

1. Introduction

The purpose of this document is to provide you with information about processing of your personal data by Factoring KB, and about your rights associated with them.

Information contained herein relates to processing of personal data of clients – natural persons (potential, existing and former) and, to a reasonable degree, other natural persons to whom our company owes certain obligations (e.g., beneficial owners or representatives of legal entities, or others users of services provided to legal persons).

We always process your personal data in a transparent, fair and lawful manner, and to the extent necessary for the given purpose. We retain your personal data safely for a period of time that is strictly necessary, as required by law or other regulations.

We encourage you to read the information contained in this document.

In case of any questions, please call Factoring KB at +420 955 526 906, +420 955 526 904 or visit www.factoringkb.cz/en/personal-data-protection.

You can also contact Data Protection Officer for companies from the group of Komerční banka, a.s. by e-mail at osobni_udaje@kb.cz or through Komerční banka, a.s. branches/points of sale.

2. Who is the „Personal Data Controller“ and how to contact him?

The controller of your personal data is **Factoring KB, a.s.**, daughter company of Komerční banka, a.s. (hereinafter „KB“), with registered office at: Praha 5 – Stodůlky, náměstí Junkových 2772/1, postal code: 155 00, Reg. No.: 25148290 (hereinafter „FKB“).

Contact details of the controller:

Factoring KB, a.s.,
náměstí Junkových 2772/1,
Stodůlky,
155 00 Praha 5
Česká republika/Czech republic

Contact details of the Data Protection Officer (DPO):

Kancelář pověřence pro ochranu osobních údajů KB, a.s.
náměstí Junkových 2772/1,
Stodůlky,
155 00 Praha 5
e-mail: osobni_udaje@kb.cz

3. On which legal grounds we process your personal data and to which purpose we use them?

We may only process your personal data if there is an adequate legal reason to do so, i.e., if at least one of the following conditions is met:

- a) The processing is necessary for FKB to meet its **legal obligations**, in particular for the following purposes:
- Credit risk assessment,
 - Prevention, detection and investigation of frauds, and money laundering prevention,
 - Regulatory reporting,
 - Taxation and accounting obligation,
 - Archiving and records management.

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- b) The processing is necessary for the **fulfilment of a contract**, in particular for the following purposes:
 - Arranging a product/service,
 - Entering into a contract for the provision of a product/service,
 - Providing customer service related to a product/service.
- c) The processing is necessary for the purpose of our **justified interests**, in particular for the following purposes:
 - Risk management,
 - Security,
 - Defense of our legal claims,
 - Recovery and sale of receivables,
 - Product and service analysis,
 - Development and evolution of provided services,
 - Direct marketing – we can approach our customers with a general offer of KB products and services,
 - Company's internal needs; reporting.
- d) The processing based on **your consent**, in particular for the following purposes:
 - Sharing your personal data within the KB Group (so-called group marketing consent) to the extent and for the purposes stated in the marketing consent.

The consent is voluntary: you can give it, refuse it or withdraw it at any time. The withdrawal of your consent shall be without prejudice to the lawfulness of the processing that is based on the consent given before its withdrawal. A lack or withdrawal of the consent entails no implications for your contractual relationship with FKB.

In the case that you decide to give us your marketing consent, it shall apply to all companies listed in the consent. If you withdraw your consent with respect to one of the companies, such withdrawal shall also apply to other companies, which means that none of them shall be authorized to process your personal data for the purposes specified in the marketing consent after that date.

- e) The processing is necessary for the **protection of your vital interests** or for the performance of a task carried out in the **public interest** or subject to the **exercise of official authority** potentially vested in us as the controller. Such reasons can be applied to FKB only in exceptional circumstances.

4. Which personal data are processed by Factoring KB?

Identification data of an individual

In particular, the first name, surname, birth number, date of birth, place of birth, nationality, identity cards numbers. For businesspersons, also their IČO (ID number), VAT number, etc. It also applies to individuals with a connection to specific products, e.g. a joint holder, statutory representative of a legal person, co-debtor, and applicant. This data is important to make sure we really contact the right person.

