



**JSC „LPB Bank”  
Personal Data Processing Policy**

**Version 5**

**Riga, 11.11.2019.**

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**APPROVED**

JSC „LPB Bank”

Riga, 11.11.2019. at the meeting of the Council  
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## **JSC LPB Bank Personal Data Processing Policy**

### **1. Terms and abbreviations**

- 1.1. **Compliance laws, rules and standards** – laws and other legal acts regulating the Bank's activity, standards specified by the self-regulatory bodies related to the Bank's activity, codes of professional conduct and ethics and other best practices standards related to the Bank's activity.
- 1.2. **Bank** – JSC LPB Bank, registration No. 50103189561, legal address: Brīvības Street 54, Riga, LV-1011, telephone (+371) 6 777 2 999, e-mail: info@lpb.lv, website: www.lpb.lv.
- 1.3. **Employee** – a natural person who has an actual employment relationship with the Bank on the basis of an employment contract or other agreement, including members of the Bank's Board and the Council.
- 1.4. **Data subject** – an identified or identifiable natural person, who can be directly or indirectly identified and whose Personal data has been made available to the Bank.
- 1.5. **Data subject's consent** – an actively and freely given, specific, informed and unambiguous indication of the Data subject's wishes, by which he/she gives consent to the processing of his/her Personal data in a statement or in the form of expressly affirmative action. In the event that written consent cannot be obtained, consent is expressed by conclusive actions and is recorded by technical means (in the case of telephone conversations with a data processing alert, after which the Data subject continues or interrupts telephone conversation, in the case of video surveillance with a visual video surveillance alert, after which the Data subject enters or does not enter the video surveillance area). The Data subject has the right to withdraw his/her consent at any time, the withdrawal of consent does not affect the lawfulness of the data processing carried out prior to the withdrawal.
- 1.6. **Internal regulatory documents** – documents issued by the Bank and governing the activities of the Bank and any separate structural units or employees, for example, policies, procedures, regulations, instructions.
- 1.7. **True beneficiary** – a natural person who is the owner of, or has control over a customer – a legal person, or in the name, on behalf, in the interests of whom a business relationship is established or occasional transaction is made and he/she is at least: a) in relation to legal persons – a natural person, who owns more than 25 percent of the legal person's equity shares or the voting shares by means of direct or indirect participation or who controls it directly or indirectly, b) in relation to legal arrangements – a natural person, who owns a legal arrangement or in the interests of whom the legal entity is established or acts or who exercises

- control over it in direct or indirect way, including who is the founder, authorised person or supervisor (manager) of such an arrangement;
- 1.8. **Controller** – the Bank, when determining the purposes and means of Personal data processing.
  - 1.9. **Identity document(s)** – a passport or an identity card.
  - 1.10. **Personal data** – any information relating to an identified or identifiable natural person (“Data subject”); the identifiable natural person is one, who can be identified directly or indirectly, in particular referring to an identifier, for example, the mentioned person's name, surname, identification number, location data, on-line identifier, or one or more physical, physiological, genetic, mental, economic, cultural or social identity factors specific to the mentioned natural person.
  - 1.11. **Personal data processing** – any activity or set of activities performed with Personal data or Personal data sets, which is performed with or without automated means, for example, collection, registration, organisation, structuring, storage, customization or modification, retrieval, viewing, use, disclosure by sending, distributing or otherwise making data available, coordination or combination, restriction, deletion or destruction.
  - 1.12. **Processor** – a natural or legal person, public authority, agency or other entity that processes Personal data on behalf of the controller.
  - 1.13. **Policy** – Personal data processing policy of the Bank.
  - 1.14. **Third party** – a natural or legal person, public authority, agency or structure other than the Data subject, the Controller, the processor and persons, which, being directly subordinated to the controller or processor, are authorised to process the Personal data.
  - 1.15. **GDPR** – Regulation (EU) 2016/679 of the European Parliament and of the Council of 27.04.2016 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 (General Data Protection Regulation).

## 2. Purpose

The purpose of the Policy is to protect the fundamental rights and freedoms of the natural persons with regard to Personal data processing, to inform Data subjects of the Personal data processing performed by the Bank in accordance with the requirements of GDPR, to establish the procedures, by which the Bank ensures observance of the Compliance laws, rules and standards that regulate Personal data processing.

