until the fulfilment of the subsequent annual data provision towards the National Bank of Moldov..

5. RECIPIENTS OF PERSONAL DATA

5.1 **Data procession purpose 1:** OTP Bank Plc. as controller shall transfer personal data to OTP Bank S.A. as an independent data controller for the purposes of personal data processing under clause 2.1.. The end recipient of the data transfer is the National Bank of Moldova. Moldova is such third country in relation which no adequacy decision was issued by the European Commission. With regard to the above data shall be transferred through OTP Bank S.A.

5.2 **Data procession purpose 2:** OTP Bank Plc. as controller shall transfer personal data to OTP Bank S.A. as an independent data controller for the purposes of personal data processing under clause 2.1.

5.3 OTP Bank Plc. concluded data transfer agreement with OTP Bank S.A. under the clause 46 (2) and (5) of GDPR and 2001/497/EC Commission Decision of 15 June 2001 on standard contractual clauses for the transfer of personal data to third countries, under Directive 95/46/EC, based on which OTP Bank S.A. guaranties the effective means for enforcement of rights and legal remedies of the Data Subjects.

6. THE DATA SUBJECT'S RIGHTS

6.1 The Data Subject's rights related to data processing – including legal remedies – shall be governed by the provisions of the General Data Protection Regulation and the Privacy Act.

² <https://www.bnm.md/en/content/regulation-large-exposures-approved-dca-nbm-no-240-december-9-2013>

- 6.2** The Data Subject may contact OTP Bank Plc. to:
- a) request information on the processing of their personal data, including request of a copy of their processed data (right of access);
 - b) request the rectification of inaccurate personal data and contest the accuracy of the personal data registered (right to rectification);
 - c) request the erasure of his personal data on record (right to erasure);
 - d) request the restriction of the processing of his personal data (right to restriction of processing);
 - e) object to the processing of his personal data, if the purpose of data processing is a legitimate interest of the controller or of a third party, or the performance of a task in the public interest or the fulfilment of a public function (exercise of the right to object);
 - f) file a complaint with regard to the processing of personal data and the exercise of his rights under the General Data Protection Regulation.
- 6.3** Before the Data Subject's request is granted, OTP Bank Plc. may ask the Data Subject to clarify the request, or specify the requested information and the processing activities concerned.
- 6.4** OTP Bank Plc. shall notify the Data Subject about the measures taken in response to the request (objection) as soon as possible, but no later than one month following the submission of the request (objection). If necessary, in consideration of the complexity of the request and the number of requests, the above deadline may be extended by two additional months.
- 6.5** In the event of OTP Bank Plc.'s reasonable doubt concerning the identity of the party filing a request under this section, OTP Bank Plc. may request to be provided with additional information in order to confirm the Data Subject's identity.
- 6.6** Where OTP Bank Plc. is proven unable to identify the Data Subject, OTP Bank Plc. shall be entitled to refuse the Data Subject's request.
- 6.7** Where the Data Subject's request is manifestly unfounded or excessive under the General Data Protection Regulation, OTP Bank Plc. may charge a fee taking into account the following fee items:
- a) direct cost of the data carrier where a paper-based copy is provided;
 - b) direct cost of the data carrier where a copy is provided on an optica data carrier;
 - c) direct cost of the data carrier where a copy is provided on another data carrier which can be used by electronic means;
 - d) postal service fee applicable to consignments sent via post with added service as a registered, certified mail with return receipt included;
 - e) cost of labour input in relation to the execution of the data request (actual cost of labour required for searching for the data, consolidating and organising the data, copying the requested data from its data carrier, and rendering data that cannot be disclosed to the requesting party unrecognisable), which shall be calculated by multiplying the time required for the execution of the data request by the sum of the hourly regular personal allowances of the persons participating in executing the data request.

6.8 Right of access

- 6.8.1.** Unless provided otherwise by law or by a binding legal act of the European Union, the Data Subject is entitled to get to know all personal data that OTP Bank Plc. processes concerning him.

6.8.2. At the Data Subject's request, OTP Bank Plc. shall also confirm whether it processes the Data Subject's personal data and if so, it shall provide the Data Subject with a copy of the personal data processed along with the following information:

- a) the purpose of processing;
- b) the categories of the personal data processed;
- c) the recipients or categories of recipients to whom OTP Bank Plc. disclosed or may disclose the Data Subject's personal data;
- d) the envisaged period for which the personal data will be stored, or, if the provision of this information is not possible, the criteria used to determine that period;
- e) the Data Subject's right to request from OTP Bank Plc. the rectification or erasure of personal data or restriction of processing of personal data concerning the Data Subject or to object to such processing;
- f) the right to lodge a complaint, addressed to the National Authority for Data Protection and Freedom of Information;
- g) in respect of personal data that has not been provided by the Data Subject, information on the source of such data;

6.8.3. In case the Data Subject requires the above data provision in several copies, OTP Bank Plc. may charge a reasonable fee in proportion to the administrative costs of preparing such copies with regard to cost elements set out in clause 6.7..

6.9. Right to rectification

6.9.1. At the Data Subject's request, OTP Bank Plc. shall rectify or complete any inaccurate or incomplete personal data concerning the Data Subject. After fulfilling the Data Subject's request for the enforcement of his right to rectification, OTP Bank Plc. shall immediately inform the persons to whom the Data Subject's personal data have been disclosed, unless it is impossible or entails disproportionate effort of OTP Bank Plc.

