



# Notice on the Application of the General Data Protection Regulation–Phoenix NPL Finance DAC

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The special purpose vehicle under the company name Phoenix NPL Finance DAC, a designated activity company incorporated under the laws of Ireland, with registration number 670746, and having its registered office at Fourth Floor, 3 George's Dock, IFSC, Dublin 1, Ireland, hereinafter referred to as the "Company", in its capacity as the Controller of Personal Data, in the context of the General Data Protection Regulation (EU) 2016/679 which entered into force on 25/05/2018, hereinafter referred to as the "GDPR" as currently applicable, and in the context of Law no. 4624/2019 regarding Personal Data, under the heading "Personal Data Protection Authority, implementation measures of the 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 their personal data, and the incorporation into the national legislation of the Directive (EU) 2016/680", hereinafter referred to as the "Law" and the current legislative and regulatory framework, hereby provides you with the following information regarding the processing of your personal data and your rights as a data subject.

The present notice is addressed to individuals who by virtue of a loan or credit agreement with Piraeus Bank (hereinafter referred to as "the Bank") were liable to the Bank in their capacity as debtor and/or co-debtor and/or co-obligor and/or guarantor and/or collateral provider, including heirs thereof, (hereinafter referred to as the Debtors) in relation to loan/ credit receivables arising from non-performing loans, which have been assigned to the Company by virtue of a credit and loans receivables assignment agreement, hereinafter referred to as the «Portfolio», pursuant to Law no. 3156/2003. Through this assignment, the Company became the owner of all receivables and rights deriving from the loan agreements included in the Portfolio, as well as the Controller of the Personal Data arising therefrom. The management of the loan agreements is undertaken, on behalf of the Company, by the receivables servicing company under the name "Intrum Hellas Loans and Credit Receivables Servicing Société Anonyme" with distinctive title "Intrum Hellas A.E.D.A.D.P." (hereinafter "Intrum Hellas"), licensed and supervised by the Bank of Greece in accordance with the provisions of the Law no. 4354/2015 (Decision No. 326/2/17-9-2019 of the Credit and Insurance Committee, published in Government Gazette No. 3533 / 20-9-2019). The present notice is also addressed to any third parties (natural persons) related to the Debtors, including, without limitation, family members, representatives, attorneys at law, process agents (in Greek: antikliti), other authorised persons, employees, associates, legal representatives, shareholders and beneficial owners of



debtors who are legal persons or entities etc.) affiliated with the above and/or relating to the loan/ credit receivables thereof. It is noted that if a debtor and/or co-debtor and/or co-obligor and/or guarantor and/or collateral provider is a legal person or entity, this notice is addressed to its administrators, representatives, partners and members of management, employees, attorneys at law, process agents (in Greek: antikliti), shareholders and beneficial owners whose personal data are processed by the Company.

The processing of personal data consists of the collection, registration, organization, structure, storage, alteration, retrieval, information search, use, transfer, restriction or deletion of personal data that has been or will be brought to the attention of the Company, either as a result of the assignment of the Portfolio by the Bank or under the receivables servicing agreement by Intrum Hellas, or in the context of information received by the Company from any third party, a natural or legal person or public sector body, in the exercise of a legal right of their own or the Company itself.

In compliance with the applicable legal framework, the Company has taken all necessary actions, by implementing all appropriate technical and organizational measures for the lawful maintenance, processing and safe storage of personal data files, and is committed to safeguard and protect in every possible way the processing of your personal data against any loss or leakage, alteration, transfer or any other unlawful processing.



**A. Which personal data we process and where we collect them from**

The Company shall process your personal data, obtained either by virtue of the abovementioned portfolio assignment agreement with the Bank, or by virtue of the receivables servicing agreement with Intrum Hellas, and which are necessary to the proper performance of the abovementioned business transactions and your debts servicing.

