

Data protection information for employees and other persons concerned¹

With the following information, we provide an overview of how data is processed by us and what rights you have under data protection laws. The extent to which your data is processed and the way in which it is used depends primarily on the terms and conditions agreed in your employment contract or agreement on the provision of services or performance of the activity as an external supplier, or drawing other benefits. Not all parts of this information may relate to you.

Who is responsible for processing the data and who can I contact?

Responsible for data processing

Commerzbank AG
Kaiserplatz, 60261 Frankfurt am Main
Germany

represented
Prague branch
Jugoslávská 934/1, 12000 Prague 2
Czech Republic
Telephone: +420 221193571/576
GS-OSISPrag@commerzbank.com

You can contact a representative of our internal Data Protection department at:

Commerzbank AG
Prague branch
Data Protection Contact
Jugoslávská 934/1, 12000 Prague 2
Czech Republic
GS-OSISPrag@commerzbank.com

What are our resources and what data do we use?

We process personal data that we obtain or receive from our employees and other persons concerned within the applicable employment relationship. In addition, we also process personal data that is legally obtained from publicly available sources (such as the press or the internet) or lawfully provided to us by companies from Commerzbank Group or third parties (such as criminal intelligence) to the extent necessary for the relationship between the employer and employee.

Relevant personal data includes information about the person's identity (name, address and other contact details, date and place of birth, nationality), family details (e.g. marital status, information about children), health status data (if applicable for the current employment relationship, e.g. in the case of a serious disability), any prior convictions (extract from the criminal record), iden-

¹ such as job seekers, trainees, former employees, external suppliers

tity data (e.g. identity card data), birth registration number and information on the qualification and previous employers. Here, you can also find information on other agreed terms and conditions (e.g. request for working remotely), data arising from our contractual obligations (such as payment of wages), information about your financial situation (e.g. data on outstanding loans, deductions from wages) and other data equivalent to the above categories.

What is the purpose of processing your data (purpose of processing) and what is the legal basis for this?

We process personal data in accordance with Regulation (EU) 2016/679, or the General Data Protection Regulation (GDPR) and in accordance with the applicable accompanying national legislation.

- a. in order to fulfil contractual obligations (Article 6(1)(b) GDPR in conjunction with Article 88 GDPR)

Data is processed to establish, perform or terminate an employment relationship resulting from our agreement with you or for the purpose of pre-contractual arrangements adopted on the basis of your requirements. If you use other benefits (such as childcare), your personal data will be processed to the extent necessary to draw these additional benefits.

- b. depending on the protection of legitimate interests (Article 6(1)(f) GDPR in conjunction with Article 88 GDPR)

Beyond our own performance of the agreement, we will process your data to the extent necessary to protect the legitimate interests of our company and third parties. Examples:

- Measures for planning human resources development
 - Measures in the event of organisational changes
 - Filing complaints and defence proposals in the event of legal disputes,
 - Ensuring the security and functioning of the bank's IT systems
 - Prevention and investigation of criminal offences and serious breaches of obligations,
 - Videotapes for the purpose of exercising rights to the protection of property and domiciliary rights, collection of evidence in cases of an attack or fraud, e.g. in branches
 - Measures to safeguard buildings and systems (e.g. entry control),
 - Measures to protect our rights to the protection of property and domiciliary rights,
- c. On the basis of your consent (Article 6(1)(a) GDPR in conjunction with Article 88 GDPR)

Provided that you have given us your consent to process your personal data for specific purposes (such as longer retention of documents when applying for a job, drawing

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benefits, taking pictures in connection with events, distributing newsletters), such processing is in accordance with the law based on your consent. You may revoke your consent at any time. The same applies to the revocation of the consent given to us prior to the date of entry into force of the GDPR, i.e. before 25. 5. 2018. Revocation of consent is valid only for the future and does not affect the legitimacy of the data processed until the time of the appeal.

- d. By law (Article 6(1)(c) GDPR in conjunction with Article 88 GDPR) or in the public interest (Article 6(1)(e) GDPR)

As a bank, we are legally obliged to fulfil different obligations, such as statutory requirements (e.g. under the Social Insurance Act, the Pension Insurance Act, the Labour Safety Act, the Banking Act, the Anti-Money Laundering Act, the Securities Act, tax laws, etc.) and regulations relating to the banking supervision (e.g. the European Central Bank (ECB), the European Banking Authority (EBA), the Deutsche Bundesbank (DBB), the German Federal Financial Supervisory Authority (BaFin) and other local supervisory authorities). Processing purposes include, among others, identity verification, prevention of fraud and money laundering, observance of control obligations, notification and documentation obligations based on tax laws and social security laws, and risk assessment and management within the bank and the Commerzbank Group.

In addition, we will process your personal information to the extent necessary for the exercising of the rights and obligations of employee representatives resulting from collective bargaining agreement if applicable.

Who receives my data?

Inside the bank, your data will be accessed by the appropriate departments that need them to fulfil our contractual and legal obligations, such as superiors, HR departments, etc. Data may also be obtained for these purposes by service providers and intermediaries approved by us. These are companies included in the following category: wage processing, insurance, training providers, benefits and sports benefit management, IT services, logistics, printing and telecommunications.

