

**INFORMATION MEMORANDUM  
OF THE CLIENT INFORMATION BANK REGISTER  
(including some basic information about the mutual exchange of information with the NON-  
BANKING CLIENT INFORMATION REGISTER)**

*Dear Clients,*

**Client Information Bank Register**

The Client Information Bank Register (hereinafter referred to as the “**CIBR**”) is a joint database created on the basis of information mutually provided by banks with respect to contractual (credit related) relationships between banks and their clients (detailed information about the CIBR content is set out under the chapter “CIBR and the content thereof”).

The CIBR is a joint project of the banks as joint controllers of personal data processed in the CIBR and the company dealing with the development and operation of information systems that serves for the information exchange as personal data processors.

**Basic purpose of the CIBR**

The basic purpose of the CIBR is stipulated by law, in particular by the provision of Section 38a ss. 1 of Act no. 21/1992 Coll., Banking Act, as amended (hereinafter referred to as the “**Banking Act**”), under which the banks and branches of foreign banks operating in the Czech Republic (as part of the fulfilment of their statutory obligation to behave prudently) can inform each other about the matters demonstrating the solvency and credibility of their clients, or their potential clients, respectively, or through a third party in which only the banks have an ownership interest (more detailed information about the third party concerned through which the banks inform each other is stated under the chapter “CIBR Operator”).

For the purpose hereof, the client is understood as:

(a) a natural person (entrepreneur and non-entrepreneur) or a legal entity with which the bank has entered into a contract;

(b) natural and/or legal person who represents the client – legal entity with which the bank has concluded a contract on the contractual, statutory or other basis; in particular a person who is a member of a statutory body, agent, who represents a legal entity upon a power of attorney, proxy holder, head of a branch, authorized person pursuant to Section 430 of the Civil Code, employee of a legal entity pursuant to Section 166 of the Civil Code (hereinafter referred to as the “**person representing the client**”), provided that these persons, if they are natural persons, provided their consent with the processing of personal data or if they are legal persons provided their consent with processing of the data constituting bank secret; and

(c) natural and legal persons who are owners of legal entities, in particular sole shareholders of a limited liability company and sole shareholders of a joint stock company (hereinafter referred to as the “**client owners**”), provided that these persons, if they are natural persons, have provided their consent with the processing of personal data or if they are legal persons provided their consent with processing of the data constituting bank secret.

**CIBR Operator**

The CIBR operator is CBCB – Czech Banking Credit Bureau, a.s., corporate ID no.: 261 99 696, with its registered office at Štětkova 1638/18, Nusle, 140 00 Prague 4 (hereinafter referred to as “**CBCB**”), in which the banks only have an ownership interest. CBCB processes data of the banks’ clients – natural persons pursuant to Regulation of the European Parliament and of Council (EU) 2016/679 dated April 27, 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of the data and repealing Directive 95/46/EC (hereinafter referred to as the “**General Data Protection Regulation**”), in a position of personal data processor.

**CIBR users and recipients of personal data**

The CIBR users are individual banks, which are joint controllers of personal data within the meaning of the General Data Protection Regulation and which have concluded the Agreement on the Processing of Personal Data and Information in the CIBR with CBCB. The identity of the individual CIBR users and their contact details can be viewed here: <https://www.cbcb.cz/o-cbcb/uzivatele/>.

Along with CBCB, CRIF S.P.A., CRIF – Czech Credit Bureau, a.s., and users of the Non-Banking Client Information Register, the CIBR users are the sole possible recipients of personal data recorded in the CIBR.

### **CRIF S.P.A.**

Another person involved in the processing of information in the CIBR is the Italian company CRIF S.P.A. (hereinafter referred to as "**CRIF**"), which, as another processor on the basis of the respective contractual documentation ensures the final automated technical processing of information about clients for CBCB, which is provided to CBCB by the individual banks.

### **CRIF – Czech Credit Bureau, a.s.**

Based on the respective contracts, CRIF – Czech Credit Bureau, a.s. (hereinafter referred to as "**CRIF CZ**"), as another processor provides CBCB with the services related to mutual informing of the banks about the solvency and credibility of clients and operates the Client Center.

### **CIBR and the content thereof**

The CIBR represents a database of data on the contractual (credit related) relationships between the banks and their clients. The CIBR is created on the basis of the information provided by the banks to CBCB and which, either individually or in aggregate, documents the solvency and credibility of the banks' clients.

