

Privacy Statement for ING Wholesale Banking customers

Russia – December 2019

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ING BANK (EURASIA) JSC as a subsidiary of ING Bank N.V. which, as a European financial institution, is subject to the data protection obligations set out in the EU General Data Protection Regulation 2016/679 (GDPR). To comply with GDPR, ING Bank N.V. has implemented data protection principles on a global scale, through its Global Data Protection Policy (GDPP). The GDPP is binding on all ING entities, subsidiaries, branches, representative offices, and affiliates worldwide and approved by the EU Data Protection Authorities. Therefore, in addition to local privacy laws and regulations, ING Bank N.V. has resolved that all its entities, subsidiaries, branches, representative offices, and affiliates worldwide comply with GDPP regardless of geographical location, market typology or target customer.

This is the Privacy Statement of ING BANK (EURASIA) JSC (“ING”, “we”, “us” and “our”), and it applies to us as long as we process personal data that belongs to individuals (“you”).

1. Purpose and scope of this Privacy Statement

At ING, we understand that your personal data is important for you. This Privacy Statement explains in a simple and transparent way what personal data we collect, record, store, use and process and how. Our approach can be summarised as: the right people use the right data for the right purpose.

This privacy statement applies to

- All past, present and prospective ING customers who are individuals (“you”), including one-person businesses, legal representatives or contact persons acting on behalf of our corporate customers.
- Non-ING customers such as beneficiaries or payees, guarantors, ultimate beneficial owners, directors and officers, legal representatives, shareholders, debtors or tenants of our customers, visitors of our websites, or visitors of our physical locations, professional advisors, auditors, or other individuals involved in transactions.

We obtain personal data in the following ways:

- From your organisation when it becomes a prospective customer or if it is an existing customer, and your personal data is provided to help us contact your organisation.
- From other available sources such as debtor registers, land registers, commercial registers, registers of association, the online or traditional media, publicly available sources or other companies within ING or third parties such as payment or transaction processors, credit agencies, other financial institutions, commercial companies, or public authorities.

2. The types of personal data we process

Personal data refers to any information that identifies or can be linked to a natural person. Personal data we process about you includes

- **Identification data:** the name, date and place of birth, ID number, email address, telephone number, title, nationality and a specimen signature, fiscal code/social security number;
- **Financial data:** when you undertake a guarantee with us for the benefit of a customer, we may verify credit history, credit capacity, and other information relating to your creditworthiness and credit conditions;
- **Online behaviour and preferences data:** IP address of your mobile device or computer and the pages visited on ING websites and apps;
- **Data about customer’s interests and needs** shared with us when you contact our officers or participate in an ING survey;
- **Know our customer data as part of customer due diligence and** to prevent fraudulent conduct or behaviour that contravenes international sanctions and to comply with

regulations against money laundering, terrorism financing and tax fraud;

- **Audio-visual data:** where applicable and legally permissible, we process surveillance videos at ING branches, or recordings of phone or video calls or chats with our offices.

Sensitive data

Sensitive data is data relating to your health, ethnicity, religious or political beliefs, genetic or biometric data, or criminal data (Information on fraud is criminal data and we record it). We may process your sensitive data if:

- We have your explicit consent;
- We are required or allowed to do so by applicable local law; or
- You provide sensitive data as part of a contractual agreement or in connection with a requested product or service.

For example, we process sensitive data in connection with

- Know your customer (KYC) data obligations: we may keep a copy of your passport or ID card, as applicable based on local law;
- Money laundering or terrorism financing monitoring: we monitor your activity and may report it to the competent regulatory authorities; and
- If allowed under local law, and you choose to use it, we may use your face, fingerprint or voice as recognition for authentication to access mobile apps and certain operations therein.

