

INFORMATION ON PERSONAL DATA PROCESSING FOR SHAREHOLDERS OF KOMERČNÍ BANKA, A. S.

Komerční banka, a. s., with its registered office at Prague 1, Na Příkopě 33, building identification No. 969, postal code 11407, company identification No. 453 17 054, entered in the register of companies maintained with the Metropolitan Court of Prague, in file No. B

1360 (hereinafter called “the bank”), hereby, in line with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter called “the GDPR”),

informs of the principles and processes applied to treat the personal data of the Bank’s shareholders or, as the case may be, of their proxies in connection with holding the Bank’s general meetings, maintaining a list of its shareholders and fulfilling other obligations under Act No. 90/2012 Sb., the Companies and Cooperatives Act (the Corporations Act) as Amended (“the Corporations Act”).

General meetings are held in line with the Corporations Act and, to hold such meetings, one needs to process personal data. The Bank needs to know the identity of its shareholders on the record date, the number of the shares held by these shareholders, the identity of the shareholders or their proxies who attended the general meeting, and the requests for explanation, proposals or protests that they raised. The personal data contained in the extract from the share issue as of the record date must also be processed in order to be able to determine the results of the individual voting rounds. Furthermore, they must be incorporated in the minutes of the general meeting which must be taken by the Bank and in their annexes. Moreover, in the case of a dispute, the Bank must be able to prove the way every shareholder voted. If the general meeting decides to distribute a share in the profit, the Bank must be able to identify the shareholders entitled to the payment.

The Bank has the duty to inform shareholders of their rights regarding their personal data processing and protection and also of the purpose of the processing of the provided personal data. The Bank undertakes to secure personal data processing in an appropriate manner. The information stated in this document applies to both the bank shareholders and their potential proxies (hereinafter also jointly as a “data subject”).

The definition of a “personal data controller”

The Bank is the controller of the personal data of data subjects.

Controller’s contact details:

Komerční banka a.s., company identification No.: 45317054
Václavské náměstí 796/42
114 07 Prague 1
P.O. BOX 839
Czech Republic

DPO’s contact details (DPO – Data Protection Officer):

Data subjects may contact the DPO by sending an e-mail to osobni_udaje@kb.cz or in writing by sending a letter to the following address:
The Office of the Data Protection Officer
Na Příkopě 969/33
11407 Prague 1

What kind of personal data are subject to processing?

Banka processes various kinds of personal data in respect of its shareholders or, as the case may be, their proxies. These personal data may include:

Name(s) and surname, title;
Date of birth;
Place of residence;
Shareholder's bank account number (does not apply to shareholders' proxies); Holder's identification in the extract from the share issue (does not apply to shareholders' proxies);
Designation of the share class and nominal value;
E-mail address;
Tax residence certificate;
ID card kind, number, period of validity and issuing authority/state;
Other data required by the legislation or by the Bank based on a legitimate interest; Any other information provided at the shareholder's discretion.

The Bank obtains personal data from the extract from the share issue maintained by the Central Securities Depository, from the contract on electronic signature and bank identity KB and, furthermore, directly from each shareholder, from state administration bodies or on the basis of the legislation.

Please note that, as part of the extract from the share issue maintained by the Central Securities Depository, the Bank also receives shareholders' birth identification numbers. The birth identification number is processed to a limited extent in order to fulfill the legal duty regarding the unique identification of each shareholder, and is not used any further.

Where are the personal data stored?

Shareholders' personal data can be stored on secured servers in the Bank's IT systems in the Czech Republic. Personal data are collected, processed and retained exclusively on the territory of the Czech Republic.

What is the purpose of the personal data processing?

The Bank processes shareholders' personal data based on the following legal grounds:

- A) Compliance with a legal obligation
- B) Bank's legitimate interest
- C) Performance of the contract on electronic signature and bank identity KB

A) Compliance with a legal obligation

The Bank processes the personal data of its shareholders or, as the case may be, of their proxies in connection with the exercise of the rights and obligations arising from the relationship between the Bank and the shareholder, namely for the purposes of casting vote on relevant items of business included in the Bank's general meeting agenda by correspondence prior to the general meeting, attending the Bank's general meeting and exercising rights and obligations thereat, paying out a share in profit (dividends) and other purposes set out by the legislation. These are:

i. Extract from the issue of shares maintained by the Central Securities Depository as of the record date

Only shareholders listed in the extract from the issue of shares of the Bank on the record date shall be entitled to attend, vote and exercise shareholder rights at the general meeting. The extract is obtained by the Bank from the Central Securities Depository and must be submitted to the Czech National Bank for an opinion. Each shareholder has a right to apply to the Central Securities Depository to be provided with information on the data kept about him/her/it.

ii. Registration of shareholders at the general meeting

The data used for this purpose come from the extract from the issue of shares maintained by the Central Securities Depository and are processed in a way allowing the Bank to clearly identify and verify the identity of each shareholder or of his/her/its proxyholder.

iii. Written and oral requests for explanation, proposals, protests, and the minutes

The Bank processes written and oral requests for explanation, proposals and protests raised by shareholders and their proxies at the general meeting, including their personal data if stated in the queries. Minutes of the general meeting are taken in line with the Corporations Act and with the Articles of Association. Shareholders or their proxies have a right to request a copy of the minutes.