The following clients' personal data is processed in the CIBR:

- identification personal data (i.e., the client's name, surname, maiden name, date of birth, place and country of birth, residential address and birth code, and the information on identity document) and contact personal data provided by the client (i.e. contact address, telephone and electronic address); the identification data include the personal data provided by the client to the bank, and also its potential updating done by the bank on the basis of information acquired from the public administration information systems for the purpose of fulfilling its obligations under the legislation, through a data exploitation system in the connection with providing of identification service according to the Banking Act or with identification of the client according to Act on some measures against laundering proceeds of crime and funding of terrorism;
- personal data documenting whether the client (or an applicant, if he/she is a guarantor) and the bank have concluded, or not concluded, a contractual relationship;
- personal data documenting financial liabilities of the client which have been established, will be established or could be established with respect to the bank in connection with the contractual relationship, and fulfilment thereof by the client;
- personal data documenting security of the client's liabilities associated with the contractual relationship with the bank;
- personal data documenting whether or not a receivable from the contractual relationship with the bank has been ever assigned with respect to the client, and subsequent fulfilment of the client's liabilities with respect to the assigned receivable; all that only provided that the bank continues to manage the respective assigned receivable and provided that other contractual terms have been met;
- any other personal data documenting the solvency and credibility (or payment morale) of the client which the client has communicated or will communicate to the bank, or the data that the bank has obtained or will obtain in connection with the performance, or non-performance, of the respective contractual relationship with the bank, including the client's ID card.

**The legal basis for the processing of client's personal data in the CIBR is (a) the fulfilment of the statutory obligations of the banks, (b) the consent with the processing of personal data in the case of persons representing the client and client owners and (c) legitimate interest of the controller or the data subject for the limited data processing during the further storage.**

The information (data) is included in the CIBR and subsequently processed to the extent in which it may serve as to assess the solvency and credibility of the client, and in which the client has provided such data in connection with the contractual relationship, or which may arise from the contractual relationship throughout the effect thereof (see the list of personal data processed in the CIBR above).

The CIBR does not process any special categories of personal data of clients – natural persons within the meaning of the General Data Protection Regulation (e.g., information on a client's health condition, etc.).

The information (data) contained in the CIBR is updated on a monthly basis and kept for the purpose of mutual information exchange among the banks throughout the effect of the contractual relationship between the bank and its client, and for another four (4) years after the termination thereof. If the required contract with the client has not been concluded, the information (data) is stored in the CIBR for one (1) year from the date of submission of the client's application for the execution of the contract concerned. Once the respective time has expired, the processing of such information (data) is limited (it means that the information/data is made inaccessible for the purpose of mutual exchange of information among the banks) and they are stored for 5 years for the purpose of determination, exercise or defense of the legal rights of CIBR user or data subject. In frame of CBCB legal obligations' fulfilment the stored data could be made accessible on request of state authorities according to the special acts; once the 5-year period is up, the information (data) is automatically deleted.

The banks provide the information (data) about the contractual (credit related) relationships with the clients to CBCB, which further processes the data in the CIBR also using the system for final automated technical data processing developed by CRIF. During this processing, the clients of the individual banks are also profiled, and the outcome thereof serves as a basis for the bank's decision to conclude a required contract with the client concerned. However, there is no automated decision-making as to whether or not the bank will conclude a product agreement with the client.

CBCB makes the processed information (data) available in the form of credit reports on request of the banks which use the CIBR services solely for the purpose of mutual informing of the banks about the solvency and credibility of their clients.

The information (data) is also subject to further related processing by CBCB, which enables the banks to meet their obligation to assess the solvency and credibility of their clients, verify their documents or data on their IDs, proceed prudently in their business and other obligations stipulated by the legislation in force.

The information concerning the respective client are also processed by CBCB and CRIF CZ to fulfil the contract between the respective client and CRIF CZ about providing the services offered on the websites [kolikmam.cz](http://kolikmam.cz).

CBCB provides the information (data) concerning the persons representing the **clients and owners of clients** – natural persons based on such persons' consent with the processing of their personal data in the CIBR.

CBCB provides the information (data) concerning legal entities to the banks upon the fulfilment of their statutory obligation in compliance with the respective provisions of the Banking Act.

