

NOTICE ON DATA PROCESSING

Eximbank Zrt. (hereinafter: “**EXIM**” or “**Data Controller**”) is committed to ensuring the highest level of protection for personal data, and accordingly it takes all such measures as are appropriate and necessary to ensure full compliance with the provisions of the relevant legislation in the course of processing personal data.

The purpose of this notice (hereinafter: “**Notice**”) is for EXIM, in view of its commitments related to the enhanced protection of personal data, to provide simple and transparent information on the details of the processing of its Clients’ personal data, including what data it collects and for what purpose, how and for how long it holds such data for processing, as well as what rights you are entitled to in respect of the personal data, and how you can exercise those rights.

The Notice covers the processing of any personal data relating to the performance of the services provided by EXIM to other clients, suppliers and supported parties in connection with the performance of the services, as well as their representatives.

You will find the meanings of the key terms used in the Notice in Annex 1.

Please read this Notice carefully!

1. Who processes your personal data?

For more information relating to the content of the Notice and to the rights related to the processing of personal data, please contact:

Data controller’s name	Eximbank Zrt. (“ Data Controller ”)
Registered office	1065 Budapest, Nagymező u. 46-48.
Permanent establishment:	1011 Budapest, Fő u. 1.
Contact information	E-mail: info@exim.hu Telephone number: 06-1-3749100 Correspondence address: 1065 Bp, Nagymező u. 46.-48.
Website	https://exim.hu/
Registering authority	Company Court of the Metropolitan Court of Budapest
Registration number (company registration number)	01-10-042594
	10949638-2-44

2. Data Protection Officer

In order to provide for the protection of personal data, EXIM appoints a data protection officer, whose contact details are as follows:

Name	Dr. Rita Putnoki
Postal address	1065 Budapest, Nagymező u. 46.-48.
E-mail address	info@exim.hu

If you have any questions or requests regarding the protection of personal data, please contact the EXIM Data Protection Officer.

3. What data do we process, for what purpose and on what legal grounds?

The collection and processing of our Clients' personal data is essential in order for us to provide the services defined in Act XLII of 1994 on the Hungarian Export-Import Bank Ltd and the Hungarian Export Credit Insurance Company Ltd (hereinafter: "Exim Act"), or any of our other services, and in order for us to comply with our legal obligations and to enforce our legal claims arising from the EXIM Act or from other statutory regulations or mandatory regulatory guidelines containing stipulations that are relevant to EXIM. We also process the personal data of our Clients to ensure that we are able to respond to and fulfil any enquiries or requests.

We process the personal data of our Clients only in accordance with the original purpose of data collection, and we do not use such data for further any additional, secondary purposes. EXIM shall collect, use, store or process the personal data of its Clients for the following purposes:

- a) ***responsible, effective and efficient business management, especially with regard to the following activities:***
 - a. the pre-contract assessment of clients, the fulfilment of the contract signed or to be signed with clients, suppliers or aid recipients, the performance of financial transactions, maintaining contact with clients and other contractual partners, fulfilling requests for further information submitted by clients, suppliers or aid recipients, or for enforcing their legal claims;
 - b. nurturing business and client relationships, managing system-level user names and passwords, maintaining and expanding existing contacts with clients, suppliers and aid recipients, and for statistical and scientific purposes;
 - c. implementing business processes, organisational and asset management, conducting internal audits and inspections, carrying out financial and accounting tasks, processing management reports and reviews;
 - d. for security reasons, in particular for asset protection reasons, and in order to identify the data subjects, clients or suppliers and determine their access rights;
 - e. pursuing the legitimate interests of EXIM or a third party;

- f. fulfilling legal obligations.
- b) *supporting of activities related to the security of the operation of the financial intermediary system, including the following activities:*
- a. identifying, preventing and investigating activities that may have a negative effect on EXIM, including, in particular, any misuse of EXIM's products, services or facilities, (ii) any illegal or otherwise detrimental activity, or (iii) any violation of the (legal) regulations;
 - b. preventing, deterring or detecting a criminal offence or misconduct planned or committed against the financial intermediation system, EXIM, the data subjects or the employees;
 - c. operating security and alerting systems used by the participants in the financial intermediation system; or
 - d. fulfilling legal obligations, especially obligations related to the prevention of money laundering and terrorism.

