

## **Privacy statement of ING on the processing of personal data in the crediting process – individual customers – including in the Credit Bureau system and in the database of the National Authority for Fiscal Administration**

### **1. For what purpose do we process your personal data?**

In order to grant a loan and, subsequently after granting it, we will process your personal data, in order to: (i) assess your ability to repay the loan or to make you a credit offer appropriate to your needs; (ii) prevent and combat potential fraud; (iii) determine the risk to which ING is exposed; (iv) interrogate the Credit Bureau S.A., the Credit Risk Office, the database of the National Authority for Fiscal Administration ("ANAF"), the Bulletin of Insolvency Procedures and, if applicable, other third parties authorized to hold relevant information for us, as provided by law; (v) analysis of the guarantees you offer; (vi) establish the conditions under which we can offer / maintain / restructure the loan; (vii) honour the obligations we have assumed under the credit agreement; (viii) monitor the fulfillment of certain essential conditions<sup>1</sup> for the credit product (e.g. collecting your salary at ING) and verify the fulfillment of other obligations incumbent on you; (viii) respond to your requests and communicate with you in relation the loan you hold; (ix) recover any outstanding amounts; (xi) carry out contacting activities having an informative or educational purpose in order to prevent possible financial difficulties that you may encounter or possible delays in payment.

### **2. What types of personal data do we use?**

In order to fulfill the purposes described above we need the following categories of data: (i) **identification data**: name, surname, domicile, personal identification code (CNP), data contained in identity documents, e-mail address, telephone number, as well as other contact details necessary to fulfill the purposes described; (ii) **financial data** related to the source, type, fluctuations and level of your income or receipts, the turnover of your bank account, the details and description associated with the transactions made, monthly payment commitments, garnishments or enforcement proceedings, data about the refinancing loan, if applicable; (iii) **details about the loan granted**, i.e. the type of credit, the destination, the amount, the duration, the interest, credit card information, the repayment schedule, the guarantees brought by you, your behavior during the contract; (iv) **your credit history**: other current or historic loans, delays in the payment of loans, refinanced loans; (v) **data on fraud** or other offences that could affect your ability to repay the loan or incompatible with your status as an ING customer; (vi) **the properties you own**, real estate / goods (immovable and movable property), insurance of these properties, property deeds; (v) **information on your creditworthiness**: credit score, compliance with other eligibility criteria; (vii) **other data**: civil status, occupation, seniority, the employer, the entity paying the recurring income, place of work, studies, possible disputes in which you are a party, your handwritten / electronic signature; (viii) **data on guarantors/fidejussor/trustees/heirs**; (ix) **data obtained from public sources or from authorized third parties**, such as: Credit Bureau S.A., ANAF, Credit Risk Office, Bulletin of Insolvency Procedures; (x) data used for **access to the Home'Bank application and the authorization code** of the instructions in case you apply for a loan online.

### **3. How do we decide to make you an offer for a loan?**

If you have given us your prior consent that allows us to analyze your data in order to offer you products and services tailored to your interests and needs, then we will be able to assess the turnover of your accounts in order to establish the level of your recurring income and to meet the minimum credit criteria detailed below before making you a credit offer.

### **4. How do we make the decision to grant you a loan?**

We make the decision to grant a loan through an automated decision-making process, i.e. automatically by applying a **scoring** and **credit-granting minimum criteria**. This **scoring** is an objective tool for the assessment of the risk which ING runs when granting you a loan. It is based on a statistical analysis that uses your personal data and helps us estimate your possible refund behavior by generating a **score**. The **score** is a numerical value resulting from the analysis of your data, which expresses the probability that you will fulfill your obligations to pay the loan installments throughout the period of the credit agreement. ING has set a minimum score for customers, which is the minimum acceptable threshold in case of granting a loan. The minimum

---

<sup>1</sup> As per the contractual documentation of your lending product.

score was set according to the level of risk that ING is willing to assume that you do not repay the loan in full and according to the credit strategy that ING has at the time you apply for the loan.

All scores that are below the minimum score reflect risks of default that we cannot accept. That's why every time your score is below the minimum threshold that ING has set, we won't be able to give you a loan.

In addition to the credit score, ING will determine through an automatic process whether you meet other credit-granting minimum criteria that ING has established, such as: (i) validations based on the information obtained about you from the Credit Bureau and / or ANAF and / or the information held by ING in its own systems, regarding the turnover of your accounts; (ii) the maximum indebtedness; (iii) the maximum degree of financing (determined in the case of mortgage-backed loans as a percentage of the amount of the collateral presented); (iv) long delays that you have experienced in the past when returning other credits, the existence of garnishments or foreclosures on amounts exceeding; (v) high risk of fraud; (vi) other minimum eligibility conditions associated to the selected lending product and communicated in the pre-contracting phase.