On the basis of a respective agreement with the bank, CBCB may also provide the banks which use the CIBR with:

- the so-called score, which is a synthetic value indicating the evaluation of information (data) about clients contained at all times in a respective credit report, which the users also use in order to assess the solvency, credibility and payment morale of their clients; the score is provided as part of the credit reports as well as part of the summary statistical reports (as set forth);
- a report on the verification of a client's ID card or data stated therein, which is part of the client credibility verification in connection with Act no. 253/2008 Coll. providing for some measures against laundering proceeds of crime and funding of terrorism, as amended, and is prepared, *i.a.*, upon using public database and the CIBR; the report on the verification of a client's ID card or data stated therein is provided either separately or as part of the credit reports;
- the so-called risk profile of the client which is processed on basis of data provided by the client to the bank, first of all the personal contact data and their possible inconsistencies, and on basis of other client's personal data processed in CIBR, first of all the data documenting the client's financial liabilities and their fulfillment; this service represents further document for verification of client's solvency and credibility;
- information (data) in the form of summary statistical reports on the solvency, credibility and payment morale of clients within the relevant product market; such summary statistical reports constitute aggregate and anonymous information which cannot be linked in any way with any identified or identifiable data subject, and may be disclosed also to a respective supervisory authority as part of its supervisory and controlling activity in compliance with the regulations in force;
- information on the clients in respect of which the bank requesting the information will assign or has assigned receivables from a contract made with the client concerned.

### **Client Center**

The Client Center, the operation of which is ensured by CRIF CZ, serves as a contact point where you can turn with requests associated with the processing of your personal data in the CIBR, or NBCR, respectively. The Client

Center provides the banks' clients namely with the following services:

- informs the clients about the data that is being processed about them in the CIBR and NBCIR (in compliance with the requirements stipulated under the General Data Protection Regulation);
- serves as a place for submitting clients' requests for information on what data is being processed about them in the CIBR and NBCIR;
- serves as a place for filing complaints or comments by the clients in connection with inaccurate data processed in the CIBR and NBCIR;
- serves as a place for exercising other clients' rights arising from the General Data Protection Regulation.
- provides other services offered to the clients on the websites [kolikmam.cz](http://kolikmam.cz).
- Requests for information, requests to exercise clients' rights arising from the General Data Protection Regulation and requests for other services can be submitted by using the online forms on the websites [www.kolikmam.cz](http://www.kolikmam.cz), or can be sent electronically through data box or by e-mail signed with the guaranteed electronic signature with certificate or in writing by post. The addresses are given at the end of this document.
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#### Transfer of personal data into third countries

While processing information in the CIBR, no personal data is transferred outside the EU territory, respectively the European Economic Area.

#### **Special protection of rights of the clients – natural persons**

We would like to inform you about your rights arising from the respective provisions of the General Data Protection Regulation and relating to the processing of your personal data in the CIBR, or NBCIR, respectively, which CBCB as the processor allows to perform on behalf of individual banks.

The rights set forth may be exercised in the Client Center:

The right of access personal data: you have the right to make a request to CBCB to confirm whether your personal data are actually being processed and, if so, you have the right to access these personal data and the specified information. In that case, CBCB will provide you with a copy of the personal data that are being processed about you in the CIBR database free of charge. In accordance with the rules of the General Data Protection Regulation, CBCB is entitled to charge you a reasonable fee to cover the administrative costs of the administrator if your requests for access to data would be manifestly unreasonable or disproportionate, especially if repeated. In the event of a correction of your incorrectly stated data in the CIBR, you will receive a confirmation of the correction free of charge in the form of a copy of the processed personal data.

The right for correction: you have the right to claim immediate correction of your inaccurate personal data, which is processed about you in the CIBR. You also have the right to have incomplete personal data amended also by providing an additional statement.

The right for deletion ("the right to be forgotten"): you have the right to have your personal data deleted without undue delay, subject to the existence of any reason stipulated in the General Data Protection Regulation (e.g. if there is no need for the processed personal data for the given purposes or due to illegality of the processing thereof).

The right to restrict processing: you have the right to have the processing of your personal data restricted, subject to the existence of any reason stipulated in the General Data Protection Regulation (e.g., due to inaccuracy of the processed personal data or due to illegality of the processing thereof).