## 3. General provisions

- 3.1 The Policy contains the basic principles of the Personal data processing performed by the Bank, defines the main purposes, the legal basis of the Personal data processing, specifies the rights of the Data subject, lists the possible recipients of the Personal data, additional information on the Personal data processing performed by the Bank is included in the Bank's General Terms of Service, agreements and other documents.
- 3.2 The Policy applies to any Personal data processing performed by the Bank, irrespective of the form, in which the data are submitted or collected.
- 3.3 The Bank provides an appropriate level of protection for Personal data and takes all necessary technical and organisational measures to prevent unauthorised access, processing or other

activities with Personal data that endanger or can endanger data confidentiality or otherwise contradict the requirements of the Compliance laws, rules and standards. The technical and organisational measures for the protection of Personal data in the Bank are specified in the Internal regulatory documents.

- 3.4 The Bank requests the submission of Personal data primarily so that the Bank can conclude and execute agreements, provide services, fulfil legal obligations in accordance with the Compliance laws, rules and standards or for the legitimate interests of the Bank. The Bank requires the Data subject to provide only the Personal data and other information that is strictly necessary. If the Data subject refuses to provide the Personal data and other information that is requested, the Bank is eligible to refuse, discontinue or terminate the provision of services (operations), the conclusion of the agreement and other activities. When providing Personal data or other information is not mandatory, the Bank requests the consent of the Data subject before commencing Personal data processing.
- 3.5 The Policy is binding on all Bank's employees, including its territorial structural units and invited Employees, as well as Bank's agents and other persons, for example, Bank's outsourced service providers, activities which are or may be related to the Personal data processing in the Bank's interests.
- 3.6 When complying with the requirements of the Policy, the Bank's structural units and Employees must observe not only Internal regulatory documents, but also the Compliance laws, rules and standards binding on the Bank.
- 3.7 When complying with the requirements of the Policy, the Bank's structural units and Employees must ensure performance of their duties to such an extent and with such quality that the Bank does not violate the requirements of the Internal regulatory documents and the Compliance laws, rules and standards.
- 3.8 The Policy is reviewed at least once a year to ensure that it is up-to-date and consistent with changes in the Bank's activities or in accordance with amendments in the Compliance laws, rules and standards. The necessary changes in the Policy are approved by the Council of the Bank.
- 3.9 The Bank's Cookies policy is available on the Bank's website at [www.lpb.lv](http://www.lpb.lv).

#### **4. The basic principles of Personal data processing**

- 4.1. The Bank, as the Controller, performs Personal data processing in accordance with the requirements of the GDPR and other Compliance laws, rules and standards, ensuring observance of the basic principles of the Personal data processing, which specify that Personal data are:
  - 4.1.1. processed lawfully, fairly and in a transparent manner in relation to the Data subject (“lawfulness, fairness and transparency”);
  - 4.1.2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (“purpose limitation”);
  - 4.1.3. adequate, relevant and limited to only what is necessary in relation to the purposes for which data are processed (“data minimization”);
  - 4.1.4. accurate and, where necessary, kept up-to-date; all reasonable steps must be taken to ensure that Personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (“accuracy”);
  - 4.1.5. kept in a form that permits identification of Data subjects for no longer than is necessary for the purposes, for which the Personal data in question are processed (“storage limitation”);

- 4.1.6. processed in a manner that ensures appropriate security of Personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, by using appropriate technical or organisational measures (“integrity and confidentiality”).
- 4.2. The Board of the Bank is responsible for the implementation of the basic principles of Personal data processing in the Bank that are specified in Paragraph 4.1 of the Policy.

