

Information Sheet in accordance with Article 13 / 14 General Data Protection Regulation (GDPR)

Schelhammer Capital Bank AG
(hereinafter referred to as “we”, “us”, “our” or “the Bank”)

1. Data Protection Objectives and Legal Grounds

The protection of personal data is of utmost importance to us. Therefore, the processing of the personal data of our customers, suppliers as well as business partners takes place in accordance with the applicable legal regulations on the protection of personal data and data security. Of course, we also take all required and appropriate technical and organisational measures in order to protect your rights and freedoms and subject them to regular reviews.

As it goes without saying that we comply with the principles of fair and transparent processing and our information obligations under the General Data Protection Regulation (GDPR), this document serves the purpose of informing you on the types of use and disclosure of your personal data as well as on your rights.

2. Data Protection Officer

If you have questions or wish to obtain further information on the processing of your personal data or on the exercise of your rights after reading our Information Sheet, please note that you can contact the Data Protection Officer appointed by us at any time:

Contact data:

E-Mail address:

datenschutz@grawe-bankengruppe.at

3. Legal Bases and Purposes of Processing

3.1 Legal Basis

We process your personal data only to the extent required

- on the basis of your consent in accordance with Article 6 (1) lit. a GDPR;
- to perform the contract entered into with you in accordance with Article 6 (1) lit. b GDPR;
- to perform the precontractual measures as requested by you in accordance with Article 6 (1) lit. b GDPR;
- to perform a legal obligation in accordance with Article 6 (1) lit. c GDPR;
- to safeguard legitimate interests in accordance with Article 6 (1) lit. f GDPR.

The processing of special categories of personal data ("sensitive data") is performed:

- on the basis of your explicit consent (Article 9 (2) lit a GDPR);
- regarding personal data which you obviously made publicly available (Article 9 (2) lit e GDPR);
- for the establishment, exercise or defence of legal claims (Article 9 (2) lit. f GDPR).

3.2 Purposes of Processing

The processing of personal data (Art. 4 No.2 GDPR) takes place for the performance and brokering of bank transactions, financial services as well as insurance, leasing and real property transactions, in particular for the performance of our contracts with you and the execution of your orders as well as all activities required in connection with the operation and management of a credit and financial service institution.

The purposes of data protection are primarily based upon the specific product (e.g. account, loan, securities, deposits, brokering) and can comprise including but not limited to consulting, asset management and support as well as the performance of transactions.

The specific details on the purpose of data processing are set forth in the respective contractual documents and terms and conditions of business.

Processing of personal data can also take place for the purpose of fulfilling different legal obligations (e.g. under the Austrian Banking Act, the Austrian Financial Market Money-Laundering Act, the Austrian Securities Supervision Act, the Austrian Stock Exchange Act, etc.) as well as regulatory requirements (e.g. of the European Central Bank, the European Banking Regulator, the Austrian Financial Market Authority, etc.) to which the Bank is subject as Austrian credit institute. Examples for such cases are:

- reports to the Financial Intelligence Unit in certain cases of suspicion (Sec. 16 Austrian Financial Market Money-Laundering Act);
- provision of information to the Financial Market Authority under the Austrian Securities Supervision Act and the Austrian Stock Exchange Act, e.g., in order to monitor compliance with the provisions on market abuse of insider information;
- provision of information to financial criminal authorities in the course of financial criminal proceedings related to intentional financial offences;
- provision of information to federal tax authorities under Sec. 8 of the Austrian Account Register and the Austrian Account Access Act.

If you provided us with a consent for the processing of your personal data, processing only takes place in accordance with the purposes stipulated in the declaration of consent and to the extent agreed upon therein. You can withdraw any consent you granted with effect for the future at any time (for example, you can object to the processing of your personal data for marketing and advertising purposes if you do not consent to processing in the future).

To the extent required, data processing can be performed beyond the scope necessary for actual execution of the contract in order to safeguard legitimate interests of us or of third parties in the course of reconciliation of interests in favour of the Bank or a third party. Data processing for safeguarding legitimate interests takes place in the following cases:

- consultation and exchange of data with credit assessment agencies (e.g. Austrian Kreditschutzverband 1870 [Credit Protection Association]) in order to identify credit and default risks;
- examination and optimisation of processes for demand analysis and direct customer approach;
- advertising or market and opinion research to the extent you did not object to the use of your data under Art. 21 GDPR;
- video surveillance for the collection of evidence for criminal acts or to demonstrate dispositions and payments (e.g. at ATMs); this is particularly intended for the protection of customers and employees;
- telephone records (e.g. for complaints, Austrian Securities Supervision Act);
- measures for business management and further development of services and products;
- measures for the protection of employees and customers as well as of the Bank's property;
- measures for fraud prevention and combatting fraud;
- in the course of law enforcement.

4. Which Personal Data is Processed?

We process the following categories of personal data:

We process the personal data which we obtain from you in the course of our business relationship. Furthermore, we process data which we permissibly obtain from credit assessment agencies, records of debtors (Kreditschutzverband 1870 [Austrian Credit Protection Association]) and from publicly accessible sources (e.g. Commercial Register, Register of Associations, Land Register, media).