3. What we do with your personal data

Processing means every activity that can be carried out in connection with personal data such as collecting, recording, storing, adjusting, organising, using, disclosing, transferring or deleting it in accordance with applicable laws. We only use your personal data for business purposes such as:

- **Performing agreements to which you are a party or taking steps prior to entering into agreements.** If you are a representative of a corporate customer, we may use your personal data to enter into an agreement with the customer, and to contact the customer when needed. If you are an individual providing guarantee for the customer, or a beneficiary of payment instruments we may use your personal data to enter into an agreement or executing a payment order in connection to our arrangements with the customer. We may verify your capacity and powers using trade registers or incumbency certificates;
- **Relationship management and marketing.** We may ask you as the representative of the customer to give us feedback on the products and services offered to the business client. We may send newsletters regarding new and existing products and services offered by ING. You may opt out of any communication at any time;
 - **Providing the best-suited products and services.** When you as the representative of a customer visit our website, call our customer service centre, talk to an ING employee or visit a branch, we may gather information about the customer;

- **Improving and developing products and services.**
Analysing how products and services are used helps us understand more about our performance and shows us where and how we can improve our products and services;
- **Business process execution, internal management and management reporting.** We process personal data for our financial services operations and to help our management make better decisions about our operations and services;
- **Safety and security.** We have a duty to protect all personal data and to prevent, detect and contain a data breach or fraud involving personal data collected to comply with regulations against money laundering, terrorism financing and tax fraud. To safeguard and ensure the security and integrity of ING, the financial sector, clients and employees, we may
 - Process your personal data to protect your organisation's assets from fraudulent activities, for instance in case your identity (e.g. username and password) is compromised.
 - Use certain personal data (e.g. name, account number, age, nationality, IP address, etc.) for profiling to detect fraudulent activities and the actors behind it.
 - Use your personal data to alert you in case we detect suspicious activities involving your business's assets, for example a transaction is taking place from a non-typical location.
- **Compliance with legal obligations to which we are subject.**
We process personal data to comply with a range of legal obligations and statutory requirements (anti-money laundering legislation and tax legislation etc.). For example, know your customer (KYC) rules and regulations require ING to verify the identity before accepting you as a customer. Upon request by authorities, ING may report the transactions carried out by customers.

When processing is not compatible with one of above purposes, we ask for your explicit consent which you may withhold or withdraw at any time.

Applicable laws require us to retain personal data for a period of time. This retention period may vary from a few months to a several years, depending on the applicable local law. When your personal data is no longer necessary for a process or activity for which it was originally collected, we delete it, or bundle data at a certain abstraction level (aggregate), render it anonymous and dispose of it in accordance with the applicable laws and regulations.

4. Who we share your data with and why

To offer you the best possible services and remain competitive in our business, we share certain data internally i.e., with other ING businesses and externally (i.e., outside of ING) with third parties.

Whenever we share your personal data externally (i.e., outside of ING) with third parties in countries outside of the European Economic Area (EEA) we ensure the necessary safeguards are

in place to protect it. For this purpose, we rely upon, amongst others:

- Requirements based on applicable local laws and regulations.
- **EU Model clauses**, when applicable, we use standardised contractual clauses in agreements with service providers to ensure personal data transferred outside of the European Economic Area complies with GDPR.
- **International treaties such as the EU US Privacy Shield** framework that protects personal data transferred to certain service providers in the United States.

ING entities

We transfer data across ING businesses and branches for various purposes (see section 'What we do with your personal data' for the full list). We may also transfer data to centralised storage systems or to process it at a central point within ING for efficiency purposes. For all internal data transfers we rely on our binding corporate rules as defined in EC Regulation (EU) 2016/679, which is our Global Data Protection Policy (GDPP), and on the applicable local laws and regulations.

Government, Supervisory and Judicial authorities

To comply with our regulatory obligations we may disclose data to the relevant government, supervisory and judicial authorities such as:

- **Public authorities, regulators and supervisory bodies** such as the central banks and other financial sector supervisors in the countries where we operate.
- **Tax authorities** may require us to report customer assets or other personal data such as your name and contact details and other information about your organisation. For this purpose, we may process your identification data like social security number, tax identification number or any other national identifier in accordance with applicable local law.
- **Judicial/investigative authorities** such as the police, public prosecutors, courts and arbitration/mediation bodies on their express and legal request.