## 5. Types of Personal data

- 5.1. Personal data are obtained in the Bank through the agreements, applications and questionnaires, by telephone, with video surveillance equipment, through e-mail and other means of communication, as well as orally – during negotiations and interviews. Bank performs the following processing of Personal data:
  - 5.1.1. processing of Personal data related to Bank customers – Personal data are obtained from customers, their representatives, True beneficiaries and other persons related to the customer;
  - 5.1.2. processing of Personal data related to Employees – Personal data are obtained from existing and potential Bank employees, their previous employers, subject to the written consent of the Data subject;
  - 5.1.3. processing of Personal data not related to Bank customers – Personal data obtained from video surveillance equipment located inside and outside the Bank's premises, from recordings of telephone conversations performed by person calling to the Bank's telephone numbers, as well as from supervisory and law enforcement authorities (sworn bailiffs, sworn notaries, State and local government police, Financial and Capital Market Commission, State Revenue Service, Prosecutor General's Office, Financial Intelligence Unit) and other authorities, to which the Bank provides information in accordance with the Credit Institution Law and other Compliance laws, rules and standards when receiving information requests on natural persons that are not customers of the Bank.
- 5.2. The categories of Personal data most commonly processed by the Bank are as follows:
  - 5.2.1. **identification data:** name, surname, identity number, birth data, citizenship, data of the identity document (passport, identity card), tax residence;
  - 5.2.2. **contact information:** address of the place of residence (actual, declared), telephone number, e-mail address, language of communication;
  - 5.2.3. **family data:** information on dependents, spouse, heirs and other related persons;
  - 5.2.4. **financial data:** accounts, ownership, transactions, loans, income, expenses, liabilities, ownership of movable and immovable property, financial experience, choice and purpose of investment services, trade requests, executed transactions in financial instruments;
  - 5.2.5. **professional data:** duration of work experience in current and previous positions, information on education acquired;
  - 5.2.6. **data obtained in fulfilment of obligations stipulated by the regulatory enactments:** data received from investigating authorities, tax administration authorities, courts, sworn bailiffs, sworn notaries, insolvency administrators, information on income, credit obligations, property owned, notes, historical notes in databases as well as balances of debt obligations;
  - 5.2.7. **data related to provision of services:** operations performed by the Bank, service charges, submitted applications, requests, orders, complaints, fulfilled and unfulfilled contractual obligations;
  - 5.2.8. **visual appearance of the person:** video surveillance;

- 5.2.9. **communication data:** data collected when the Data subject visits the Bank's Customer Service Centre and other locations where the Bank provides services, data obtained through correspondence via e-mail, internet bank, telephone conversations;
- 5.2.10. **authentication data:** user names, passwords assigned to the Data subject;
- 5.2.11. **information about the users of the Bank's websites:** cookies, IP addresses.
- 5.2.12. **data on habits and satisfaction:** service usage activity, services used, personal settings, answers to questions in questionnaires, satisfaction of the Data subject.
- 5.3. The Bank may also process other categories of Personal data not mentioned in Paragraph 5.2, if it is performed in accordance with the requirements of the GDPR and other Compliance laws, rules and standards.

## **6. Purpose and legal basis for the processing of Personal data**

- 6.1. The Bank only processes Personal Data, if it has a specific, legitimate purpose and legal basis. The Bank processes Personal data mainly for the following purposes:
  - 6.1.1. providing Bank services to customers: customer identification, customer research, providing account maintenance/payment services, providing internet bank services, providing credit services, fulfilling obligations specified in the regulatory enactments, etc.;
  - 6.1.2. risk assessment and prevention in dealings with customers: Bank risk management, assessing the creditworthiness of customers and other persons, preventing and detecting fraud cases, etc.;
  - 6.1.3. personnel management purposes: recruiting, conclusion and execution of employment contract, recording of working hours, provision of calculation and payment of salary, etc.;
  - 6.1.4. performance of economic and administrative activities: provision of security in the Bank premises, property protection, video surveillance;
  - 6.1.5. complaint handling and processing;
  - 6.1.6. protection of infringed rights of the Bank: recovery and debt collection;
  - 6.1.7. providing information to State institutions, officials, subjects of operational activities in the cases specified by regulatory enactments (for example, to the State Revenue Service, court, police, prosecutor's office, sworn bailiffs, sworn notaries, insolvency administrators, Financial Intelligence Unit, etc.);
  - 6.1.8. to fulfil tax obligations specified in the international treaties and regulatory enactments, obligations regarding the automatic exchange of information on financial accounts, as well as other obligations.
- 6.2. The Bank may perform processing of Personal data also for the purposes not mentioned in Paragraph 6.1, if it is performed in accordance with the requirements of the Compliance laws, rules and standards.
- 6.3. The Bank processes Personal data mainly on the following legal bases:
  - 6.3.1. conclusion and performance of the agreement – on this legal basis, the Bank processes the data prior to the conclusion of any agreement for its preparation, as well as during the whole period of performance of the agreement. This legal basis also applies to cases when the Bank sends Personal data, for example, to international payment card organisations (VISA, Mastercard), as well as to correspondent banks for the execution of the respective customer payment according to the concluded agreement;
  - 6.3.2. fulfilment of a legal obligation – on this legal basis, the Bank processes Personal data in accordance with the obligations binding on the Bank that are included in the regulatory enactments of the European Union and Latvia. For example, the Bank is obliged to provide