- The Company shall also process your personal data which were received or brought to its attention by any third party, a natural or legal person or public sector body, and which are necessary either to achieve the Company's or any third party's legitimate interests, or to perform the Company's tasks which are, carried out in the public interest (e.g., tax and insurance bodies).
- Aiming at protecting commercial credit and transactions, assessing your credit rating and any assumed credit risks and limiting fraud, the Company has access to your data which may be included in the files kept by the societe anonyme under the company name BANK INFORMATION SYSTEMS S.A., and the distinctive title TIRESIAS S.A. and keeps the following records: a) Default Financial Obligation System (DFO) & Mortgages and Prenotations to Mortgages System (MPS); b) Tiresias Risk Control System (TSEK); c) Credit Consolidation System (CCS); d) Lost or stolen Identity Card and Passport System (IPS); e) Terminated Merchants System (TMS); f) Assigned Requirements from Contracts/Public Works Execution Certifications System; g) Credit Rating System. Access to these files is possible without your prior consent, if deemed necessary for the commencement or continuation of your business relations with the Company (e.g. assessment of any settling/restructuring your debts request, credit limit review). Detailed information regarding the aforementioned files, the data they contain, their origin, their time of retention by Tiresias S.A. per file or as a whole, as well as the exercise of your rights against Tiresias S.A. pursuant to the new "GDPR" shall be provided directly by Tiresias S.A. (Controller), with registered head office in Marousi, 2 Alamanas Str., 15125 (tel. +30 210-36.76.700) or at <http://www.tiresias.gr>.
- The Company may also process your data which it has collected from other third parties, such as publicly accessible sources (e.g., Land Registries/National Cadastre, Commercial Registries, Internet), provided that said data are necessary for the purposes of the processing.
- The Company, through Intrum Hellas, shall collect and process at least the following personal data: Full name, father's and mother's name, details of



identity, card/passport or any other official identification document, date and place of birth, sex, citizenship, social security number (in Greek: AMKA), marital status or non/ partnership contract/widowhood, dependent family members, permanent address, place of residence, correspondence address, business details and business address, financial data (e.g. income tax assessment), tax residence, tax identification number, telephone number (fixed and/or mobile) and specimen of signature (physical or electronic). Where appropriate, you may be requested to submit additional details (e.g., professional card or student identity card), provided that these data are considered as prerequisite for the commencement or maintaining of a particular business relationship.

- As part of the evaluation of your financial capacity with the purpose of settling/restructuring your debts, or/and the debts collection, the Company may collect and process additional data, through Intrum Hellas, including but not limited to the following: financial details (e.g., tax returns, income tax assessments, Unified Property Ownership Tax-ENFIA, sole proprietorship financial details) or other income sources, data concerning your creditworthiness, credit profiling and credit scoring data, as well as data concerning the failure to perform your financial obligations property asset valuation, data of the financed or mortgaged property, insurance policies (e.g., coverage against Fire/Earthquakes), data of the Record and Securities Account with the DSS of the ELKAT by HELEX, as well as additional information - as part of implementing the current rules on financial instruments markets.

The collection and processing of your aforementioned personal data by the Company is necessary for the initiation, execution and servicing of your debts.

## **B. Processing of special categories of personal data**

The Company shall not process any personal data of yours which are related to your racial or ethnic origin, political opinions, religion or philosophical beliefs, trade union membership, genetic or biometric data, which confirm your identification as the data subject, and data concerning health or data concerning your sex life or sexual orientation, unless: a) you have given your explicit consent for a specific purpose; b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of yours or the Company's under social protection law, in accordance with applicable EU law or Member State law providing for appropriate safeguards in respect with your fundamental rights and interests; c) the data have been manifestly made public by you; d) processing is necessary for the establishment, exercise or defense of both your legal claims



and the Company's, in its capacity as the Controller; e) processing is necessary for reasons of substantial public interest (investigation of any persecuted act under the laws on the prevention and control of money laundering and terrorist financing). In any case, the Company has taken all necessary technical and organizational measures to securely keep and process your personal data belonging to the special categories above.

The personal data of minors shall be processed subject to the prior consent of their parents or the persons who have undertaken their parental responsibility, unless otherwise specified by law. For the purposes hereof, minors are persons who have not attained the age of 18 years.

### **C. Children related data**

The Company shall legally process personal data, provided that processing:

### **D. Lawfulness of processing**

- Is necessary in order for the Company to comply with the legal obligations according to the Law no. 3156/2003.
- Is necessary for the servicing of your loan/credit receivables, which have been assigned to the Company and in which you are liable in your capacity as debtor or/and co-debtor, or/and guarantor or/and collateral provider, undertaken by Intrum Hellas.
- Is necessary in order for the Company to comply with any legal obligations or for the purposes of the legitimate interests pursued by the Company, which arise from your business transactions with the Company, or other legal rights of the Company.
- Is necessary for the performance of a task carried out in the public interest, in the context of the current legislative and regulatory framework.
- Is based on your prior explicit consent, if processing is not based on any of the aforementioned legal processing bases.