Shareholder's or his/her/its proxy's consent to personal data processing aiming to fulfill a legal obligation is not required.

The Bank provides the personal data of its shareholders or, as the case may be, of their proxies:

- To personal data processors who process the personal data based on the Bank's instructions. These include in particular the entities in charge of the registration and voting at the general meeting, mail carriers and Bank's external consultants;
- also to third parties (as independent controllers), which include state administration bodies and other persons, within the framework of the exercise of the rights prescribed by the legislation and of the performance of the obligations prescribed by the legislation;
- to the public to the extent of the Bank's obligation to inform of the holding of its general meeting, to make public shareholders' proposals and counterproposals, to disclose some information in the collection of deeds, and the like,

namely to fulfill legal obligations arising in particular from:

- the Corporations Act;
- Act No. 256/2004 Sb., the Act Providing for Business Undertaking in the Capital Market as Amended;
- Act No. 21/1992 Sb., the Banking Act as Amended.

The personal data processing period will not exceed ten years of the termination of the shareholder's interest in the Bank unless the legislation stipulates a period which is longer.

B) Legitimate interest

A legitimate interest can be used as a legal basis for personal data processing provided that the legitimate interests of the controller override the interests or the fundamental rights and freedoms of the data subject requesting personal data protection.

These are cases which do not necessitate obtaining consent to personal data processing.

This includes namely the following legitimate interests of the Bank.

The protection of the fundamental or other important rights of the Bank arising from the generally binding legislation as regards general meetings. The goal is thus ensuring a due course of the general meeting, documenting the results of voting, taking the minutes of the general meeting, dealing with questions relating to the distribution and payment of a share in profit, and the like. These are:

i. Recording

The conduct of the general meeting is recorded in a video and audio recording. The recording is used to correctly draw up minutes, to record oral requests for explanation, proposals or protests and to allow a live broadcast. The recording is only made in the meeting room to record the official conduct of the general meeting.

ii. Notarized record

The Bank will order a notarized record to certify the adopted decisions and the conduct of the general meeting. Depending on the given general meeting, the notarized record drawn up by the notary public may also state personal data of data subjects. The notarized record will serve as the basis for the entering of relevant data in the register of companies and will be deposited in the collection of deeds.

The processing period depends on the given purpose. If, for example, this purpose consists in certifying the results of voting at the general meeting, the personal data are usually only retained for the period for which it is possible to challenge the validity of the decisions of the general meeting. One can state that, generally, the processing period in this case does not exceed the limitation, lapse and other periods laid down by statute.

C) Performance of the contract on electronic signature and bank identity KB

In the case that the Bank and a shareholder have entered or will enter into a contract on electronic signature and bank identity KB, the shareholder's personal data must also be processed to perform the contract. Therefore again, the shareholder's consent to the processing of his or her personal data is not necessary.

The scope of the processed personal data is, in this case, connected with the subject matter of the contract and the data are the data necessary to enable the shareholder to vote by correspondence. The time for which the personal data are processed in this case corresponds with the duration of the contract and with the period for which the obligations arising from such contract are not settled.

Means of personal data processing

Personal data processing is carried out both by automated means and manually. The data can be made available to the Bank employees who need the information for their work or to the processors that have a contract for personal data processing with the Bank. The list of personal data processors will be provided upon shareholder's request.

Rights of a data subject (i.e., a shareholder or shareholder's proxy)

The shareholder as well as his/her/its proxy have, under the conditions set out in the GDPR:

- a) the right of access to, rectification, erasure or limitation of the personal data processed about such shareholder / proxy;
- b) the right to request personal data portability;

- c) the right to file a complaint to a supervisory authority – The Office for Personal Data Protection, Pplk. Sochora 27, postal code 170 00, Prague 7, www.uoou.cz;

The Bank does not make any decisions based strictly on automated processing, including profiling, which would have legal effects on data subjects or which would affect them significantly.

Any shareholder or his/her/its proxy also have the right to object to processing of personal data concerning him or her unless the personal data processing stems from the Bank's legitimate interests. The Bank does no longer process the personal data unless it demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.