Financial institutions

To process certain payment and withdrawal services, we may have to share information about the customer or its representative with another bank or a specialised financial company. We also share information with financial sector specialists who assist us with financial services like

- Exchanging secure financial transaction messages;
- Payments and credit transactions worldwide;
- Processing electronic transactions worldwide;
- Settling domestic and cross-border security transactions and payment transactions; or
- Other financial services organisations, including banks, superannuation funds, stockbrokers, custodians, fund managers and portfolio service providers.

Service providers and other third parties

When we use other service providers or other third parties to carry out certain activities in the normal course of business, we may have to share personal data required for a particular task. Service providers support us with activities like

- Designing, developing and maintaining internet-based tools and applications;
- IT service providers who may provide application or infrastructure (such as cloud) services;
- Marketing activities or events and managing customer communications;
- Preparing reports and statistics, printing materials and designing products;
- Placing advertisements on apps, websites and social media;
- Legal, auditing or other special services provided by lawyers, notaries, trustees, company auditors or other professional advisors;
- Identifying, investigating or preventing fraud or other misconduct by specialised companies;
- Performing specialised services like postal mail by our agents, archiving of physical records, contractors and external service providers; or
- Carrying out securitisation arrangements (such as trustees, investors and the advisers).

Account information and payment initiation services within the EU

The revised EU Payment Service Directive (PSD2) allows you to instruct a third-party payment service provider (TPP) to retrieve account information or initiate payments on your behalf with respect to your accounts with ING. The TPP may do so only if you have given your explicit consent to those services.

When we receive a request from a TPP on your behalf, we are obliged to carry out the request for payment or account information, as requested.

Additionally you can also use the PSD2 services to manage your accounts with other banks through your ING channels or apps. You may use the ING app or channel to

- View account information of your current payment accounts with other banks;
- Make online payments from your current payment account with other banks.

In this case, we will be the TPP and we may only offer these services if we receive your explicit consent. If you decide that you no longer want to use these PSD2 services, you can simply turn off the feature in the ING online environment.

5. Your rights and how we respect them

If your personal data is processed, you have privacy rights. Based on applicable laws, your privacy rights may vary from jurisdiction to jurisdiction. If you have questions about which rights apply to you, please get in touch with us through the email address mentioned in item 9.

We grant the following rights:

Right to access information

You have the right to ask us for an overview of your personal data that we process.

Right to rectification

If your personal data is incorrect, you have the right ask us to rectify it. If we shared data about you with a third party and that data is later corrected, we will also notify that party accordingly.

Right to object to processing

You can object to ING using your personal data for its own legitimate interests if you have a justifiable reason. We will consider your objection and whether processing your information has any undue impact on you that would require us to stop processing your personal data.

You may not object to us processing your personal data if

- We are legally required to do so; or
- It is necessary to fulfil a contract with you.

Right to restrict processing

You have the right to ask us to restrict using your personal data if

- You believe the personal data is inaccurate;
- We are processing the data unlawfully;
- ING no longer needs the data, but you want us to keep it for use in a legal claim; or
- You have objected to us processing your data for our own legitimate interests

Right to data portability

You have the right to ask us to transfer your personal data directly to you or to another company. This applies to personal data we process by automated means and with your consent or on the basis of a contract with you. Where technically feasible, and based on applicable local law, we will transfer your personal data.

Right to erasure

ING is legally obliged to keep your personal data. You may ask us to erase your online personal data and right to be forgotten would be applicable if

- We no longer need it for its original purpose;
- You withdraw your consent for processing it;
- You object to us processing your data for our own legitimate interests or for personalised commercial messages;
- ING unlawfully processes your personal data; or
- A local law requires ING to erase your personal data.