**Please note that** the right to data portability, i.e. the right to obtain personal data (that is pertaining to you and which you have provided to a CIBR user) in a structured, commonly used and machine-readable format, and the right to transfer the data to another controller without this being prevented by the bank which is a CIBR user is not relevant due to the nature of your personal data processing in the CIBR and, therefore, we cannot accommodate any requests relating to the data portability. However, this right may be exercised if your personal data is processed upon your consent (a person representing the client and client owners).

The right to file complaint: if you believe that the processing of your personal data in the CIBR violates the respective regulations, in particular the General Data Protection Regulation, you can refer your complaint to:

We will provide you with the requested information and documents and/or information on the measures taken without undue delay but no later than one (1) month from the date of delivery of your complaint. In some cases, however, this deadline may be extended, of which we will notify you. Where it is not possible to comply with your request, we will inform you about this fact and the grounds thereof and give you instructions regarding your other rights (i.e., the right to file complaint and the right to judicial protection).

If necessary, we are entitled to request that you provide us with additional information documenting your identity. We cannot usually comply with your request if we are unable to determine your identity.

You can exercise your rights free of charge. If the requests you have filed are obviously unfounded or disproportionate, namely because they are repeated, we are entitled to request that you pay a reasonable fee, or we may refuse to comply with your request.

### **The right to object**

For reasons relating to your specific situation, you have the right to object at any time to the processing of personal data pertaining to you which is being processed upon a legitimate interest (see below in the second part of the Memorandum). Your personal data will be no longer processed by CBCB unless we prove any compelling legitimate reasons for the processing, which outweigh your interests or rights and freedoms, or reasons for the determination, execution or defense of legal titles.

The rules stipulated for the exercise of other rights also apply to the procedure associated with the exercise of the right to object specified above.

### **Data Protection Officer**

If you are unable to resolve your inquiry through the Client Center, you can also contact the CIBR Data Protection Officer via [poverenec@cibcb.cz](mailto:poverenec@cibcb.cz).

## **MUTUAL EXCHANGE WITH THE NON-BANKING CLIENT INFORMATION REGISTER**

**The aim of this part of the Information Memorandum is to provide you – the banks' clients with some basic information about the mutual exchange of information (data) between banks and non-bank creditors, as well as on the CIBR and the Non-Banking Client Information Register (hereinafter referred to as the "NBCIR").**

The CIBR database and the NBCIR database are two independently existing databases (albeit with certain identical elements further described below). The NBCIR is a joint database of data created on the basis of information mutually exchanged by non-bank creditors (in particular leasing and consumer credit companies; hereinafter referred to as the "**creditors**") on contractual relationships between creditors and their clients. The NBCIR contains similar information as the CIBR.

The CIBR database and the NBCIR database remain separate with respect to the exchange of information (data) between the banks and creditors; the mutual exchange of data takes place through the operators of both registers (more detailed information on the operators is stated in the chapter "CIBR Operator" and the "NBCIR Operator"), which continue to provide information (data) to its users (i.e. to banks as the CIBR users and to creditors as the NBCIR users); from a certain moment, if all statutory prerequisites are met, the operators provide their users with information (data) from both registers (more detailed information is stated in the chapter "Mutual exchange of information between the CIBR and NBCIR).

### **Basic purpose of the NBCIR and its relation to the CIBR**

The basic purpose of the NBCIR is the mutual exchange of information among creditors with respect to the solvency, credibility and payment morale, or creditworthiness, respectively, of their clients. This is a similar basic purpose as in the CIBR and, with regard to the similarity of identity of purposes, the condition of compatibility of purposes in mutual exchange of data about clients between banks and creditors within the meaning of the respective provisions of the General Data Protection Regulation is met.

### **NBCIR Operator**

The NBCIR operator is CNCB – Czech Non-Banking Credit Bureau, z.s.p.o., corporate ID no.: 712 36 384, with its registered office at Štětkova 1638/18, Nusle, 140 00 Prague 4 (hereinafter referred to as "**CNCB**"), which is an

interest association of legal entities. CNCB is the controller of personal data in the NBCIR and processes data of the creditors' clients pursuant to the General Data Protection Regulation and other regulations concerned.