You will find comprehensive information regarding the processing of personal data, categorised by data processing purpose, and in particular on the legal bases used, in Annex 2 of this Notice.

4. How long do we keep your data for?

The data collected for the purposes specified in this Notice in the interest of achieving EXIM's legitimate business objectives may only be processed for the period required for the data processing.

The data processed in order to establish and maintain the contract between EXIM and the Clients, and to provide EXIM's services to the Clients, shall be processed by EXIM until the claims stemming from the said contractual relationship have expired, and the personal data required for the adequate processing of complaints of our clients shall be processed for the time required by Act 2013 on Credit Institutions and Financial Enterprises (Hpt.), in both cases, 5 (five) years.

In the interests of the security of the financial intermediation system, and in the case of the data processing required by Act LIII of 2017 on the prevention and combating of money laundering and terrorist financing (Pmt.), the personal data required for client due diligence and for risk assessment shall be processed by us for 8 (eight) years, as required by the Pmt.

In the case of accounting documents, the period of retention shall be 8 years from the close of the business year.

In the case of data processing based on consent, the personal data shall be processed until the consent is withdrawn, or until the purpose defined in the relevant statutory instrument has been fulfilled. Withdrawal of consent shall not affect the lawfulness of the Data Processing that was based on the consent prior to its withdrawal.

You can inform yourself in detail about the retention periods assigned to each data processing purpose in Annex 2 of this Notice. If the said annex specifies the limitation period of the enforceability of a claim as the period of data processing, this means that in the event of an act interrupting the limitation period, the period of processing the personal data shall recommence and shall be extended to the new expiry date of the limitation period.

5. Who has access to the personal data?

EXIM shall take appropriate organisational and technical measures to protect the personal data. The personal data may only be accessed by authorised members of our staff with appropriate access rights, based on the principle of necessary access, to the extent permitted by the applicable law and necessary for the performance of their duties.

We take all necessary measures to protect the personal data of our Clients and to prevent unauthorised access, alteration, transmission, disclosure, deletion or destruction, accidental destruction or damage, and its becoming inaccessible due to changes in the technology used.

Accordingly, we apply, inter alia, various access rights to the data, which ensures that the data can only be accessed by an authorised person who needs to know the data in order to fulfil his or her obligation arising from his or her job.

6. Data processing and outsourcing

When processing our Clients' personal data, it may prove necessary to share the data with other persons. Such persons may be, for example, a government agency, an authority or agencies performing government tasks, the courts of Hungary, etc., to whom the transfer of data is necessary in order for us to fulfil our legal obligations.

In order to facilitate the provision of certain services or the performance of certain activities, EXIM uses the services of third parties (e.g. IT services, performance of operation-related tasks, etc.), and these third parties ("**processors**") process personal data under a contract concluded with EXIM, on behalf of EXIM and for a specific purpose defined by us.

In the course of their activities, the processors may, in certain cases, access and become familiar with the personal data of our Clients. In these cases EXIM takes appropriate organisational and technological measures in the interest of protecting personal data, and requires its processors to implement similar measures.

EXIM may, based on its authorisation granted under Section 68 of Hpt., outsource any activity related to its business activity, in the course of which data management or data processing is implemented, subject to observance of the rules on data protection.

Further information on the transfer of personal data in the context of data processing and outsourcing and on the recipients of the transferred data is available in the annex of the Data

protection and data security regulation, and more information on the outsourcers is available in the Schedule of the Business Regulations, both of which can be accessed under the <https://exim.hu/szabalyzatok-kondiciok> menu. Your personal data is typically transferred to the following recipients:

- a) parties providing IT system support services;
- b) service providers performing data storage, archiving, filing and destruction services;
- c) legal representatives, lawyers;
- d) parties providing posting, delivery and document handling services;
- e) printing service providers producing accounting documents and information brochures;
- f) companies executing payment services;
- g) collection agencies and executors.

The data transfer required for performing the activity outsourced under Section 164 of the Hpt. shall not constitute a breach of bank secrets for the party performing the outsourced activity or the processor engaged by it.

7. Data transfer abroad

In the course of processing our Clients' personal data, in certain cases it may be necessary to transfer the data to a third country outside the European Economic Area ("EEA"), or to an international organisation. In order to fulfil its commitment for the protection of personal data and the related obligations, EXIM takes the measures required to ensure an adequate level of protection of personal data transferred abroad.