Right to complain

Should you as a customer or its representative be unsatisfied with the way we have responded to your concerns, you have the right to submit a complaint to us. If you are still unhappy with our reaction to your complaint, you can escalate it to the ING Bank data protection officer. You can also contact the data protection authority in your country if applicable.

Exercising your rights

How you exercise your rights depends on your ING product and the availability of services in your country. If you want to exercise your rights or submit a complaint, please contact us.

When exercising your right, the more specific you are with your application, the better we can assist you with your question. We may ask you for a copy of your ID, or additional information to verify your identity. In some cases we may deny your request and, if permitted by law, we will notify you of the reason for denial. If permitted by law, we may charge a reasonable fee for processing your request.

We want to address your request as quickly as possible. However, based on your location and applicable laws, the response times may vary. Should we require more time (than what is normally permitted by law) to complete your request, we will notify you immediately and provide reasons for the delay.

6. Your duty to provide data

In some cases, we are legally required to collect personal data or your personal data may be needed before we may perform certain services and provide certain products. We undertake to request only the personal data that is strictly necessary for the relevant purpose. Failure to provide the necessary personal data may cause delays in the availability of certain products and services.

7. How we protect your personal data

We take appropriate technical and organisational measures (policies and procedures, IT security etc.) to ensure the confidentiality and integrity of your personal data and the way it's processed. We apply an internal framework of policies

and minimum standards across all our business to keep your personal data safe. These policies and standards are periodically updated to keep them up to date with regulations and market developments.

In addition, ING employees are subject to confidentiality obligations and may not disclose your personal data unlawfully or unnecessarily. To help us continue to protect your personal data, you should always contact ING if you suspect that your personal data may have been compromised.

8. Changes to this Privacy Statement

We may amend this Privacy Statement to remain compliant with any changes in law and/or to reflect how our business processes personal data. This version was created on 2 December 2019.

9. Contact and questions

To learn more about ING's data privacy policies and how we use your personal data, you can send us an email, call us or visit your local branch or office.

Country	Contact details ING	Data Protection Authority
Bulgaria	emil.varbanov@ing.com	Commission for Personal Data Protection https://www.cpdp.bg/
Hong Kong	dpohongkong@asia.ing.com	PCPD- Privacy Commissioner for Personal Data, Hong Kong https://www.pcpd.org.hk/
Hungary	communications.hu@ingbank.com	PCPD- Privacy Commissioner for Personal Data, Hong Kong https://www.pcpd.org.hk/
Malaysia	dpomalaysia@asia.ing.com	Jabatan Perlindungan Data Peribadi www.pdp.gov.my
Netherlands	privacyloket@ing.com	Autoriteit Persoonsgegevens https://autoriteitpersoonsgegevens.nl/
Philippines	dpomanila@asia.ing.com	National Privacy Commission https://privacy.gov.ph/
Portugal	dpo@ing.es	CNPD- Comissão Nacional de Protecção de Dados https://www.cnpd.pt
Russia	mail.russia@ingbank.com	The Federal Service for Supervision of Communications, Information Technology, and Mass Media (Roskomnadzor) https://rkn.gov.ru/



Country	Contact details ING	Data Protection Authority
Singapore	dposingapore@asia.ing.com	PDPC- Personal Data Protection Commission Singapore https://www.pdpc.gov.sg/
Slovakia	dpo@ing.sk	Úrad na ochranu osobných údajov Slovenskej republiky https://dataprotection.gov.sk/uouu/
South Korea	dposouthkorea@asia.ing.com	
Taiwan	70 th floor, Taipei 101 Tower 7 XinYi Road, Sec. 5 11049 Taipei Taiwan	
Ukraine	dpo.wbn.ua@ing.com	Personal Data Protection department of Ombudsman http://www.ombudsman.gov.ua
United Kingdom	ukdpo@ing.com	Information Commissioner's Office (ICO) https://ico.org.uk