Where the processing of personal data is based on consent, you have the right to withdraw your consent, at any time without said withdrawal affecting the lawfulness of processing based on consent before its withdrawal. The withdrawal of your consent may be submitted at Intrum Hellas pursuant to the procedure specified in point K below.

### **E. Withdrawal of consent**

The processing of your personal data is related to:



## **F. Purposes of processing**

- The servicing of your loan/credit receivables which have been assigned to the Company arising from the loan or credit agreement(s), in which you are liable in your capacity as debtor or/and co-debtor, or/and guarantor or/and collateral provider and/or to which you relate as a third party pursuant to the abovementioned undertaken by Intrum Hellas, the proper performance of any transactions within the Company's purpose, the achievement of the Company's obligations in its capacity as Controller, and the exercise of its legal and contractual rights.
- The conduct of any audits, as provided for by the current legislative and regulatory framework, transmission of your data related to your financial behavior, the assessment of your solvency and search for financial behavior data (e.g., from the interbanking records of TIRESIAS S.A.).
- The registration, recording and archiving of all types of your orders to the Company, which have been given in writing, by electronic means or by telephone, in order to conclude transactions and for the protection of transactions.
- The compliance with the Company's legal obligations according to the current legislative and regulatory framework (e.g., legislation on the prevention and control of money laundering and against terrorism, tax and social security provisions).
- The protection of the Company's legitimate interests in relation, among others, to the following: a) any legal claims of the Company which are raised before the competent judicial or extrajudicial / alternative dispute resolution bodies; b) the prevention of fraud and other criminal acts; c) the assessment and optimization of security procedures and IT systems; d) the management of the Company's operational and credit risks; e) physical security and the protection of persons and property (e.g., video surveillance)

## **G. Automated decision and profiling**

The Company shall not make any decisions exclusively based on automated personal data processing procedures. However, it may legally make such decisions, including profiling, for monitoring purposes and for the prevention of fraud and tax evasion at your expense or at the expense of the Company or any third party (e.g., malicious software) , as well as if the processing is necessary for the conclusion or execution of an agreement (e.g., credit scoring, which shall be based on personal data received directly by you or after a search in the financial behavior database of TIRESIAS S.A., and which uses as criteria the subject's income, financial obligations, profession, and the compliance with its



contractual obligations as part of the subject's previous financing, which the subject has received from the credit institution or any third creditor, in order to assess your credit rating and to grant you the respective financing).

The Company shall retain your personal data for as long as it is provided for in each case, pursuant to the current applicable legal and regulatory framework, and in any case for a period of seven (7) years after the last calendar day of the year when your obligations under the loan agreement have been fully discharged. In case any request on your cooperation with the Company is not accepted and the conclusion of the agreement is not completed, the data will be retained for a period of five (5) years. In case of litigation, any personal data related to you shall be retained by all means until the end of the litigation, even if the above period of seven (7) years has lapsed.

#### **H. Data retention period**

Access to your personal data shall be awarded to the Intrum Hellas's business and operational units' employees, within the range of their responsibilities, in the context of the proper performance and achievement of their contractual, statutory and regulatory obligations, as well as to respective statutory auditors.

The Company shall not transmit or disclose your personal data to third parties, except in case of:

#### **I. Who are the recipients of personal data**

■ Undertakings (domestic and foreign), to which the Company has partly or wholly assigned the processing of your personal data on its behalf, and which have assumed a confidentiality obligation towards the Company either (a) as part of the contractual relations between them, determining the subject, purpose, and duration of processing, the nature of personal data processed and the rights of the Company; or b) as part of their regulatory obligations to respect the principle of confidentiality, such as:

- i. Debtor information companies according to Law no. 3758/2009, as currently in force, which have been registered in the relevant registry, in order to further inform you, as Debtor, and to negotiate the time, method and other terms for the repayment of your overdue debt.
- ii. Payment service and payment processing companies/organizations (e.g. DIAS system, VISA, Mastercard).
- iii. Credit Institutions, Payment Institutions.