We will transfer the data of our Clients to a third country outside the EEA if the European Commission has determined in a decision that the country concerned provides an adequate level of protection for personal data ("**Adequacy Decision**").¹

In the absence of an adequacy decision, we shall apply the General Data Protection Regulations² issued by the European Commission when transferring data to any organisation outside the EEA.

Further information on our data transfers abroad can be requested from the Data Protection Officer.

8. Joint data processing³

Certain purposes for the processing of our Clients' personal data and the means used in the processing are defined jointly by EXIM and [...]. The security of the personal data is a priority

¹ Andorra, Argentina, Faroe Islands, Guernsey, Israel, Jersey, Canada, Isle of Man, Switzerland, Uruguay, USA (in case of Privacy Shield certification), New Zealand

² <http://eur-lex.europa.eu/legal-content/HU/TXT/PDF/?uri=CELEX:32010D0087&from=en>
<http://eur-lex.europa.eu/legal-content/HU/TXT/PDF/?uri=CELEX:32004D0915&from=EN>

³ Applicable in the case of joint data processing

for both EXIM and [...] in the course of such joint processing of personal data, which is why we have set down in an agreement how our obligations and responsibilities are to be divided to ensure adequate protection of the personal data.

In the case of joint processing, the rights set out in section 9 below may be exercised against each controller independently of the aforementioned agreement. You can obtain further details regarding the substance of the agreement from the Data Protection Officer, whose contact details are specified above.

9. Your rights

In accordance with applicable statutory regulations on data protection, you are entitled – subject to certain conditions – to:

- (i) request access to your personal data;
- (ii) request rectification of your personal data;
- (iii) request erasure of your personal data;
- (iv) request restriction of your personal data;
- (v) request data portability;
- (vi) object to the management of your personal data; or
- (vii) withdraw your consent to data management.

EXIM will notify you without undue delay, but no later than within one month of receipt of the request to exercise the rights contained in this section, of any measures taken in response to your request. In view of the complexity of your request and the number of your requests, that period may be extended by a further two months if necessary. We will inform you of any such deadline extension within one month of receipt of the request, together with the reasons for the delay. If you have submitted your request electronically, we will where possible provide the information electronically, unless you request otherwise.

In the event that EXIM fails to take measures in response to your submitted request for any reason, we will promptly, but no later than one month after receipt of the request, provide you with information on the reasons for our not taking these measures and about where you can turn with your complaint and what other legal remedies you are entitled to.

The information provided on the basis of the requests related to the rights under this section, as well as the fulfilment of the request, is free of charge for you. Please note, however, that if your request is manifestly unfounded or – in particular due to its repeated nature – an administrative fee of disproportionate amount may be charged by us for fulfilling the various points in the your request, or we may refuse to take action based on your request, or you may refuse to take action based on the request. Requests submitted within three (3) months of each other in the same matter are regarded as repeated.

In the event that there is reasonable doubt as to the identity of the natural person submitting the request to exercise the rights under this section, we may ask you to provide additional information necessary for confirming your identity.

To ensure the full exercise of your rights, EXIM shall inform any such recipient of any rectification, erasure or data-processing restriction as per the rights under this section to whom or to which we have communicated your personal data, unless this proves impossible or would require disproportionately large expenditure in terms of manpower and/or time. At your request, we will provide you with specific information about these recipients.

9.1. Right to access

You may request EXIM to provide you with information as to whether it is processing your personal information. If you do, we will provide you with the following information:

- the purpose(s) of the Data Processing;
- the categories of the Personal Data processed;
- the categories of Recipients to whom your personal information has been or will be disclosed;
- if assessable (e.g. there is data storage), the planned period of storage of the personal data, or if the planned period as regards the exercising of the right to access cannot be determined at the time of providing the information, then the criteria for determining this period;
- your rights to rectification, erasure, restriction and objection;
- your right to lodge a complaint with the supervisory authority;
- if the personal data has not been collected from you, all available information on the source of the personal data;
- whether automated decision-making has taken place or not, and in the case of automated decision-making, understandable information about the logic used and how important automated decision-making is and what the expected consequences are for you.

If your personal data is transferred to a third country or international organisation, you have the right to be informed about the guarantees of the transfer.