As far as the transfer of data to recipients outside of our bank is concerned, it must first be noted that as an employer we will only pass on the necessary personal data while complying with all relevant provisions on the protection of personal data. In principle, we are authorised to provide information about our employees only when required by law, where the employee has given his or her consent or where we are otherwise authorised to do so. Under these circumstances, the following may be the recipients of personal information:

- Social security authorities,
- Health insurers
- Pension funds,
- Tax authority,

- Public authorities and institutions (such as the CNB, ECB, EBA, DBB, BaFin, tax authorities, prosecution authorities) provided there is a statutory obligation or obligation set by the regulator,
- Other banking and financial institutions or similar entities to whom we send your personal information to fulfil a contractual relationship (such as wage payments),
- General and wage auditors,
- Service providers we address within the context of contractual relationships in which personal data are processed

Other recipients of data may be organisations for which you have granted your consent to the provision of data, or to which we may provide data under the principle of the protection of legitimate interests.

Will the data be transferred to non-EU countries or for use by international organisations?

Data will be transferred to countries outside the European Union (so-called non-member states) only if

- this is required by law (e.g. mandatory notification on the basis of tax rules) or under international treaties (e.g. FATCA, CRS)
- you have given your consent to this or
- this is a legitimate interest from the point of view of personal data protection and not contrary to the protected interests of the data subject.

In addition, data are transmitted to authorities in non-member states in the following cases:

- If your electronic signature is used in a business transaction, it will be stored in the signatures register in Switzerland. In this process, the European level of personal data protection will be respected.
- With the consent of the data subject or under the legal provisions on the prevention of money laundering, financing terrorism and other crimes, and within the framework of the protection of legitimate interests, personal data may be transferred further in observance of the data protection level in force in the European Union.

For how long will my data be stored?

We will process and store your personal data for as long as is necessary to comply with our contractual and legal obligations. In this context, please note that our employment relationship is a long-standing commitment based on a longer period of time.

Unless it is necessary to retain the data for the purposes of fulfilling contractual or statutory obligations, these data will be regularly deleted, provided that they are not needed for further - temporary - processing, i.e. for the following purposes:

- Performance of the storage obligation, which may result, for example, from local amendments to the Social Insurance Act or the Commercial Code, Tax Code, Banking Act, Anti-Money Laundering Act, and the Securities Act. Business records and documentation will be stored with due regard to the deadlines specified in the relevant regulations.
- Storage of evidence according to local laws on limitation periods.

If data is processed in the legitimate interest of our company or a third party, any personal data will be deleted after such legitimate interest has ceased. In such a case, these exceptions apply.

The same applies to the processing of data on the basis of the consent given. Once this consent for the future has been revoked, your personal information will be erased unless one of the exceptions stated applies.

What are my rights in terms of data protection?

Each data subject has the right to access his / her data under Article 15 GDPR, the right to rectification under Article 16 GDPR, the right to the deletion of data under Article 17 GDPR, the right to limit the processing under Article 18 GDPR, the right to object under 21 GDPR and the right to data portability under Article 20 GDPR. Furthermore, the relevant provisions of the related local legislation apply. In the future, you will be able to apply these rights yourself through a self-service application; in other cases, you can contact the HR department or your Data Protection Contact. In addition, the right to appeal to the relevant supervisory authority (Article 77 GDPR) applies.

You may revoke your consent to the processing of personal data at any time by informing us in this regard. This also applies to the revocation of consent that was given to us prior to the effective date of the GDPR, i.e. before 25. 5. 2018. Please note that such a revocation of consent will only apply for the future. Data processing before revocation of consent will not be affected in any way.

Am I obliged to provide the data?

As part of your employment, you are required to provide personal information that is necessary for the establishment, performance and termination of employment, and for the performance of the related contractual obligations, or collection of which is our duty by law. Without such information, we would not, in principle, be able to conclude an agreement with you, provide performance under this agreement or terminate this agreement.

In some cases, your decision not to provide your personal data may mean that you will not be able to enjoy certain benefits (e.g. drawing some benefits)

If you refuse to provide the necessary information, we will not be able to conclude or continue the intended employment relationship.

To what extent is automated decision-making applied?

We do not use fully automated decision-making under Article 22 GDPR for the purposes of establishing, performing or terminating the employment relationship. If the use of these processes is necessary in specific cases, we will inform you separately about this fact and about your related rights if required by law.

Will profiling take place?

Your data will be partly processed automatically in order to evaluate certain personal aspects (profiling). For example, profiling will be used in the following cases:

- Under legal and regulatory requirements, we are obligated to combat money laundering, financing of terrorism and property crime. In this context, the data needs to be analysed.

**Information on your right of objection
under Article 21 GDPR**

Right to object in a particular situation

You have the right to object to the processing of personal data concerning you for reasons related to your particular situation at any time, i.e. under Article 6(1)(e) GDPR (data processing in the public interest) and Article 6(1)(f) GDPR (data processing for the purposes of legitimate interests). The same applies to profiling as defined in Article 4(4) GDPR.

If you file an objection, we will no longer process your personal data unless we have overriding, legitimate reasons that outweigh your interests, rights or freedoms, or, if appropriate, process them to assert, enforce or defend legal claims.

Recipient of the objection

Objections may be submitted informally with your name, address and date of birth and sent to:

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Jugoslávská 934/1, 12000 Prague 2
Czech Republic
Telephone: +420,221,193 571/576
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