

OTP BANK PLC.

Corporate financing

PRIVACY STATEMENT

This Privacy Statement is an addition to Sub-Annex 5, Annex 2 of OTP Bank Plc.'s General Business Regulations, which deals with data processing, and specifies the terms and conditions of data processing carried out during corporate financing, including services rendered under factoring and receivables sale and purchase agreements. This Privacy Statement shall be applied together with the data processing-related Sub-Annex 5, Annex 2 of OTP Bank Plc.'s General Business Regulations.

1 CONTROLLER AND ITS CONTACTS

1.1 Name of the controller: OTP Bank Plc. (hereinafter referred to as: "Controller")

Registered office: 1051 Budapest, Nádor utca 16.

Mailing address: OTP Bank Plc., Central Customer Relations Department, 1876 Budapest

E-mail address: informacio@otpbank.hu

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

Website: www.otpbank.hu

Information of the data protection officer of the Controller:

- a) Name: Zoárd Gázmár
- b) Mailing address: 1131 Budapest, Babér u. 9.
- c) Email address: adatvedelem@otpbank.hu

2 PROCESSING OF CLIENTS' DATA

2.1 Scope of Clients

The Controller processes the personal data of the following natural persons (hereinafter referred to as: "Data Subject") for the purpose of the preparation of the agreement entered into for corporate financing (including credit assessment) during conclusion of the agreement., performance of the agreement and provision of the related services and preparation of the services:

Client roles:

- a) borrower, including debtor under a factoring agreement or seller of receivables under a receivables sale and purchase agreement (hereinafter together referred to as: "borrower")
- b) representative of the borrower
- c) owners of the borrower

- d) senior executive of the borrower
- e) surety
- f) representative of the surety
- g) owners of the surety
- h) senior executive of the surety
- i) material security provider
- j) security deposit provider
- k) representative of the company providing security deposit
- l) customers of the borrower
- m) suppliers of the borrower
- n) representative of the condominium
- o) mayor of the borrowing local government
- p) a member of a client group entitled to receive preferential services based on an agreement between the Controller and the leading member of the client group.

2.2 Scope of the processed data

Besides the data groups defined under section 2, Sub-Annex 5, Annex 2 of the General Business Regulations, the Controller also processes the following data groups during the preparation of the conclusion of the agreement for financing (including credit assessment), the conclusion of the agreement, the performance of the agreement., and the provision of related services:

- a) Information related to client group membership of client group members entitled to receive preferential services based on an agreement between the Controller and the leading member of the client group.
- b) Special information made available to the Controller by the Data Subject or of which the Controller became aware in order to enforce the rights and claims under the Agreement or during the filing of legal claims.
- c) Data regarding the payment practices and the leverage-assuming ability of the Data Subject as well as the performance by the Data Subject of the banking products and services used by the Data Subject (e.g. creditworthiness, late payment, time and amount of repayment, etc.), and the data necessary for the evaluation of the risks to be assumed with regard to the Data Subject, the qualification of the Controller's exposures and their transaction- or client-based rating (Data Subject's rating) as well as data in relation to the results of Data Subject's rating.

Besides the sources specified under section 2.2, Sub-Annex 5, Annex 2 of the General Business Regulations, which deals with data processing, the source of the information defined in section 2.1 p) hereunder is the leading member of the client group and the data provided thereby based on the agreement between the Controller and the leading member of the client group.

The exact data processed during the preparation of the conclusion of the agreement for financing (including credit assessment), the conclusion of the agreement., the performance of the agreement, and the provision of related services are included in the provisions of the

Business Regulations, the application forms and the appendices thereto (data sheets, authorisations, declarations, etc.) of products listed on the following pages:

<https://www.otpbank.hu/portal/hu/MKV/Hitelezes>
<https://www.otpagrar.hu/Hiteltermek>
<https://www.otpbank.hu/portal/hu/Tarsashaz/Hitelek>;
<https://www.otpbank.hu/portal/hu/KNV/Finanszirozas>;
<https://www.otpbank.hu/portal/hu/Onkormanyzat/Finanszirozas>

and

<https://www.otpbank.hu/portal/hu/Onkormanyzat/Faktoring>

and other documents created during the performance of the agreement for the provision of corporate financing.