Contact details

In particular, all addresses of the subject, e.g. the permanent residence address, correspondence addresses (for businesspersons also the address of the company) and other contact details of the entities, e.g. their telephone numbers, electronic addresses, social networking addresses, data mailbox IDs, etc. This data is necessary so that we can deliver our communications to you.

Socio-demographic data

In particular, statistical data, such as marital status (single, divorced, etc.), profession. Such data, which you usually share with us when applying for your product, allow us to better tailor our offer and services to your needs.

Property

In particular, data related to financial circumstances, such as ownership of real estate, securities or shares. In some cases, we also process information about your income and liabilities, as well as other loans/credits balances, lease contract balances, building savings instalments, pension insurance instalments, insurance premiums, other individual expenses (e.g. alimonies), other liabilities (surety, guarantee, ...) etc. We collect this data from you in particular as part of a product/service request, or from external sources (e.g. credit registers), or from information about the use of our products, and are primarily used for the evaluation of your specific product applications.

Tax residence

In particular, data associated with identifying your tax residence, i.e. where you are liable to pay taxes in order to comply with the statutory tax liability.

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Data on used products and services

Information about which services provided by FKB or daughter, and partner companies of KB/FKB you have arranged and how you use them (e.g. account balances, transaction data on card payments, and withdrawals from ATMs, outgoing and incoming payments, etc.). If, based on your consent, you have given FKB the right to passively access and view your internet banking, we may process your personal data contained therein.

Means of electronic communication used for authentication and authorization

In particular, data on means of electronic communication that are primarily used for authentication, i.e. verifying your identity. The data that fall into this category include, without limitation, a digital signature, certificate, or commonly used application login user name, identification or authentication through a mobile device, or serial numbers of the devices (MAC address), etc. The main reason for processing these data is to ensure a high level of security of while these means of communication are used.

Activity records of our equipment and/or applications

In particular, identification data e.g. from communication channels or applications logs (eFactoring). The data is used, above all, to monitor and optimize the availability of our facilities and services. If you use our website, we store the data obtained on your device in the form based on your consent cookies. You are specifically informed about the processing of cookies.

Communication recordings

In particular, telephone call recordings, written records of meetings with relationship managers or other specialized staff. We collect this data on the basis of legal obligations (caller ID), and/or for the purpose of the arrangement and performance of a contract. Recordings can also serve as evidence in any judicial or administrative proceedings. You are always informed in advance that a given telephone call is going to be monitored/recorded.

Camera recordings

During your personal visit, for the protection of property and safety of persons, or our contractual partner - the owner / administrator of the building keeps records from security cameras about your entry and exit from the building, or about your movement in specifically protected places.

Debt collection

If you find yourself in a situation where you are unable to meet your obligations to us, we process information relating to debt collection. We find out your current address, contact details and other possible additional information from internal and external sources. We communicate with you by telephone, in writing, through electronic channels or other means of communication. We also record and store all communication between you and us for the purposes of litigation. When recovering receivables, we use the services of companies specialized in such activities, law firms and notaries.

Data related to links to other entities

For the purposes of negotiating the contract, protecting our interests and fulfilling legal obligations, we record and store data about your relationships with other persons, the family (for example, a possible employment relationship of family members with our company), both at the level of supplier and customer relationships. You can also be representatives or statutory bodies of legal entities. We record and store data about all such connections.

5. Where do your personal data come from?

Data obtained from you or your representatives (e.g. statutory representative)

Data you provide us, e.g. in an application for a product/service.

Data resulting from the use of our products and services

Data automatically recorded by our systems and devices while your transactions are executed, such as access or data upload to eFactoring system.

Data from publicly accessible sources

These include, in particular, sanction lists of entities associated with terrorism and other internationally monitored persons subject to international sanction programs, the insolvency register (ISIR), bankruptcy register, central register of enforcements/distrains, registers of invalid and stolen documents, register of groups of connected clients, information from the land/property register, trade register, business register, etc.

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Data obtained from third parties

These include, in particular, the data on the use of products and services provided by the FKB, and KB Group members, data obtained from public authorities, and also data collected from specialized companies that collect information from public sources, such as ministries, the trade register, business register, land/property register, etc.

Data from the Internet, social media and social networks

These include, in particular, the so-called geolocation data that precisely identify the GPS coordinates (or an address point), an IP address, cookies, identification of a device from which you connect, information on browsers, identification of a social network profile, etc.

