



BANGKO KABAYAN INC.
A PRIVATE DEVELOPMENT BANK

DATA PRIVACY STATEMENT

Bangko Kabayan Inc. (BK) support, respects and values your privacy and the secrecy of your account information with us. This Data Privacy Statement (“DPS”) outlines our privacy practices on how we collect, use, store, and process your personal data when you apply or avail our product and services such as but not limited to deposits, loans and other products and services that the bank may offer from time to time. BK adheres to the data privacy principles of (1) legitimate purpose - we only process upon your consent, in compliance with law or contract; (2) transparency - we notify you about everything that happens to your data; and (3) proportionality - collection is limited based on purpose.

This DPS is intended for clients and customers in the Philippines in compliance with Data Privacy Act of 2012 – Republic Act 10173 (shall be referred to as “the Act”), its implementing Rules, Regulations, and other relevant policies. This DPS applies to our consumers whether as: (1) current, past, and prospective customers as individuals or corporations; or (2) non-clients – payees or payors or bank products and services we provide; visitors or inquirers at our branches and online channels; ultimate beneficial owners, directors or representatives of corporate clients; and such other persons involved in the application of financial services whether approved or rejected – and transactions with us or with our consumers.

For the purpose of this DPS, the following terms are defined as follows:

“Consent of the Data Subject” refers to any freely given, specific, informed indication of will, whereby the data subject agrees to the collection and processing of his or her personal, sensitive or privileged information. Consent shall be evidenced by written, electronic or recorded means. It may also be given on behalf of a data subject by a lawful representative or an agent specifically authorized by the data subject to do so.

“Data Subject” refers to an individual whose personal, sensitive personal or privileged information is processed by the organization. It may refer to the director, officer, employee, consultant, client, customer and other third party of this organization.

“Data Processing System” refers to a structure and procedure by which personal data is collected and further processed in an information and communications system or relevant filing system, including the purpose and intended output of the processing;

“Data Sharing Agreement” refers to a contract, joint issuance, or any similar document that contains the terms and conditions of a data sharing arrangement between two or more parties.

“Filing System” refers to any act of information relating to natural or juridical persons to the extent that, although the information is not processed by equipment operating automatically in response to instructions given for that purpose, the set is structured, either by reference to individuals or by reference to criteria relating to individuals, in such a way that specific information relating to a particular person is readily accessible.

“Information and Communication System” refers to a system for generating, sending, receiving, storing, otherwise processing electronic data messages or electronic documents, and includes the computer system or other similar device by which data is recorded, transmitted, or stored, and any procedure related to the recording, transmission, or storage of electronic data, electronic message, or electronic document.

“Personal Data” refers to all types of personal information.

“Personal Information” refers to any information whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify an individual.

“Personal Information Controller (PIC)” refers to a natural or juridical person, or any other body who controls the processing of the personal data or instructs another to process personal data on his behalf. The term excludes:

1. A natural or juridical person, or any other body, who performs such functions as instructed by another person or organization; or
2. A natural person who processes personal data in connection with his or her personal, family, or household affairs;

“Personal Information Processor (PIP)” refers to any natural or juridical person or any other body to whom a personal information controller may outsource or instruct the processing of personal data pertaining to a data subject.

“Processing” refers to any operation or any set of operations performed upon personal information including, but not limited to, the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure or destruction of data.

“Privileged Information” refers to all forms of data, which under the Rules of Court and other pertinent laws constitute privileged communication.

“Sensitive Personal Information” refers to personal information:

- A. About an individual’s race, ethnic, origin, marital status, age, color, and religious, philosophical or political affiliations.
- B. About an individual’s health, education, genetic or sexual life of a person or to any proceeding for any offense committed or alleged to have been committed by such individual, the disposal of such proceedings, or the sentence of any court in such proceedings.
- C. Issued by government agencies peculiar to an individual which includes, but is not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns.
- D. Specifically established by an executive order or an act of congress to be kept classified.

COLLECTION OF YOUR PERSONAL AND SENSITIVE PERSONAL DATA

Personal data refers to any that identifies a natural person. On the other hand, Sensitive Personal Information is any attribute that can distinguish, qualify, or classify a natural person from the others such as data relating to your ethnicity, age, gender, health, religious or political beliefs, genetic, or biometric data.