The scope of data registered by the Controller for data disclosure in connection with the *Hajrá!* loan programme of the National Bank of Hungary's Growth Loan Program (*in Hungarian: Magyar Nemzeti Bank Növekedési Hitelprogram Hajrá!*) are the following:

- a) Statistical (KSH) identification number,
- b) Enterprise name,
- c) Type of credit requested,
- d) Amount of credit requested,
- e) Date of submission of application,
- f) Date of full availability of documents/information required for the assessment (starting date of the credit assessment period),
- g) Date of assessment,
- h) Reason for possible rejection.

2.3 Purposes of the processing

The Controller also processes the data defined in section 2.2 for the following reasons besides those specified in section 3, Sub-Annex 5, Annex 2 of the General Business Regulations:

- to ensure the prudent operation of the Controller, and to that end, to evaluate the risks of asset placement, to regularly monitor the fulfillment of the contractual terms and conditions, including the development of the financial and economic conditions of the Data Subject as well as the qualification of the Controller's exposures and their transaction- or client-based rating.
- The Controller manages a record for the purpose of data provision regarding the credit application and credit transaction within the framework of the *Hajrá!* loan program of the National Bank of Hungary's Growth Loan Program (*in Hungarian: Magyar Nemzeti Bank Növekedési Hitelprogram Hajrá!*), which it discloses to the National Bank of Hungary (*in Hungarian: Magyar Nemzeti Bank*).

2.4 Legal grounds for data processing

The Controller processes the data of the Clients during the preparation of the conclusion of the agreement for financing (including credit assessment), the conclusion of the agreement, the performance of the agreement, and the provision of related services based on the legal grounds

listed in sections 4.1 a), b), c), and e), Sub-Annex 5, Annex 2 of the General Business Regulations.

The Controller processes the personal data specified in section 2.2 primarily on the legal grounds of preparing the conclusion of the Agreement and the performance of the agreement. For cases not mentioned previously, this Statement indicates the data group(s) processed based on the given legal grounds.

During the preparation of the conclusion of the agreement for financing (including credit assessment), the conclusion of the agreement, the performance of the agreement, and the provision of related services, the Controller processes the personal data specified in section 2.2 for the purposes of preparing the conclusion of the Agreement, and the performance of the agreement, including the enforcement of rights and claims under the Agreement (including receivables assigned to the Controller).

Besides the above mentioned, the Controller collects the data registered during the assessment of Data Subject's creditworthiness for the purpose of the conclusion and performance of the Agreement (including data necessary for risk assessment), necessary for the enforcement of rights and claims under the Agreement and for filing legal claims from the following sources:

- National Tax and Customs Administration (*in Hungarian: Nemzeti Adó és Vámhivatal*) (1054 Budapest, Széchenyi utca 2)
- Opten Ltd. (1147 Budapest, Telepes utca 4)
- Central Credit Information System (*in Hungarian: Központi Hitelinformációs Rendszer*)
- Deputy State Secretariat for the Management of Registries of the Ministry of Interior (Registry of Sole Traders) (*in Hungarian: Belügyminisztérium Nyilvántartások Vezetéséért Felelős Helyettes Államtitkárság (Egyéni Vállalkozók Nyilvántartása)*)
- experts cooperating in debt recovery

Detailed terms and conditions of the provision of services conforming to Agreement are set out in the General Business Regulations (hereinafter referred to as: “**Business Regulations**”) and the documents referenced therein.

To achieve said goals, the Controller, in particular:

- analyses the personal data during credit assessment (profiling) in order to establish the creditworthiness of the Client,
- processes personal data in relation to the insurance required in the agreement in order for the Controller to be able to verify the performance of this contractual obligation, or analyses the personal data to determine the amount of fee,
- processes Client's contacts for the purposes of communication during the preparation and performance of the agreement,
- identifies the Client based on the personal data during the preparation of the conclusion of the agreement, reviews leniency applications submitted for the conclusion of the agreement.