This way of deciding to grant loans on the basis of minimum criteria helps ING to make fair and responsible lending decisions. We always take care that you have the opportunity to reimburse the loan without making your material situation more difficult.

In addition, for loans with mortgage guarantee, the real estate analysis process will include automated decision-making components of text analysis of standardized documents through which ING will determine if the real estate proposed to be brought as guarantee meets the conditions established by the bank: i) all the criteria are met for full ownership according to the notary's opinion; ii) no risk has been identified that the property title and/or the mortgage right will be terminated as a result of the examination of the documents subject to analysis, as well as that the requirements established by ING are met at the same time, in order to accept the property as a guarantee; iii) the resistance structure of the building, including from the perspective of the materials used; iv) property location and market activity level according to ANEVAR standards; v) building destination; vi) other particularities identified on the building proposed to be brought under warranty (such as the degree of completion of the building, its inclusion in the seismic risk classes, untubulated changes made to the building, the state of the construction, the building does not have access or access is difficult, the building is not connected to utilities).

If the property proposed to be brought as a guarantee does not meet one or more of the previously mentioned conditions, it cannot be accepted as a mortgage guarantee.

## **5. How do we assess the risk of fraud?**

Like any banking institution, we have an obligation to know our customers. The fraud risk is assessed at the opening of the relationship with ING, but also every time you apply for a loan. In this case, ING has established, from fraud risk point of view, categories of customers to whom it will offer loans and categories of customers to whom it will refuse the loan request. For example, to a person who in the past has forged documents or made false statements in order to obtain loans, ING will refuse the request to grant the loan. To determine which of the two categories you are included in, ING can adopt an automated decision using an automated individual decision-making process.

## **6. What happens if you fail to return the loan on time?**

When you fail to make the payment of the loan installments on time, ING will make an automatic decision about the probability of repaying the loan and the actions to take to ensure that you will be able to pay the loan installment. We use an automated decision-making process to determine the probability of return and recovery actions, analyzing the time of delay, the duration of the delay, the amount of arrears and the frequency of delays. The effects of this process will be limited to sending messages reminding the payment deadline and the consequences of the delay, as well as contacting you for clarification either directly by ING or through entities specialized in the management of receivables, acting as data processors of ING. Subsequently, if the outstanding amounts are not paid, ING may decide to accelerate the loan (by declaring the entire loan payable) or to terminate the contract and initiate collection procedures, including through mandated third parties, or enforcement proceedings or may decide to transfer the credit agreement and / or any of its rights and / or obligations (by assignment of the contract and / or novation, assignment of receivables or any mechanism of transmission of obligations recognized by law).

## **7. What are your rights in relation to the automated decisions that ING takes regarding the requested credit?**

When ING makes automated decisions about you, you can: (i) require an ING employee to intervene and ensure that the automated process has worked properly; (ii) express a point of view on the decision and (iii) challenge the decision. For this,

you only have to address your request to your ING Office or contact us at the address in Bucharest, Str. Av. Popisteanu 54A, Expo Business Park, building nr. 3, sector 1, postal code 012095, at fax +40 21 222 14 01 or at [protectiadatelor@ing.ro](mailto:protectiadatelor@ing.ro).

### **8. Where do we obtain your personal data from?**

In general, the data we need was given to us by yourself when you filled-in the loan application, resulted from the interaction you had with us or from the way you used the bank's products and services. Personal data are also taken from sources external to ING, such as Credit Bureau S.A., ANAF, Credit Risk Office, Insolvency Bulletin, other institutions, and public authorities, as provided by law. The data processed for the granting of a loan also includes data that ING has deduced from the credit analysis it has carried out. Such data are the credit score, possible fraudulent activity, the type of credit and the conditions under which we grant you the loan.