We collect your Personal and Sensitive Personal Data when you register, applying, or availing our products and services through filling up of bank's official forms or when interacting with BK and its employees, authorized representatives, and service providers by any means of communication or participation such as inquiry, leaving feedbacks or comments and responding to surveys. We also collect through your authorized organization whether private corporation or government instrumentality. We may also obtain your information from other sources (i.e. publicly available platforms, financial institutions, credit agencies, payment gateway processors, public authorities, and other registers) for purposes of identity verification and regulatory requirements by the Bangko Sentral ng Pilipinas (BSP).

If there is a need, BK may validate, or extend information gathered with third-party like government, regulatory & supervisory bodies, tax authorities, judicial and courts in order to collect additional information. BK may also collect data from public records and from other sources with authority to disclose.

KINDS OF DATA WE PROCESS

1. **Know-Your-Customer (KYC) / Identification Data:** refers to Personal Information and Sensitive Personal Information we collect when you sign up or register to our products and services that may include but not limited to the following: Full legal name, date & place of birth, gender, civil status, nationality, religion, present address, permanent address, home ownership, mobile phone no., home telephone no., and email address; Specimen signatures and images; Tax Identification Number, SSS/GSIS number and other government-issued identification numbers; Mobile number and Home number; Valid ID details; Financial information like deposit & loan balances, income & expense, tax, insurance and other financial & transactional history; Employment details - company name, office contact details, job position or rank, office address, source of funds, gross annual income, and such other information necessary to conduct due diligence and comply with BSP rules and regulations; Business interest, ownership and assets details; Information regarding transactions & dealings, account activities, movement and interactions with third parties like merchants and utility companies; Images recorded via CCTV which may be observed when visiting our offices; Voice recordings of conversations.
2. **Transactional Data:** linkable to your Personal Data such as (1) Bank Account Number, (2) Deposits, (3) Withdrawals, (4) Other Transfers made to or from your Account and details such as Name, Address, Contact Number, Reference Number, place and time transferred, (5) Other forms of customer account number, payments and other transactions you have with us.
3. **Financial Data:** information about the value of your property and assets, your credit history and capacity, and other financial products and services you have with us.
4. **Behavioral Data:** this refers to your behavior, customer segment, usage of our products and services, interests and needs you share with us, and customer behavior we collect as part of

due diligence, to prevent fraudulent conduct, and comply with banking rules on anti-money laundering, terrorism financing, and tax fraud.

5. **Audio Visual Data:** for security and improvement of our services, we process audio and video recordings of your interactions with us and surveillance videos at branches and automated teller machines, subject to limitations imposed by law.
6. **Sensitive Personal Data:** we may require the following Sensitive Personal Data: (1) your religion when you apply for insurance products with us; (2) for customer verification, your government-issued identification numbers or cards such as passport or driver's license ID; or (3) any information that is necessary, incidental to contractual agreement or in connection with a requested product or service.
7. **Children's Data:** we may collect information about children if they have opened an account with us with parental consent or if you provide us with the same in relation to a product or service, you signed up with us. (i.e. when you register children as beneficiary to an insurance product or trust service with us).
8. **Relevant Individuals:** upon your authorization, we may collect information about family members, beneficiaries, attorneys, attorneys-in-fact, shareholders, beneficial owners whenever applicable, persons under any trust, trustees, partners, committee members, directors, officers or authorized signatories, guarantors, other security and other individuals.

The foregoing data are collectively referred to as "Consumer Data."

DATA PROCESSING

Processing means any activity pertaining to the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure or destruction of Consumer Data.

We process Consumer Data only for legitimate purposes and with lawful basis such as your consent to be bound by this DPS and submission of the signed terms and conditions and application forms, the terms and conditions of the product or service you signed up with us, and as required by law and regulation. We ensure that only authorized employees and third-party service providers, who satisfy our stringent risk management, governance, information security, and data privacy requirements, can process your data.

- **Data Storage**
 - We store Consumer Data in secure and encrypted Bank-managed environments, devices, and media. For third-party managed environments such as cloud service providers, we employ BSP-sanctioned security protocols and procure BSP approval prior deployment.
 - We store physical copies of documents containing Consumer Data in physical secure vaults and filing cabinets.
- **Data Access**
 - Consumer Data can only be accessed by authorized personnel on a role-based manner following the proportionality principle that authorized personnel can only access Consumer Data they need for their role and purpose in the Bank.