The personal data include your particulars (name, address, contact details, date and place of birth, citizenship, etc.), legitimation data (e.g. identity card data) and authentication data (e.g. specimen signature). Furthermore, this may also include order data (e.g. payment instructions), data arising from the performance of our contractual obligation (e.g. transaction data in monetary payments), information on your financial status (e.g. creditworthiness data, scoring or rating data, etc.), marketing and sales data, documentation data (e.g. consultation protocols), register data, image and sound data (e.g. video or telephone records), information from your electronic communication with the Bank (e.g. apps, cookies, etc.), including special categories of personal data, also referred to as "sensitive data", including, for example, social insurance number, trust relationships, relationship status.

Processing results which the Bank generates itself as well as data on the fulfilment of statutory and regulatory requirements.

5. Transfer of Personal Data

In order to be able to perform the above purposes in an appropriate manner, we transfer your personal data to the following categories of recipients:

Within the Bank, departments or employees which need them to fulfil the contractual, legal and regulatory obligations as well as legitimate interests will receive your data. Furthermore, processors engaged by us (in particular IT and back office service providers and the service line) receive your data if they need such data to deliver their respective services. All processors are obliged under corresponding contracts to treat your data in a confidential manner and to process them only in the course of provision of their services.

If a legal or regulatory obligation applies, public bodies and institutions (e.g. the European Banking Regulator, the European Central Bank, the Austrian Financial Market Authority, finance authorities, etc.) as well as HYPO BANK BURGENLAND AG as our parent company can be recipients of your personal data.

Regarding data disclosure to other third parties, we would like to point out that the Bank as Austrian credit institute is obliged to comply with the bank secrecy under Sec. 38 Banking Act and therefore to keep confidential any customer-related information and facts provided or made accessible to us in the course of the business relationship. Therefore, we may only disclose your personal data if you released us from the bank secret expressly in writing in advance or if we are obliged or authorised to do so due to legal and/or regulatory provisions. In this context, recipients of personal data may be other credit and finance institutes (in particular including institutes of GRAWE Bankengruppe such as HYPO-BANK BURGENLAND AG and Schelhammer Capital Bank AG) or comparable institutions to which we transfer data for the performance of our business relationship with you (depending on the contract, such institutes may be correspondent banks, stock exchanges, depository banks, credit assessment agencies, etc.).

6. Storage Duration of Personal Data

Of course, inter alia, we comply with the principle of storage limitation. This means that we generally store your personal data only as long as this is required for the purposes of processing or based upon legal requirements. Furthermore, we store your personal data in accordance with our statutory retention obligations.

Personal data will be stored during the term of the entire business relationship (from initiation over performance to termination of a contract) and in addition subject to the legal retention and documentation obligations. Such obligations result from:

- the Unternehmensgesetzbuch (UGB) [Austrian Commercial Code];
- the Bundesabgabenordnung (BAO) [Austrian Federal Fiscal Code];
- the Bankwesengesetz (BWG) [Austrian Banking Act];
- the Finanzmarkt-Geldwäschegesetz (FM-GwG) [Austrian Financial Market Money-Laundering Act];
- the Wertpapieraufsichtsgesetz (WAG 2018) [Austrian Securities Supervision Act]

Moreover, the legal limitation periods which, for example under the Austrian General Civil Code (ABGB), can be up to 30 years in certain cases (the general limitation period is 3 years), shall be taken into account.

7. Your Rights

If you are affected by the processing of personal data performed by us, you shall have the right of access, to rectification, deletion or restriction of the processing of your stored data, the right to object against the processing as well as the right to data portability in accordance with the provisions of the GDPR at any time and regardless of your age or place of residence or your nationality.

7.1 Right of Access

If you wish so, you can request information on the origin, the categories, the storage duration, the recipients, the purpose of the personal relating to you as well as on the nature of processing thereof at any time.

However, we reserve the right to charge a reasonable fee if you exercise such right excessively.

7.2 Right to Rectification/Completion

If your data processed by us is inaccurate and/or incomplete, you can request us to rectify and/or complete such data.

7.3 Right to Deletion (“Right to be Forgotten”)

Under certain circumstances, you as data subject can request us to delete your personal data without undue delay. Such circumstances are:

- The personal data are no longer necessary in relation to the purposes for which we collected them.
- You have withdrawn your consent.
- Your personal data has been unlawfully processed.
- Your personal data has to be deleted under legal obligations, under the law of the European Union or under Austrian law.

7.4 Right to Restriction

Under the following circumstances, you as data subject can request us to restrict processing:

- If you contest the accuracy of the personal data processed by us. As we need up to 3 weeks to examine the accuracy of the data, the processing will be restricted for such time period.
- If the processing of personal data relating to you is unlawful, you objected to deletion of the data and you request restriction of the use instead.
- If we do not need your personal data for the fulfilment of our purposes, but you need such data for the establishment, exercise or defence of legal claims.
- If you objected to processing under Article 21 (1) GDPR. However, only until we determine whether our legitimate interests in processing override your interests.