- information on the customer and the credit granted to him/her in accordance with the Law on Credit Register, to provide information on inquiries of the State institutions, officials and other authorities in accordance with the Credit Institution Law, to perform customer research, due diligence in accordance with the requirements of the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing and in other cases;
- 6.3.3. Legitimate interests of the Bank or Third party – on this legal basis, the Bank performs video surveillance to ensure protection of property and security of persons, records telephone conversations to preserve evidence for protection of its interests, processes Personal data of potential guarantors or pledgers for risk assessment in order to make a decision on granting funding if a product is associated with credit risk as well as in cases, if it is necessary to file a claim with the court – to defend its infringed rights;
  - 6.3.4. consent of the Data subject – on this legal basis, the Bank may send commercial notifications and process data included in CV, as well as check the creditworthiness of the Data subject in various registers (unless such obligation is specified in the regulatory enactments). In these cases, the Data subject has a free choice – whether or not to give consent to the processing of his/her Personal data;
  - 6.4. Profiling means any form of automated processing of personal data consisting of the use of Personal data for the purpose of evaluating certain personal aspects of the natural person, in particular analysing or predicting aspects of person's financial position, personal preferences, interests, behaviour, location, etc. Profiling in the Bank is performed in the processes required to grant a loan and determine the credit terms, as well as in the process of identifying suspicious transactions.

## **7. Rights of the Data subject**

- 7.1. Data subject has the following rights with regards to the processing of his/her Personal data:
  - 7.1.1. receive information on whether the Bank performs (or does not perform) the processing of the Data subject's Personal data, and in the case, Bank processes data, then also access to his/her data;
  - 7.1.2. request correction of his/her Personal data, if they are inaccurate or incorrect;
  - 7.1.3. withdraw previously given consent to the processing of his/her Personal data;
  - 7.1.4. object to the processing of his/her Personal data, the legal basis for which is the legitimate interests of the Bank;
  - 7.1.5. request the deletion of his/her Personal data, if the data are processed solely on the basis of the consent of the Data subject and the consent is withdrawn;
  - 7.1.6. restrict processing of his/her Personal data, for example, if the Data subject disputes the accuracy of the Personal data – for a period, during which the Bank may verify the accuracy of the Personal data or the Bank does not need Personal data for processing anymore, however they are necessary for the Data subject in order to enforce or defend his/her interests;
  - 7.1.7. receive his/her Personal data that have been submitted by the Data subject and are processed on the legal basis of consent and conclusion and execution of the agreement, as well as the right to data portability to another person in a structured, widely used and machine-readable format if it is technically possible. The rights may be exercised with respect to the Personal data that have been provided by the Data subject, for example, when filling in forms, applying for the use of Bank's products and services, as well as the Personal data that are processed by automated means (not by means of documents in paper format);



- 7.1.8. the right to lodge a complaint, if the Data subject believes that the processing of his/her Personal data does not meet the requirements of the GDPR, the Data State Inspectorate located at Blaumaņa Street 11/13-15, Riga, LV-1011, e-mail: info@dvi.gov.lv, telephone +371 67 22 31 31.
- 7.2. To exercise any of the rights mentioned in Paragraphs 7.1.1-7.1.7, the Data subject must submit a written request to the Bank in one of the following ways:
  - 7.2.1. **in person** at the Customer Service Centre at Brīvības Street 54, Riga or at the “Katlakalna” branch at Katlakalna Street 1, Riga and must present the identity document;
  - 7.2.2. by sending a message via the Bank's **internet bank**;
  - 7.2.3. **electronically** by sending an e-mail signed with a secure electronic signature to dataizsardziba@lpb.lv.
- 7.3. Bank examines and provides a response to the Data subject's request no later than one month from the date of receipt of the request, the Bank is entitled to extend the response period by a further two months, taking into account the complexity and number of requests.
- 7.4. Bank provides a response as well as takes other actions related to the exercise of the rights of the Data subject (for example, data correction, deletion, etc.) free of charge, except the cases when the request is obviously unreasonable, excessive or disproportionate to the resources available to the Bank or the fulfilment of the request or conditions of its execution results in a threat to the Bank or the rights of other natural persons.