Upon request, we will provide you with a copy of the personal data we process. We may charge a fee any additional copies based on the administrative costs involved. If you have submitted your request to exercise the right described in this subsection electronically, we will provide you with a copy of your personal data in electronic format by email, unless you request otherwise.

9.2. Right to rectification

You may request that any inaccurate personal data of yours processed by EXIM be corrected without delay, or that any personal data of yours that is incomplete for the purpose of Data Processing be supplemented.

9.3. Right to erasure

You may request that EXIM erase personal data processed about you without delay if:

- the Personal Data is no longer required for the purpose for which we originally processed it;
- in the case of Data Process based on consent, if you have withdrawn your consent and there is no other legal basis for the Data Processing;
- you successfully object to the processing of your Personal Data in accordance with section 9.6 of this Notice and there is no legitimate reason for the Data Processing that takes priority over this;
- the processing of Personal Data was unlawful;
- the Personal Data must be erased in order to comply with a legal obligation under EU or Member State law applicable to EXIM.

We are obliged to comply with your request without delay if the conditions are met.

You may not exercise your right under this subsection if the Data Processing is necessary:

- for the purpose of the exercise of the right to freedom of expression and information;
- for the purpose of fulfilling an obligation under EU or Member State law applicable to EXIM requiring the processing of the Personal Data, or of performing a task carried out in the public interest or in the context of the exercise of public authority vested in EXIM;
- on the grounds of public interest in the field of public health;
- for the purpose of public-interest archiving, or for scientific or historical research purposes or for statistical purposes, where the right referred to in this subparagraph would be likely to make such processing impossible or to seriously jeopardise it; or
- for the submission, enforcement or defence of legal claims.

9.4. Right to restrict the data processing

You are entitled to require us to restrict the Data Processing at your request if any of the following applies:

- You dispute the accuracy of the Personal Data, in which case the restriction shall apply to the period of time that allows EXIM to verify the accuracy of the Personal Data;
- the Data Processing is illegal and you object to the erasure of the Personal Data and instead request a restriction of its use;
- EXIM no longer needs the Personal Data for the purpose of Data Processing, but you require it for the submission, enforcement or defence of legal claims; or
- You have successfully objected to the Data Processing; in this case, the restriction shall apply for the period until which it is determined whether the legitimate reasons of EXIM take precedence over your legitimate reasons.

In the event of a successful objection under this subsection, we may process the Personal Data affected by the restriction, with the exception of storage, only with your consent or for the purpose of the submission, enforcement or defence of legal claims or for the protection of the personal rights of others, or if doing so is in the substantive public interest of the European Union or one of its Member States.

If the processing of your personal data is under a restriction, we will inform you in advance of the existence of the restriction on the Data Processing.

9.5. Right to data portability

In the following cases, you are entitled to receive the Personal Data relating to you that has been provided to us in an articulated, widely used, machine-readable format, and to request that this Personal Data be transferred to another Data Controller:

- the Data Processing is based on your consent or is necessary for the performance of a contract to which you are a party or to take steps at your request prior to the conclusion of the contract; and
- the Data Processing takes place by automated means.

The exercise of the right to data portability may not infringe the right to erasure described in section 9.3 of the Notice. That right may not be exercised if it is necessary for the performance of a task carried out in the public interest or in the exercise of the public authority vested in EXIM.

Nothing in this subsection shall prejudice the rights and freedoms of others.

9.6. Right to object

You have the right to object at any time, for reasons related to your situation, to the processing of your Personal Data which is necessary for the performance of a task in the public interest or in the exercise of public authority vested in EXIM or in the legitimate interests of EXIM or a third party. In this case, we may not continue to process the Personal Data, unless we can prove that the Processing is justified by compelling legitimate reasons which take precedence over your interests, rights and freedoms or which relate to the submission, enforcement or defence of legal claims.

If the processing of Personal Data is for scientific and historical research or statistical purposes, you have the right to object to the processing of the Personal Data concerning you for reasons related to your own situation, unless the Processing is necessary for the performance of a task conducted in the public interest.

9.7. Rights related to automated decision-making

EXIM does not make decisions based on automated data processing.

9.8. Right to withdraw consent

If the data processing is based on your consent, you have the right to withdraw your consent at any time. Withdrawal of consent shall not affect the lawfulness of the Data Processing that was based on the consent prior to its withdrawal. EXIM will ensure that you can withdraw your consent in the same simple way as you gave it.