### **NBCIR Users**

The NBCIR users are individual creditors, which are recipients of personal data from the NBCIR and have a NBCIR Data Processing Agreement concluded with CNCB. The identity of individual NBCIR users and their contact details may be viewed here: <https://www.cncb.cz/o-cncb/uzivatele/>.

### **Legal basis of the processing personal data in the NBCIR**

**The legal basis of the processing of clients' personal data in the NBCIR is (a) the fulfilment of legal obligations of creditors in the case where a consumer loan is granted to a natural person, (b) legitimate interests of creditors in the case where a natural person is granted other but a consumer loan, in particular the interest to provide credit products only to solvent and trustworthy clients, (c) the statutory authorization for the processing of birth code, if it is necessary for the enforcement of private claims or for the prevention of outstanding claims, and (d) the consent with the processing of personal data in the case of persons representing clients and client owners.**

### **Mutual exchange of information between the CIBR and NBCIR users**

The CIBR and NBCIR users may exchange some information on a certain client. The mutual exchange of information (data) between banks and creditors takes place on the basis of relevant contracts concluded between CBCB (as the CIBR operator) and CNCB (as the NBCIR operator) and also between CBCB and banks and CNCB and creditors.

**Your personal data may be processed as part of the exchange of information between creditors and banks on the basis of (a) the fulfilment of legal obligations of creditors and banks, (b) the legitimate interests of creditors in the case where a natural person is granted other but a consumer loan, and (c) the consent with the processing of personal data in the case of persons representing clients or client owners.**

The treatment of information (data) in the NBCIR (i.e. without the disclosure thereof to the NBCIR users) is governed by special rules about which creditors inform their clients in connection with the contractual relationship between the creditor and the client. The aforesaid rules do not apply to the mutual exchange of information (data) between banks and creditors.

### **NBCIR – protection of information (data) and protection of clients' rights**

The similar rules as those applicable to the CIBR apply to the protection of information (data) of clients during the processing and mutual exchange thereof between the CIBR and NBCIR users, as well as to the rights that a client – natural person may exercise in connection therewith.

Any other information may be obtained in the Client Center, or you can also contact the CIBR personal data protection officer at [poverenec@cbcb.cz](mailto:poverenec@cbcb.cz).

<b>MUTUAL EXCHANGE with SCHUFA Holding AG, Federal Republic of Germany</b>
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CBCB has concluded an Agreement with SCHUFA Holding AG, Wiesbaden, Germany on mutual exchange of information which are processed in CIBR and the credit register operated by SCHUFA (hereinafter "SCHUFA register"). In SCHUFA register there are processed personal data on clients and potential clients (applicants for a credit) of banks and building societies operating in Germany which include identification data (name, surname and residence) and positive and negative data on credit history of the client (status of current granted loans, history of credit facilities provided and history of made credit applications). Users of SCHUFA register are German banks and building societies, who can require information from CIBR concerning their potential client (natural persons and entrepreneurs) who is asking for a credit with them. The user of SCHUFA register requiring the information from CIBR is obliged to present together with the Inquiry the Consent of his potential client (data subject) with providing the CIBR information. The Inquiry is presented to SCHUFA Holding AG, who receives the extract from CIBR from CBCB through the Client Center against presentation of Inquiry and confirmation that the Consent was provided. The extract from CIBR is then handed over to the user of SCHUFA register. The Czech banks can receive the information on their potential client from SCHUFA register in the similar way, but SCHUFA holding AG does not require to have a consent of the data subject.

Federal Republic of Germany is the member state of European Union and therefore, the General Data Protection

Regulation is valid in Germany in the same way as in the Czech Republic. CBCB and SCHUFA Holding AG have mutually confirmed in their Agreement that all measures applied for the protection of processed personal data in conformity with the General Regulation will be applied on personal data received from CIBR and from SCHUFA register. The data subjects have in connection with the information exchange between these registers the same rights according to the General Regulation as mentioned above. The rights can be exercised in CBCB through the Client Center or in SCHUFA Holding AG according to the information on the websites [www.schufa.de/en/contact](http://www.schufa.de/en/contact).

<b>CLIENT CENTER</b>
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**For more information please see [www.cbcb.cz](http://www.cbcb.cz), [www.cncb.cz](http://www.cncb.cz), [www.kolikmam.cz](http://www.kolikmam.cz).**

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