Mandatory data processing

Besides the legal obligations specified in section 7, Sub-Annex 5, Annex 2 of the General Business Regulations, the Controller carries out the following data processing for the purpose of performing the following legal obligations:

- Processes the data related to the entry in the credit collateral register (*in Hungarian: hitelbiztosítéki nyilvántartás*), required in relation to natural persons defined in Annex 2 of Regulation 18/2014. (III. 13.) of the Hungarian Minister of Public Administration and Justice in order to fulfil the legal obligation (declaration of the factor in case of the conclusion of a factoring agreement) set out in Act V of 2013 on the Civil Code.
- Processes and retains the personal data of the Clients for 10 years in case of financing products provided under the Széchenyi Card Program, financing products refinanced by MFB Hungarian Development Bank Plc. and Hungarian Export-Import Bank Plc., and other financing products related to the Új Magyarország and Új Széchenyi Credit Programs or the tenders available in the 2014-2020 programming cycle of the European Union, based on an EU or EC Regulation regarding the given product, where the starting date of the retention period is governed by the applicable provisions of the EU or EC Regulation.
- In case of financing products provided under condominium financing agreements, based on government regulation 12/2001. (I. 31.) on national housing subsidies, controller shall return the original invoices—indelibly marked—to the person subsidized, and retains a copy on its records for 10 years, but at least until the subsidized credit is terminated.
- The Controller processes the personal data of the Data Subject (especially the data defined in item c) based on Regulation 575/2013/EU and the Hpt. during the term of the agreement that includes the risk taking for the purpose of regularly monitoring the fulfillment of the agreement.ual terms and conditions, including the development of the financial and economic conditions of the Data Subject, and based on MNB decree no. 39/2016. (X. 11.) for the purpose of qualifying controller's exposures and their transaction- or client-based rating (Data Subject's rating), taking into account the deadlines defined therein.
- In connection with the application for the *Hajrá!* loan program of the National Bank of Hungary's Growth Loan Program the data processed for the purpose of data provision are processed on the basis of the data subject's consent.

2.4.1 The Controller's legitimate interest

The Controller processes the Data Subjects' personal data specified in this section on the basis of the following legitimate interests, besides those specified in section 8, Sub-Annex 5, Annex 2 of the General Business Regulations.

The purpose of processing the data defined under section 2.2 a) is the enforcement of the Controller's legitimate interest to keep a record of and control the entitlement of Data Subjects to preferential conditions, **and inform the Data Subject about their entitlement to preferential conditions** that are based on the agreement between the Controller and the leading member of a client group. Personal data defined under section 2.2 a) are processed and retained by the Controller for 8 years upon the termination of the legal relationship.

The Controller uses the data in relation to the results of Data Subject's rating during the evaluation of the risks to be assumed with regard to the Data Subject (e.g. credit assessment)—in case the data is available to the Controller at the time—for the purpose of enforcing the Controller's legal rights in connection with its prudent (responsible and careful) operation. Use of the data regarding Data Subject's rating may entail assuming risks in relation to the Data Subject (that is, involving the Data Subject as client or as provider of a security in the given banking transaction) or the rejection thereof.

2.4.2 Consent of the Client

In relation to information requested from the tax authorities (including the National Tax and Customs Administration (*in Hungarian: Nemzeti Adó- és Vámhivatal*) and local governments), personal data is processed for the purposes of credit assessment based on the Data Subject's consent (voluntary and unambiguous expression of will based on actual and adequate information). The consent may be given in the Agreement, separated from other declarations, by clearly indicating the personal data.

Based on the data subject's consent, the Controller keeps a record of the credit transactions requested within the framework of the *Hajrá!* loan program of the Hungarian National Bank's Growth Loan Program (*in Hungarian: Magyar Nemzeti Bank Növekedési Hitelprogram*) for the purpose of supplying data to the National Bank of Hungary (*in Hungarian: Magyar Nemzeti Bank*) regarding the concluded or rejected transactions on the data associated with the data subject's independent economic activity.