Data from our web forms

These include, in particular, contact details you provide to us when you show interest in any of our products so that we can contact you.

6. Who processes and receives your personal data?

The regulations on personal data protection allow the controller to entrust the processing of personal data to a processor. A personal data processor is any entity that processes personal data on the basis of specific legislation, or is entrusted or authorized to do so by the controller. In some cases, KB Group companies also use this procedure when processing personal data. The contractual and regulatory arrangements then guarantee your data the same protection that Factoring KB provides. The most important processors used by FKB to process personal data include:

- IT services providers (development, maintenance and support of KB information systems),
- Companies providing data and documents archiving,
- Companies and individuals providing legal services,
- Companies and individuals collecting debts on our behalf,
- Postal services and couriers,
- Comprehensive insurance providers.

If you have conducted a certain type of insurance in connection with our product or service, we pass your personal data to the contractual insurance companies. On the website of the relevant insurance company listed below, you will find information on processing of personal data by the relevant insurance company.

List of cooperating insurance companies:

- Atradius Crédito y Caución S.A. de Seguros y Reaseguros, through Atradius Crédito y Caución S.A. de Seguros y Reaseguros, branch for the Czech republic, Reg. No.: 05568633,
- COMPAGNIE FRANCAISE D'ASSURANCE POUR LE COMMERCE EXTERIEUR, through COMPAGNIE FRANCAISE D'ASSURANCE POUR LE COMMERCE EXTERIEUR organizational unit Czechia, Reg. No.: 27941906.

In such cases, the protection of your personal data is ensured the same way as in our company, on the basis of a written contract between us and the relevant third party.

In addition to the processors listed above, whom we authorize more or less directly to process personal data, we also pass on your personal information (provided that the terms and conditions set forth by law are met) to other institutions or entities, in particular:

- Government entities, courts and law enforcement authorities, intelligence services of the state,
- Czech National Bank and the Ministry of Finance,
- Czech Office for Personal Data Protection.

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Subject to conditions defined by law, we may also provide your personal data to KB, and our parent company **Société Générale, s.a.**, registered in France under Company Number R.C.S. Paris B 552 120 222, as well as other Group members incorporated in the Czech and Slovak Republics, such as:

- **Modrá pyramida stavební spořitelna, a.s.**, IČO (Company ID): 60192852,
- **Komerční pojišťovna, a.s.**, IČO (Company ID): 63998017,
- **KB Penzijní společnost, a.s.**, IČO (Company ID): 61860018,
- **ESSOX s.r.o.**, IČO (Company ID): 26764652,
- **ESSOX Finance, s. r. o.**, IČO (Company ID): 35846968 (Slovakia),
- **ALD Automotive s. r. o.**, IČO (Company ID): 61063916,
- **ALD Automotive Slovakia, s. r. o.**, IČO (Company ID): 47977329 (Slovakia),
- **SG Equipment Finance Czech Republic s.r.o.**, IČO (Company ID): 61061344.

7. How long do we retain you data?

We only retain our clients' personal data only for as long as necessary and for a period of time that depends on the purpose of their processing.

The relevant legislation sets a deadline for the retention of clients' personal data usually to 10 years from the termination of the contractual relationship. However, in order to protect our legitimate interests - especially for cases of resolving possible complaints, claims or litigation, we keep your personal data for a longer period of time.

We usually store the data obtained from our web forms for up to 2 months, after which period, they shall be automatically deleted. If a contract is concluded in the meantime, we shall retain your data in accordance with applicable law.

8. Specifics in the processing of personal data for legal entities.

When providing products and services to legal entities, we also obtain and process personal data of natural persons who are authorized to represent FKB clients and of other natural persons whose personal data are processed in direct connection with the performance of their activities and whom FKB must or is authorized to process for its own purposes. These are, in particular, owners, beneficial owners, persons entitled to inspect or dispose of funds in their accounts or persons providing security and other entities associated with these persons. We obtain data primarily from clients or their representatives, from publicly available sources or specialized databases from third parties.