## **8. Recipients of Personal data**

- 8.1. The Bank ensures the confidentiality of the Personal data in the course of its data processing. The Bank transfers Personal data to other persons only to the extent and in the cases provided for by the regulatory enactments of the European Union or Latvia, if it is necessary for the execution of the respective agreement or for the purpose of ensuring quality and efficient provision of the service.
- 8.2. Personal data may be transferred to the following recipients:
  - 8.2.1. participants of the European and international settlement systems, including SWIFT (Society for Worldwide Interbank Financial Telecommunication) and their related persons;
  - 8.2.2. credit and financial institutions, financial service intermediaries, third parties involved in trading, settlements and provision of reports;
  - 8.2.3. auditors, financial advisers or other Personal data processors approved by the Bank who carry out data processing on behalf of the Bank;
  - 8.2.4. courts, sworn bailiffs, sworn notaries, insolvency administrators, State and local government police, Financial and Capital Market Commission, State Revenue Service, Financial Intelligence Unit, etc.;
  - 8.2.5. other persons who guarantee due fulfilment of the customer's obligations, for example, guarantors, guarantee givers, pledgers;
  - 8.2.6. business partners who provide loyalty programs and various privileges to customers;
  - 8.2.7. third parties that maintain registers, for example, Credit registers, population registers, commercial registers, securities registers, and other registers, which contain Personal data or via which Personal data are transferred;
  - 8.2.8. other persons involved in the provision of the Bank's services, for example, postal service providers, couriers.

## **9. Transfer of Personal data to third countries**

- 9.1. The Bank processes Data subject's data mainly in the European Union or European Economic Area (EU/EEA), but there may be cases when Data subject's data are transferred outside the EU or the EEA.
- 9.2. Data subject's data are transferred for processing outside the EU or the EEA only in cases, when appropriate safety measures have been taken in accordance with the requirements of the regulatory enactments and if:
  - 9.2.1 it is a requirement of the regulatory enactments, or
  - 9.2.2 it is necessary for the conclusion or execution of a service contract, or
  - 9.2.3 the Data subject has given its consent to data processing outside the EU or the EEA.

## **10. Storage Period of Personal data**

The Bank carries out Personal data processing for no longer than is necessary to achieve the respective purpose. The storage period of Personal data is based on the term of the agreement, the requirements of Compliance laws, rules and standards (for example, the Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing stipulates storage of information obtained during a client research for 5 years after the end of an agreement between the Bank and client, the Law on Accounting stipulates storage of documents for 10 years, etc.), the legitimate interests of the Bank or third parties or the consent of the Data subject.

## **11. Personal data protection specialist**

- 11.1 The Bank has appointed a Personal data protection specialist, who oversees compliance of the Personal data processing performed by the Bank as the Controller with the requirements of the GDPR and other Compliance laws, rules and standards, answers to requests, complaints, questions regarding exercise of the Data subject's rights, data processing, as well performs other duties.
- 11.2 Personal data protection specialist contact information: [datuaizsardziba@lpb.lv](mailto:datuaizsardziba@lpb.lv) or send a letter to: Brīvības Street 54, Riga, LV-1011, with an indication - to the Personal data protection specialist of JSC LPB Bank. In order to submit a complaint regarding Personal data processing Bank's General Terms of Service (Procedure of reviewing disputes, Claims, Complaints and their withdrawals) must be observed.

## **12. Notification of changes**

In order to ensure that the Policy is up-to-date and consistent, it is reviewed, taking into account changes in the Bank's activities or in the Compliance laws, rules and standards. The Bank will post information on significant amendments in the Policy on its website and send a notice via the internet bank.

### **13. Related documents**

- 13.1 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 (General Data Protection Regulation).
- 13.2 Credit institutions Law.
- 13.3 Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing
- 13.4 Labour Law.
- 13.5 Law on Personal Identification Documents.
- 13.6 Law on Processing of Personal Data.
- 13.7 Financial and Capital Market Commission 26.09.2018. Regulations No.158 “Regulations on Information Systems Security”.