We will check the reasons for restriction presented by you. If the result of such check is that the conditions for a restriction do not exist (anymore), we are entitled to remove such restriction. Of course, we will inform you of such removal.

7.5 Right to Data Portability

If you wish to obtain the data which you made accessible to us, we will gladly provide them to you in PDF format.

Moreover, you are entitled to transfer such data to another controller. To the extent this is technically feasible for us, you can also request us to transfer your data directly to another controller.

7.6 Right to Objection

The processing of your personal data performed by us is required based upon our legitimate interests/legitimate interests of third parties (for this, see No. 3.1). On grounds relating to your particular situation, you can object to such processing at any time.

Please send your objection to the following address:

E-mail address:
datenschutz@grawe-bankengruppe.at

You can also send your withdrawal by post to the address set forth under No. 13. In any case, please attach a copy of a valid official photo ID to enable unambiguous attribution.

7.7 Withdrawal of the Consent to Data Processing

As data subject, you are entitled to withdraw your consent provided to us at any time. However, please note that such withdrawal will not affect the lawfulness of the processing performed based upon your consent before your withdrawal and that, as applicable, we might be entitled and/or obliged to continue processing certain personal data after the point in time of your withdrawal due to legal requirements or requirements under collective agreements.

7.8 Right to Lodge a Complaint

Although we take our best efforts to ensure the protection and integrity of your data, disputes on the manner in which we use your data may arise.

If you are of the opinion that the processing of your personal data is not in compliance with provisions on data protection, you can lodge a complaint with the competent supervision authority, irrespective of other administrative or judicial remedies. In Austria, the complaint shall be lodged with the Austrian Data Protection Authority.

The address is:

Österreichische Datenschutzbehörde
Austrian Data Protection Authority
Wickenburggasse 8-10
1080 Wien

www.dsb.gv.at

8. Obligation for the Provision of Personal Data

We would like to inform you that for legal reasons/contractual reasons, you are obliged to provide your personal data as well as that the provision of your personal data is required for the conclusion of a contract.

We further inform you that non-provision of your personal data has the following consequences:

To the extent you do not wish to provide the data to us, we generally have to reject conclusion of the contract or performance thereof. In such case, we cannot continue performing an existing contract and consequently have to terminate it.

9. Data Sources

We obtained the personal data relating to you from the following data sources:

- self-declaration;
- contractual agreements;
- public registers;
- publicly accessible information (credit assessment agencies, KSV [Austrian Credit Protection Association] etc.)

10. Automated Individual Decision-Making

We do not use any automated decision-making under Article 22 GDPR to make decisions regarding the establishment and performance of the business relationship.

If loans are to be granted, we perform a creditworthiness assessment. In the course thereof, we assess the default risk of loan applicants using statistical comparison groups. The calculated value shall allow for a prognosis on the likelihood of repayment of a loan for which you applied. The following data is used to calculate such value:

- your master data (e.g. marital status, number of children, duration of employment, employer etc.);
- information on your general financial situation (e.g. income, assets, monthly expenditures, amount of liabilities, collaterals, etc.);
- information on your payment behaviour (e.g. regular repayments of loans, dunning letters, data from credit assessment agencies)

If the default risk is too high, we reject will reject the loan application and may make an entry in the small-loan register maintained by KSV 1870 [Austrian Credit Protection Association 1870] and record an internal warning notice. If a loan application was rejected, this will be visible in the small-loan register maintained by KSV 1870 [Austrian Credit Protection Association 1870] for 6 months in accordance with the Data Protection Authority's notice.

11. Recording of telephone conversations

Please note that both landline and mobile phones are recorded for documentation and quality assurance purposes.

12. Definitions

Personal data:

information relating to an identified or identifiable natural person.

GRAWE Bankengruppe:

The Bank is a part of GRAWE Bankengruppe (GBG) which has no legal capacity with HYPO-BANK BURGENLAND AG as parent company (more information at <https://www.grawe-bankengruppe.at/>). Although GBG has no legal capacity, individual employees can, due to a uniform market presence with corresponding logo and mailings, act on behalf of or be contact persons for several members of GBG in the course of performance as certain functions and activities are outsourced for several or even all members in a staff unit. However, this naturally does not change the fact that the conclusion of contracts and the provision of declarations on legal transactions is reserved to the individual banks as holders of rights and obligations.

Processing:

Any activity performed with or without help of automated processes or each such sequence of activities related to personal data such as the collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, the alignment or combination, restriction, erasure or destruction.

Profiling:

Any type of automated processing of personal data characterised by such personal data being used to assess certain personal aspects relating to a natural person, in particular to analyse and forecast aspects on work performance, economic situation, health, personal preferences, interests, reliability, behaviour, position or change of location of such natural person.

Controller:

A natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

Processor:

A natural or legal person, public authority, agency or other body which, alone or jointly with others, processes the personal data on behalf of the controller.

13. Contact

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