These are identification data of entities, address, contact, sociodemographic data, data on roles and position in the company, area of interests, copies of documents, information on links with other entities and information required in particular by legislation in the field of money laundering prevention and terrorist financing, taxes, the provision of payment services, and other regulations that we are required to comply with in connection with the performance of our activities.

We obtain and process this data:

- When providing products and services to clients for the purposes of exercising and protecting our legitimate interests as a personal data controller, while we process the data during the duration of the product / service provided to the legal entity, for the time strictly necessary, and imposed on us by law;
- In fulfilling our obligations in the area of protection against money laundering and terrorist financing in order to fulfill our legal obligations, while we process data for the period required by the relevant legal regulations. According to the Anti-Money Laundering and Terrorist Financing Act, we are obliged to keep the relevant data, in particular your identification and transaction data, for at least 10 years from the execution of the transaction or the termination of the business relationship with you. We process copies of identity documents for these purposes in the Czech Republic;
- In maintaining and developing a relationship with clients to fulfill our legitimate interests, while we process data for the duration of the product / service provided to the legal entity;
- In defense of legal claims for the fulfillment of our legitimate interests, while we process data for the duration of the product / service provided to the legal entity and subsequently for a period of 18 years from the termination of the product / service;
- According to the VAT Act, we are obliged to keep tax documents and records with detailed data relating to the services we have provided or received 10 years from the end of the tax period in which the performance took place.

In case you have given your consent to the processing of your personal data for the marketing purposes of the KB Group, some of the above data may also be processed for these purposes.

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9. What rights do you have regarding your personal data processing?

Right of access to personal data

-You shall have the right to request a transcript of personal data concerning your person collected by FKB.

Right to personal data portability

-You shall have the right to receive the personal data concerning your person, which you have provided to us, in a structured, commonly used and machine-readable format. This concerns your personal data undergoing automatic processing under your consent or under a contract.

Right to erasure of personal data (right to be forgotten)

-You shall have the right to obtain from FKB the erasure of personal data concerning your person without undue delay, where a legal ground is met.

Right to have personal data rectified

-You shall have the right to obtain from FKB without undue delay the rectification of inaccurate personal data concerning your person, or to have incomplete personal data completed.
-If you notify us of a change in your personal data, we shall update it immediately.

Right to restriction of processing

-You shall have the right to request restriction of processing of personal data concerning your person in the cases defined by law (e.g. if the personal data processed are inaccurate, or the processing is unlawful, or you have objected to the processing of your personal data where it is based on our legitimate interests).

Right not to be subject to a decision based solely on automated processing

-You shall have the right not to be subject to a decision based solely on automated individual processing, including profiling, which produces legal effects concerning your person or similarly significantly affects you. FKB shall always inform you about this situation and shall give you an opportunity to discuss the matter with a company's official and together find another, more acceptable option.
-If you use a service that is based solely on automated decision making, you have the right to obtain human intervention, to express your point of view, or to contest the decision. In this case, a company's official shall discuss the matter with you.

Right to object

-If FKB processes your personal data based on the controller's legitimate interests, you shall have the right to object.
-If you object to processing of personal data concerning your person for direct marketing purposes, we shall always oblige you and shall no longer process your personal data for such purposes.

Right to lodge a complaint with a supervisory authority

-You shall have the right to lodge a complaint with a supervisory authority (the Office for Personal Data Protection, www.uoou.cz/en) if you consider that the processing of personal data relating to your person has infringed the data protection rules.

10. Právní předpisy

When processing your personal data, we adhere to applicable law, in particular (without limitation) by:

Regulation (EU) 2016/679 on personal data protection (GDPR);

Act No. 110/2019 Coll., On the Processing of Personal Data;

Act No. 89/2012 Coll., Civil Code;

Act No. 21/1992 Coll., On Banks;

Act No. 256/2004 Coll., On Trading in Capital Market;

Act No. 253/2008 Coll., On Selected Measures Against Legitimization of Proceeds of Crime and Financing of Terrorism (also referred to above as the AML Act);

Act No. 480/2004 Coll., On Certain Information Society Services.

Act No. 69/2006 Coll., On the Implementation of International Sanctions;

Act No. 563/1991 Coll., on Accounting;

Act No. 499/2004 Coll., on Archiving and Records Management.