- iv. Associated undertakings, such as: Investment societies anonymes (AEPEYs), Mutual Fund Management Companies (AEDAKs), other financial organizations or bodies or any other Authorities (e.g., Central Securities Depository, Stock Exchanges, Capital Market Commission) in order to service your business relations regarding the provision of investment services.
- v. Loans and Credits Servicing Companies, according to the provisions of Law no. 4354/2015, as currently in force.
- vi. Transmission of data which is imperative for the institution of a business relationship or the execution of an agreement, or for the recovery of the claims in case of failure to comply with any obligations you assumed by means of an agreement you have concluded with the Company (e.g. transmission to cooperating lawyers, law firms and court bailiffs, notaries, engineers and evaluators, auditors and accountants, insurance companies).
- vii. Companies engaged in the digitization and management (storage, destruction) of physical files.
- viii. Companies issuing and dispatching statements
- ix. Companies engaged in the submission of property rights statements in regions which have been or shall be included in the National Cadastre.
- x. Logistics, processing, storage systems in cloud computing "Cloud" and website creation and management companies.

The Company has lawfully ensured that any processors acting on its behalf shall meet all requirements and provide sufficient assurance regarding the implementation of the appropriate technical and organizational measures, so that the processing of your personal data occurs in a way that the protection of your data is ensured.

- Undertakings/companies affiliated to the Company, within the meaning of Article 32 and Annex A of Law no. 4308/2014.
- TIRESIAS S.A. for the protection of credit, the consolidation of transactions and the restriction of fraud, as well as the estimation of the Customer's/



Debtor's creditworthiness regarding the servicing of the receivables.

- Any transmission or disclosure, as required by the current statutory, legal and regulatory framework in general or a court judgement (transmission to judicial authorities, tax authorities, supervisory bodies, intermediaries) in compliance with the provisions on banking secrecy.
- Judicial and Public authorities within the exercise of their duties.
- The Bank of Greece, the other national central Banks of the Eurosystem and the European Central Bank or any other supervisory or audit bodies within their legal duties.

The Company shall not directly transmit your personal data to third countries or international organizations, unless said transmission is required pursuant to the current regulatory or legislative framework. By way of illustration and through the respective national authorities, the Company may transmit your personal data within the scope of the legislation on the Common Reference Model which was developed by the Organization for Economic Cooperation and Development (OECD), or pursuant to the act on tax compliance of foreign accounts by US citizens or US residents holding foreign accounts (FATCA - Foreign Account Tax Compliance Act).

As personal data subject, you have the following rights:

## **J. Data subject rights**

- i. Right of access to the personal data concerning you, provided that they are being processed by the Company, in its capacity as the controller, to the purposes of said processing, the categories of data and the recipients or categories of recipients (Article 15 GDPR).
- ii. Right to rectify inaccurate data and complete incomplete data (Article 16 GDPR).
- iii. Right to erase your personal data subject to the Company's obligations and legal rights to retain them, pursuant to the current applicable laws and regulations (Article 17 GDPR).
- iv. Right to restrict the processing of your personal data if either the accuracy of said data is contested or the processing is unlawful, or the purpose of the processing was eliminated and provided that there is no legitimate reason to retain them (Article 18 GDPR).



v. Right to the portability of your personal data to another controller, provided that the processing is based on your consent and is carried out by automated means. This right shall be exercised subject to the Company's legal rights and obligations to retain the data and to perform a task which is carried out in the public interest (Article 20 GDPR).

vi. Right to object on grounds relating to your particular situation, in case your personal data is processed to perform a task carried out for reasons of public interest or in the exercise of official authority vested in the Company or for the purpose of legitimate interests which are pursued by the Company or any third party.

**K. How to exercise your rights and submit complaints**

All requests regarding your personal data and the exercise of your rights, including the right to withdraw your consent where applicable, shall be dispatched in writing to Intrum Hellas and shall be sent to DPOIntrumHellas@gr.intrum.com. The respective Privacy Policy of Intrum Hellas and the DPO contact details may be found on <https://www.intrum.gr/el/customer/regulatory-framework/data-privacy/privacy-policy/> A special form for the exercise of your rights is available on <https://www.intrum.gr/el/customer/regulatory-framework/data-privacy/gdpr-rights-form/>

Any refusal of the Company or any unjustified delay in responding to your requests following the exercise of your rights, shall give you the right to recourse to the Hellenic Data Protection Authority as the competent supervisor for the application of the GDPR.

In any case, you reserve the right to submit a complaint to the competent supervisory authority, if you consider that your personal data processing infringes the current applicable legislation. For more information please visit [www.dpa.gr](http://www.dpa.gr).

Please be advised that the Company uses "cookies" on its website in order to improve your online experience.

Based on the respective applicable policy on data protection and in the context of the current legislative and regulatory framework, the Company may review or amend this update, which shall always be up to date and available on the Intrum Hellas's website, in the section Useful Information> General Data Protection Regulation (GDPR).