### **9. On what grounds do we process your personal data?**

ING is basing the data processing mentioned herein on the following legal grounds: (i) **The execution of the credit agreement** and including **the necessary steps to enter into a credit agreement**, at your request. Please note that all the data we have requested in order to analyze the loan and the data obtained from other sources are necessary to substantiate the decision to grant or not the loan. Your refusal to grant us this data will lead to the impossibility for ING to offer you the desired loan; (ii) **the legal obligations** that ING has, such as the obligation to know the customer, to assess the ability to repay the loan, to prevent and combat money laundering, terrorist financing and the risk of fraud, to document the financial difficulties / payment difficulties encountered in the context of fulfilling the obligations derived from the credit agreement, etc.; (iii) **the legitimate interest** of ING (analysis and monitoring of the credit portfolio, development and improvement of the credit products and strategy, assessment of the financial risks to which ING is exposed through the lending activity, assignment of loans or their transfer by any possible means, preservation of the guarantees brought by you, informing and educating its customers), in which case ING pays attention to your rights and freedoms, ensuring that its legitimate interest does not violate these rights and freedoms; (iv) **your consent** regarding the processing of personal data in the context of the interrogation of the ANAF database; your consent regarding the receipt of offers of products and services adapted to your interests and needs.

### **10. To whom do we transfer your personal data?**

Granting a loan involves the transfer of your personal data to various categories of recipients: insurers, evaluators, public authorities and institutions, such as: The National Agency for Cadastre and Land Registration, the Electronic Archive for Security Interests in Movable Property – AEGRM, FNGCMM – National Credit Guarantee Fund for SMEs in the case of "Prima Casă" loans, the Credit Risk Office, notaries, Credit Bureau S.A., ANAF, other companies in the ING group, assignees of loans, debt recovery agencies, etc. To these recipients is added the list of recipients mentioned in the "Privacy statement from ING concerning the processing of personal data", available on [www.ing.ro](http://www.ing.ro) or in any ING Office.

### **11. ING and Credit Risk Central**

Information about the loan granted, respectively the individual credit risk and the situation of the outstanding loans (including the delays in payment of more than 30 calendar days) are transmitted by ING to the Credit Risk Office of the National Bank of Romania (independent public institution with headquarters in Bucharest, Lipscani Street no. 25, sector 3), based on the requirements of the law regulating the activity of the Office.

The Credit Risk Office is a structure specialized in collecting, storing and centralizing information on the exposure of each Romanian reporting entity (credit institution, non-banking financial institution, payment institution, etc.) to those debtors who have benefited from loans and/or commitments whose cumulative level exceeds the reporting limit amount (20,000 lei), as well as the information regarding the card frauds produced by the holders.

### **12. ING and the Credit Bureau**

ING and the Credit Bureau S.A. are joint data controllers. Credit Bureau SA is the private law entity that manages the Credit Bureau System, in which personal data are processed in connection with the lending activity carried out by the Participants (credit institutions, non-banking financial institutions, insurance companies and debt recovery companies, who have signed a Participation Agreement with the Credit Bureau.

ING will have to consult the Credit Bureau SA (Romanian legal entity based in Bucharest, Sf. Vineri Street no. 29, 4th floor, sector 3) each time you ask us for a loan / a personalized credit offer / a credit offer adapted to your situation, as well as during the loan, and, at the same time, will send to the Credit Bureau S.A. a series of data.

- **Legal basis and purpose of processing**

ING and the Credit Bureau process the personal data of the data subjects (loan applicants / borrowers / co-debtors / guarantors) based on the legitimate interest of the Participants and of the Credit Bureau for carrying out a responsible lending activity, respectively preventing the excessive indebtedness of the data subjects, respecting the legal framework regarding the creditworthiness assessment and reducing the credit risk, as well as preventing the use of the financial-banking system for carrying out activities contrary to the law, as well as to facilitate access to credit, offering of credit products. ING has the obligation, according to the legal regulations in force, to evaluate the ability to repay the loan, before making you a credit offer or before concluding a credit agreement and over the term of the agreement. For this purpose, ING processes the information indicated below, registered on your name in its own records and transmits it to the Credit Bureau for processing by this institution and for allowing access to them by any Participant, in order to initiate or carry out a credit relationship, as well as to ensure credit products.

- **The obligation to provide the data and the consequences of non-compliance with it**

The provision of your personal data is necessary for the purpose mentioned above. The refusal to provide your personal data, necessary to achieve the above-mentioned purpose, will lead to the impossibility of ING to fulfill its legal obligations in connection with the granting of the loan.