6.10. Right to erasure

6.10.1. The Data Subject shall be entitled to initiate the erasure of his personal data in the following cases:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed by OTP Bank Plc.;
- b) the Data Subject objects to the processing and there are no overriding legitimate grounds for the processing;
- c) OTP Bank Plc. has processed the Data Subject's personal data unlawfully;
- d) OTP Bank Plc. is required to erase the personal data in order to comply with an obligation imposed on OTP Bank Plc. by law or by a binding legal act of the European Union.

6.10.2. After fulfilling the Data Subject's request for the enforcement of his right to erasure, OTP Bank Plc. shall immediately inform the persons to whom the Data Subject's personal data have been disclosed, unless it is impossible or entails disproportionate effort of OTP Bank Plc..

6.10.3. OTP Bank Plc. shall be under no obligation to erase personal data in cases where processing is required:

- a) for OTP Bank Plc.'s compliance with a personal data processing obligation imposed on OTP Bank Plc. by law or by a binding legal act of the European Union;
- b) for the performance of a task carried out in the public interest;

- c) for the purpose of archiving documents of enduring value, scientific or historical research purposes or statistical purposes provided that the exercise of the Data Subject's right to be forgotten is likely to render impossible or seriously compromise such processing;
- d) for the submission, enforcement or defence of legal claims.

6.11. Right to restriction of processing

6.11.1. Data Subject shall have the right to restriction of processing by OTP Bank Plc. where one of the following applies:

- a) the accuracy of the personal data is contested by the Data Subject, for a period enabling OTP Bank Plc. to verify the accuracy of the personal data;
- b) the processing is unlawful and the Data Subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c) OTP Bank Plc. no longer needs the personal data for the purposes of the processing, but they are required by the Data Subject for the establishment, exercise or defence of legal claims;
- d) the Data Subject has objected to processing. In this case restriction applies for the period ascertaining whether the legitimate grounds of OTP Bank Plc. override those of the Data Subject.

6.11.2. Where processing has been restricted in accordance with the above, such personal data shall, with the exception of storage, only be processed with the Data Subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

6.11.3. OTP Bank Plc. shall inform the Data Subject before the restriction of processing is lifted.

6.11.4. After granting the Data Subject's request for the enforcement of his right to restriction of processing, OTP Bank Plc. shall immediately inform the persons to whom the Data Subject's personal data have been disclosed, unless this is impossible or entails disproportionate effort of OTP Bank Plc..

6.12. Right to object

6.12.1. Where the processing is necessary for enforcing the legitimate interests of OTP Bank Plc. or of a third party under the provisions hereof, the Data Subject shall be entitled to object to the processing of his personal data for these purposes. If OTP Bank Plc. is unable to demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms cited in the Data Subject's such objection or the establishment, exercise or defence of legal claims, OTP Bank may no longer process the personal data for these purposes and shall be required to erase them. Where the Data Subject objects to processing for direct marketing purposes, his personal data may no longer be processed for such purposes.

6.13. Legal remedy

6.13.1. The Data Subject may contact OTP Bank Plc.'s Data Protection Officer specified in Clause 7. with questions, objections or complaints related to the data processing performed by OTP Bank Plc.

6.13.2. Where the Data Subject considers that his rights under the prevailing privacy laws have been violated, the Data Subject may lodge a complaint with the National Authority for Data Protection and Freedom of Information .

6.13.3. Contact details of the National Authority for Data Protection and Freedom of Information:

Website: <http://naih.hu/>;
Address: 1055 Budapest, Falk Miksa utca 9-11;
Postal address: 1363 Budapest, Pf.: 9.;
Phone: +36 1 391 1400;
Fax: +36 1 391 1410;
E-mail: ugyfelszolgalat@naih.hu

The Data Subject may also seek judicial remedy. The litigation procedure falls within the jurisdiction of the competent tribunal, which in this case is the Metropolitan Court of Budapest. The action may also be brought at the regional court in whose jurisdiction the Data Subject's home address or temporary address is located (see <http://birosag.hu/torvenyszekek>). Alternatively, such proceedings may be brought before the courts of the Member State where the Data Subject has his or her habitual residence.

6.13.4. Additionally, the Data Subject may also engage a nonprofit organisation or association, which was established under Hungarian law and whose objectives, as set out in its statutes, include the service of the public interest, and the defence of the rights and freedoms of data subjects in terms of personal data, for filing a complaint on behalf of the Data Subject, representing the Data Subject in court proceedings, and – if permitted by law – enforcing claims for damages on the Data Subject's behalf.

7. CONTACT DATA OF THE CONTROLLER AND THE DATA PROTECTION OFFICER

7.1. Controller's name: OTP Bank Plc.

Registered office: H-1051 Budapest, Nádor utca 16.

Postal address: OTP Bank Plc. Central Customerservice Department, H-1876 Budapest

E-mail address: informacio@otpbank.hu

Phone number: (+36 1/20/30/70) 3 666 666

Website: www.otpbank.hu

7.2. Details of the data controller's data protection officer:

Name: Dr. Gázmár Zoárd

Postal address: 1131 Budapest, Babér utca 9.

E-mail address: adatvedelem@otpbank.hu

Budapest, October 2021

**OTP Bank Plc.
Controller**