Consent can be given voluntarily, and the Client has the right to withdraw their consent at any time without restrictions by a notification sent to the Controller. This notification can be sent by the Data Subject to any of the addresses listed under section 1 of this Statement.

The withdrawal of the consent has no consequences regarding the Client. The withdrawal of the consent, however, doesn't affect the legitimacy of the data processing—carried out based on the consent—before the withdrawal.

2.4.3 Processing of special categories of data

The Controller processes special data specified in section 2.2 b) only for the purposes of, and in case it becomes necessary for filing, enforcing, or protecting its legal claims arising from the Agreement.

3 RECIPIENTS OF THE PERSONAL DATA

Except for public authorities specified in law or a binding act of the European Union who request personal data from OTP Bank Plc. for investigating individual cases, the Controller forwards Data Subjects' personal data to the following third parties and organisations:

independent controllers:

- a) **OTP Mortgage Bank Ltd.** (1051 Budapest, Nádor u. 21.)
- b) **OTP Real Estate Lease Ltd.** (1012 Budapest, Vérmező út 4)
- c) **OTP Building Society Ltd.** (1051 Budapest, Nádor u. 21.)
- d) **Merkantil Bank Ltd.** (1051 Budapest, József Attila u. 8.)
- e) **OTP Factoring Ltd.** (1056 Budapest, Mozsár u. 1056)

- f) **Rural Credit Guarantee Foundation** (1054 Budapest, Bajcsy-Zsilinszky út 42-46)
- g) **Garantiqa Hitelgarancia Ltd.** (1082 Budapest, Kisfaludy u. 32)
- h) **National Bank of Hungary** (1013 Budapest, Krisztina körút 55)
- i) **MFB Hungarian Development Bank Plc.** (1051 Budapest, Nádor u. 31)
- j) **Hungarian Export-Import Bank Plc.** (1065 Budapest, Nagymező u. 46-48)
- k) **Hungarian State Treasury** (1054 Budapest, Hold u. 4)
- l) **National Land Fund Management Organisation** (1149 Budapest, Bosnyák tér 5)
- m) **BISZ Central Credit Information Plc.** (1205 Budapest, Mártonffy u. 25-27)
- n) **Hungarian Branch of Euler Hermes Europe SA** (1139 Budapest, Váci út 99)
- o) **Hungarian Branch of Atradius Crédito y Caución S.A. de Seguros y Reaseguros** (1117 Budapest, Fehérvári út 50-52)
- p) **Hungarian Branch of Compagnie française d'assurance pour le commerce extérieur** (1134 Budapest, Váci út 45 H. ép. 7. em.)
- q) **Coface Hungary Services Ltd.** (1134 Budapest, Váci út 45 H 7)
- r) **Euler Hermes Magyar Követeléskezelő Ltd.** (1139 Budapest, Váci út 99)
- s) **Hungarian Branch of Atradius Collections B.V** (1117 Budapest, Fehérvári út 50-52)
- t) **Hungarian Export Credit Insurance Plc.** (1065 Budapest, Nagymező u. 46-48)
- u) **Hungarian Chamber of Civil Law Notaries** (1026 Budapest, Pasaréti út 16.) - Credit Collateral Register
- v) **notaries**
- w) **land registers, companies purchasing the receivables in case of receivables sale**
- x) **appraisers**
- y) **National Transport Authority**

Besides the data processors specified in Annex 2 of the General Business Regulations, the Controller uses the following data processors in the scope of its credit institution activity:

- z) **law firms and individual lawyers entrusted with filing for entry to the Credit Collateral Register** (*in Hungarian: Hitelbiztosítéki Nyilvántartás*)
- aa) **other entrusted law firms and individual lawyers**
- bb) **experts cooperating in debt recovery in relation to debt recovery activities**
- cc) **OTP Hungaro-Projekt Kft.** (1134 Budapest, Dévai u. 26-28.)
- dd) **intermediaries acting on behalf of the Controller**

Budapest, 24 April 2020