- **Categories of personal data processed in the Credit Bureau System:**

- **identification data** of the data subject: name, surname, social security number (CNP) or fiscal code (CUI) for authorized natural persons or fiscal code (CIF) for individuals carrying out liberal professions or country code and serial / passport number for non-residents, permanent / habitual residence, telephone number, date of birth;
- **data relating to the employer:** name and address of the employer, date of registration of this information, fiscal code (CUI);
- data regarding **the credit products requested/granted:** the type and name of the Participant, the type of product, the status of the product/account, the date of granting, the duration of the account, the amounts granted, the amounts due, the date of update, the currency, the frequency of payments, the amount paid, the monthly installment, the outstanding amounts, the number of days of delay, the date of the first overdue, the category of delay, the date of the last payment;
- data regarding **the events that occur during the period of the credit product**, such as those related to the restructuring / refinancing, the payment, the assignment of the credit agreement, the assignment of the receivable;
- data regarding **the relations with other accounts:** information regarding credit products in which the data subject has the capacity of co-debtor and / or guarantor;
- data regarding **the insolvency:** information regarding the data subjects against whom an insolvency procedure has been opened;
- **number of interrogations:** indicates the number of Credit Reports issued by the Credit Bureau, at the request of one or more Participants.

In the process of analyzing your credit request, ING will ask the Credit Bureau S.A. to issue a Credit Report, without FICO® Score, in order to verify that you fall within the indebtedness degree established by law and if you have the ability to repay the loan. In order to obtain the Credit Report, ING will send to the Credit Bureau the name, surname and social security number (CNP) or fiscal code (CUI) for authorized natural persons or fiscal code (CIF) for individuals carrying out liberal professions or country code and serial / passport number for non-residents, as the case may be.

After granting the loan, ING will transmit to the Credit Bureau S.A. the personal data listed above. This information is shared with the other Participants, within the Credit Bureau System, and is used for the aforementioned processing purpose.

Your ability to repay debts at maturity can be checked periodically, after granting the loan, including by obtaining Credit Reports or by using the Alerts Service<sup>2</sup>.

If, during the loan period, you will be late in paying the installments more than 30 calendar days from the due date, ING will send to the Credit Bureau information on the outstanding amounts, the category of delay, the date of the first overdue and/or, as the case may be, information regarding the opening of the *datio in solutum* procedure (transfer in lieu of payment procedure), only after notifying you with at least 15 calendar days prior to the transfer to the Credit Bureau, made in writing, by phone, SMS, e-mail or other means of electronic communication.

- **FICO® Score from the Credit Bureau**

The personal data mentioned above may be processed by the Credit Bureau, including to calculate, at the request of the Participants, the FICO® Score from the Credit Bureau ("FICO® Score"). Participants may use FICO® Score in order to reduce the credit risk associated with a debtor/potential debtor by participants who do not use FICO® Score. FICO® Score is a number between 300 and 850, obtained as a result of the statistical process that processes the information recorded by the Participants in the Credit Bureau System and indicates the probability that the data subject will pay his/her installments on time in the future. The main causes that caused the FICO® Score decrease are displayed in the form of reason-codes. FICO® Score takes into account the following elements that give predictability: payment history, current debt, duration of the credit account(s) (average number of months since the granting of loans), the application for new loans (the number of interrogations and loans granted in the last 6 months), the credit mix (types of loans granted), the age of the person concerned. The influence of these elements on the value of FICO® Score may vary depending on the information recorded with the Credit Bureau for each data subject. FICO® Score is a highly predictable analysis tool that, together with the data from the Credit Report and the information obtained by the Participants from other sources, competes in the correct evaluation of the creditworthiness of the data subject for the conclusion / execution of the credit agreement.

ING Bank does not use the FICO® Score for its lending decisions.

- **Recipients of the data**

The personal data registered in the Credit Bureau System are disclosed to the Participants, upon request, for the purpose mentioned above. The personal data processed in the Credit Bureau System will not be disclosed to third parties, except for public authorities and institutions, as provided by law, such as the National Supervisory Authority for Personal Data Processing, the National Bank of Romania, the National Integrity Authority, courts, notaries, bailiffs, criminal investigation bodies.

- **Storage period**

Personal data are stored at the Credit Bureau and disclosed to participants for 4 years from the date of update, except for the data of the credit applicants who have waived the loan application or who have not been granted the credit, which are stored and disclosed to the Participants for a period of 6 months.

- **Rights of data subjects regarding the processing of personal data**

As a data subject, you can exercise the following rights granted by the legislation on the protection of personal data:

- the right of access to data can be exercised: by a written request, signed, sent by post to the Credit Bureau, or by accessing in a secure way the website of the Credit Bureau ([www.birouldecredit.ro](http://www.birouldecredit.ro)), or in person or electronically, to the Participant who holds the quality of creditor / potential creditor of yours. At the same time, you have the right to obtain, upon request, at the time of communicating the credit decision, a copy of the Credit Report issued by the Credit Bureau, which was used by ING in the analysis of the loan application;

---

<sup>2</sup> The Alerts Service is used by the Participants to identify and/or reduce the credit risk in due time, by generating an alert to a Participant when an event is registered for its own debtor (opening/closing an account, entry/exit from the arrears, account correction, registration/deletion of the guarantor/co-debtor status, account query, change of employer name/phone number) at another Participant.