10. Method of exercising the rights relating to the protection of personal data

You may exercise your rights relating to personal data protection as set out in this Notice at EXIM's head office and permanent establishment, either in person or through an authorised representative, in a letter sent to the data protection officer, by calling the 06-1-3749100 number on working days between 8.00 and 17.00 hours, or in an e-mail sent to the info@exim.hu e-mail address.

11. Opportunities for legal remedy

11.1 Submission of a complaint to the supervisory authority

If you believe that the management of your personal data is in violation of your personal data protection rights, then you have the right to file a complaint at EXIM or directly at the supervisory authority, particularly in the Member State of your habitual residence, workplace or the location of the suspected breach. The supervisory authority currently operating in Hungary is the National Authority For Data Protection and Freedom of Information (address: 1125 Budapest, Szilágyi Erzsébet fasor 22/c.; telephone: +36 1 391 1400; e-mail: ugyfelszolgalat@naih.hu).

11.2 Court action

If the supervisory authority specified in section 11.1 does not deal with the complaint submitted to it as per section 11.1, or fails to inform you, within three months, about the procedural developments related to the complaint or the outcome thereof, or if you believe the controller of your Personal Data is in violation of your data protection rights, you are entitled to take the matter to court.

In this case, the judicial proceedings to be conducted against the supervisory authority must be initiated at the district court or tribunal of your habitual residence.

In the event of a breach of your rights, the court proceedings against EXIM shall also be initiated before the district court or tribunal of your habitual residence.

12. Other circumstances

This Information shall be effective from 13 June 2018. EXIM is entitled to amend this Notice at any time, of which we will shall provide you with notification in advance. We will notify our clients about the amendment of the Notice through a notification posted on the www.exim.hu website and in our branch offices at least 15 days before the amendment enters into force.

With regard to other instances of Data Processing that may not be specified in this Notice, the contents of this Notice likewise shall apply with the proviso that, as regards the circumstances of the instances of Data Processing not specified in this Notice, namely the purpose and legal basis of the Data Processing, the sources of the Personal Data, the range of the Personal Data, the duration of the Data Processing, the categories of the Recipients, that there is automated decision-making involved, that compulsory data provision applies, and the possible consequences of non-compliance with this, as well as the fact of joint Data Processing and the essential content of any agreement serving as the basis for such, with respect to the event or circumstance rendering the Data Processing necessary, the form or other declaration template designed by EXIM shall provide information.

Data Controller: the organisation(s) defined in section 1 of the Notice.

Data Processing: any operation or set of operations performed on Personal Data or data files in an automated or non-automated manner.

Recipient: the person, public authority or any other body to whom or to which the Personal Data is communicated by the Data Controller, regardless of whether the Recipient is a third party different from than the Data Controller or from the Data Subject. Public authorities that may have access to personal data in the framework of an individual investigation in accordance with EU or Member State law (e.g. in the course of an investigation by the National Bank of Hungary in the exercise of its supervisory powers) are not deemed recipients.

Data Subject: the Client with respect to whom the Data Controller processes any information that is classed as Personal Data. A natural person is identifiable if he or she can be identified, in a direct or indirect manner, on the basis, especially, of an identifier such as a name, date of birth, or online identifier (e.g. IP address), or on the basis of one or more factors relating to the natural person's physical, physiological, genetic, intellectual, economic, cultural or social identity.

EXIM Act: Act XLII of 1994 on the Hungarian Export-Import Bank Ltd and the Hungarian Export Credit Insurance Company Ltd.

GDPR: Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

Hpt.: Act CCXXXVII of 2013 on Credit Institutions and Financial Enterprises.

Pmt.: Act LIII of 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing.

Personal Data: any information pertaining to the Data Subject on the basis of which the Data Subject may be identified in a direct or indirect manner.

Client: the foreign or domestic business organisation or sole trader to whom (to which) the Company provides a financial, ancillary financial or investment service within its scope of activity, as well as the business organisation or natural person that provides collateral securing a claim arising from the financial, ancillary financial or investment service for the benefit of the Company. For the purposes of this Notice, a client may also be a supplier of EXIM, or the Aid Recipients or their representatives.

Terms not specifically defined in the Notice have the meanings ascribed to them in the GDPR.