- **Data Use**

BK will use your personal data primarily for carrying out the business operations of the bank. Personal data collected from you may be combined and processed for improvement and delivery of products, services and communications. BK uses your personal data for the following:

- **Customer Engagement**

- ❖ We use your contact details with us to communicate with you about your relationship with us, and to undertake activities related to the provision of Bank accounts and services including, but not limited to, transaction authorization, statement printing and distribution, customer service and conduct of surveys, the provision of research reports, offering documents, product profiles, term sheets or other product related materials, and administration of rewards and loyalty programs.
- ❖ We may send you email or mobile notifications, telephone calls, or newsletters about product and services enhancements and account security reminders.
- ❖ We use your contact details with us to contact you to verify the identity or authority of Relevant Individuals or representatives who contact the Bank or may be contacted by the Bank to carry out or respond to requests, questions, or instructions from verified representatives.
- ❖ We may also communicate with you to enable an actual or proposed assignee of BK, or participant or sub-participant or transferee of BK or its Parent Bank - UnionBank's rights in respect of the Data Subject to evaluate or consummate a transaction intended to be the subject of the assignment, transfer, participation or sub-participation.
- ❖ We may also contact you to get your consent to enable us to provide product related services and support, including, without limitation, provision of processing or administrative support or acting as an intermediary/nominee shareholder/agent/broker/market participant/counterparty in connection with participation in various products including investment, trust, insurance, credit, debit, charge, prepaid or any type of card, loan, mortgage, auto loan, financial and wealth management products and services.
- ❖ You have the right to opt out from these forms of communication with you or choose another means through which we can contact you.

- **Marketing**

- ❖ We may use your information for us to send out campaigns of commercial products and services we hope you find interesting, relevant, and useful.
- ❖ We want to establish a more personalized relationship with you by providing you with offers that would suit your lifestyle and needs.
- ❖ We perform data analysis on results of our marketing campaigns to measure their effectiveness and relevance.
- ❖ In responding to inquiries and complaints.

- ❖ In sending notices, advisories, and statements for the continued use of product and services.
- ❖ You have the right to withdraw your consent or unsubscribe from receiving personalized offers.
- **Due Diligence and Regulatory Compliance**
 - ❖ In approving, facilitating, administering, processing and monitoring of applications and transactions.
 - ❖ In application for insurance for deposit and credit risk protection.
 - ❖ We may use Consumer Data to evaluate your eligibility for Bank products and services.
 - ❖ In assessing your ability to repay your loans, we conduct credit risk and investigation and report on your credit history and account updates.
 - ❖ We use your account details when you instruct us to make a payment or fulfill an investment order.
 - ❖ We use automated processes and data science solutions for faster decision making in granting loan products.
 - ❖ We process Consumer Data in compliance with legal obligations and statutory requirements by BSP, and other regulatory agencies, or to support initiatives, projects and programs by or between financial industry self-regulatory organizations, financial industry bodies, associations of financial services providers or other financial institutions, including assisting other financial institutions to conduct background or credit checks or collect debts.
 - ❖ We use your Consumer Data to establish, maintain or terminate accounts and establish, provide or continue banking/credit facilities or financial services including investment, trust, insurance, credit, debit, charge, prepaid or any type of card, loan, mortgage, auto loan, financial and wealth management products and services and otherwise maintaining accurate “KYC” information and conducting anti-money laundering and sanctions, and credit and background checks (whether such facilities or services are offered or issued by the Bank’s affiliates, third parties or through other intermediaries, providers or distributors).
 - ❖ In compliance with legal and regulatory requirements of Republic Act No. 9510, otherwise known as Credit Information System Act (CISA); Republic Act No. 9160 as amended, otherwise known as the Anti-Money Laundering Act; and other applicable laws.
 - ❖ In compliance with legal and regulatory requirements of Bangko Sentral ng Pilipinas, other regulatory bodies with jurisdiction and pursuant to a lawful order of any court or tribunal.
 - ❖ In compliance with legal and regulatory requirements like submission of data to credit bureaus and credit information companies.