- the right to rectify the data, the right to delete the data, the right to restrict the data, the right to oppose the processing, can be exercised: by accessing securely the website of the Credit Bureau ([www.birouldecredit.ro](http://www.birouldecredit.ro)), or in person or electronically, to the Participant who holds the capacity of creditor / potential creditor of the data subject.
  - the right not to be subject to an exclusively automated decision, including profiling, which produces legal effects on the data subject or similarly affects him/her to a significant extent, unless the processing is necessary for the conclusion of a contract, is based on a legal obligation or on your consent, in which case you can request human intervention, you can express your point of view and you can challenge the decision, by a written request sent to ING at its address in Bucharest, Str. Av. Popisteanu 54A, Expo Business Park, building nr. 3, sector 1, postal code 012095, fax +40212221401 or at [protectiadatelor@ing.ro](mailto:protectiadatelor@ing.ro).
  - the right to refer to the National Supervisory Authority For Personal Data Processing and or the courts.
- **The contact details of the data protection officers are:**

For ING : [protectiadatelor@ing.ro](mailto:protectiadatelor@ing.ro).

For the Credit Bureau: [rpdb@birouldecredit.ro](mailto:rpdb@birouldecredit.ro)

Additional information on the processing of personal data in the Credit Bureau System, including on the legal basis for processing by the joint data controllers, is available on the website of the Credit Bureau, section Legal Framework ("Cadru legal"): <https://www.birouldecredit.ro>.

### 13. ING and ANAF

In order to improve the lending activity and for a smooth flow of the analysis process by simplifying the requested documentation and meeting the prudential requirements specific to the banking activity, ING will query the ANAF database in order to obtain updated information on the income of the loan applicant, if you have given your consent for this operation.

Within the interrogation operation, the following information is processed: (i) identification data of the natural person / natural person exercising an authorized activity and the device used by him: name and surname, permanent residence, social security number (CNP) / unique identification code, IP address, date and time of signing, signature; (ii) the name of the form of exercise of the profession / of income realization, the fiscal identification code of the form of exercise of the profession / of income realization, the address / headquarters of the form of exercise of the profession / of income realization; (iii) identification data of the natural person, legal representative of the legal entity: name and surname, personal identification number / unique identification code; (iv) the nature, source and amount of income, for the period corresponding to the last two completed fiscal years, including, where possible, for the period between the last completed fiscal year and the date of their request; (v) other financial information (in the case of a legal person client).

Your refusal to provide the consent for the querying of the ANAF database does not have the effect of stopping the analysis process prior to the granting of the loan; at the same time, in this case, in order to fulfill the specific verifications, it will be necessary for you to provide additional documents (such as an income certificate).

The consent expressed for the query of the ANAF database can be withdrawn at any time, freely by sending a simple request in this regard, to the address Bucharest, Str. Av. Popisteanu 54A, Expo Business Park, building nr. 3, sector 1, postal code 012095, by fax to +40 21 222 14 01 or by e-mail to the address [protectiadatelor@ing.ro](mailto:protectiadatelor@ing.ro).

After processing the request for withdrawal of the previously expressed consent, the personal data mentioned above will no longer be subject to processing in order to fulfill the identified purposes, unless such processing can be based on another legal basis, in accordance with the requirements of the applicable legislation.

General information regarding the processing of your personal data by ING Bank is permanently available on the [www.ing.ro](http://www.ing.ro) in the section Protection of personal data ("Protectia datelor cu caracter personal") <https://www.ing.ro/ing-in-romania/informatii-utile/protectie-date-personale> or in any ING Office.

**I acknowledge that I have received and understood the information provided by this "Privacy statement of ING on the processing of personal data in the crediting process – individual customers – including in the Credit Bureau system and in the database of the National Authority for Fiscal Administration" understanding that, in order to obtain information for being able**

to compare the credit products available on the market, for the management of the credit request as well as for the administration of the credit (to the extent that the conditions for granting are met), ING will carry out a series of activities involving the processing of my personal data, as detailed in this Privacy statement and/ or in the documentation for the collection of consent for processing, if this is the applicable processing basis.

Name / First Name .....

Type of credit application.....

Quality.....

Date.....

Signature.....