- ❖ In performing banking operations such as credit and risk management, product development, market research, audit and other legitimate business purposes that the bank may deem necessary.
- ❖ In performing, other activities mandated or permitted by law or with the consent of the data subject.
- **Business Insights**
 - ❖ We perform data analysis, reporting based on your Consumer Data, and how we operationalize to aid our management make better decisions.
 - ❖ We analyze your behavioral data, your interactions with our products and services, and our communications with you, and we carry out business risk, control or compliance review or testing, internal audits or enable the conduct of external audits to aid us understand the areas for improvement and development.
 - ❖ We analyze transactional data performed through our third-party service providers and partners in order to determine how we can jointly improve our products and services for you.
- **Data Quality**
 - ❖ We shall process your Consumer Data in compliance with the data quality standards imposed by BSP. We shall obtain additional information about you from government institutions or credit bureaus to improve the quality of your Consumer Data with us. We may contact you to ensure accuracy and integrity of your information in our data processing systems.
- **Protection and Security**
 - ❖ BK will ensure that your personal data under its custody are protected against any accidental or unlawful destruction, alteration and disclosure and as against any unlawful processing. BK ensures that handling of your personal data adheres to the established security standards and procedures through employing reasonable and appropriate organizational, physical and technical measures. The bank aims to maintain confidentiality, integrity and availability of your personal data for protection against natural dangers, such as accidental loss or destruction, and human dangers such as unlawful access, fraudulent misuse, unlawful destruction, alteration and contamination.
 - ❖ We process Consumer Data for your account protection against cybercrime, identity theft, estafa, fraud, financial crimes such as money laundering, terrorism financing, and tax fraud.
 - ❖ We use your Personal Data such as name, age, nationality, home address, and other Transactional Data to conduct profiling for detection of suspicious activity on your account.
 - ❖ We may employ artificial intelligence and machine learning in real-time detection of suspected fraudulent activities on your account.
 - ❖ Upon your consent, we may monitor and record calls and electronic communications

with Relevant Individuals and consumers for record keeping, quality assurance, customer service, training, investigation, litigation and fraud prevention purposes.

- **Bank Remedies and Verification**

- ❖ We may use Consumer Data to enforce (including without limitation collecting amounts outstanding) or defend the rights of Bangko Kabayan and/or any of its affiliates and subsidiaries, its employees, officers, and directors, contractual or otherwise.
- ❖ We need to verify the identity or authority of your family members, friends, beneficiaries, attorneys, attorneys-in-fact, shareholders, beneficial owners (if relevant), persons under any trust, trustees, partners, committee members, directors, officers, or authorized signatories, sureties, guarantors, other security and other individuals, representatives who contact BK or may be contacted by BK (collectively, the "Related Person/s") and to carry out or respond to requests, questions, or instructions from verified representatives or other parties pursuant to BK's then-current security procedures.

- **Analogous Uses**

- ❖ We may use Consumer Data for other transactions and/or purposes analogous to or relating directly thereto.

- **Data Retention**

- For financial data and documents, which indicate taxable transactions, data shall be preserved for ten (10) years per BIR regulation.
- We keep your data as long as it is necessary: a) for the fulfillment of the declared, specified, and legitimate purposes, or when the processing relevant to the purposes has been terminated; b) for the establishment, exercise or defense of legal claims; or c) for legitimate business purposes, which shall be in accordance with the standards of the banking industry.
- The processing, profiling, and sharing apply during the prospecting and application stages, as well as for the duration of and even after the rejection, termination, closure, or cancellation of the Services (collectively "Termination") for a period of at least ten (10) years from the Termination of the last existing account or relationship of the Data Subject or Relevant Individual as determined by the Bank.
- All other transactions and accounts that are not defined above shall be retained following BSP Regulations where retention period for transaction records shall be five (5) years from the date of transaction except where specific laws and/or regulations require a different retention period, in which case, the longer retention period is observed.

- **Data Disposal**

- After the expiration of the imposed retention period, we dispose of personal data in a secure manner in order to prevent further processing, unauthorized access, or disclosure to any other
- Consumers' Data is subject to data retention requirements and to certain limitations under regulatory requirements. Consumers' right to Data Deletion is subject to data retention requirements and to certain limitations. We can only exclude you from receiving

advertisements and other notifications by emailing Bangko Kabayan's Data Privacy Officer at dataprivacy@bangkokabayan.com. The request shall be processed after submission of the completed Do Not Contact Form. You will be informed of the limits and bounds, and consequences of such a request. You likewise understand that prior to such Do Not Contact Request, your data has already been processed and shared in accordance with this Data Privacy Statement. We will inform said third-party recipients of your Request, and inform you of those third-parties accordingly.

DATA SHARING AND PURPOSE

Your personal data under the custody of BK shall only be shared or disclosed pursuant to a lawful purpose, and to authorized recipients of such data. BK under obligation of confidentiality may share personal data with affiliates and third parties that the bank engaged to support its operations and delivery of services, like service provider of administrative, telecommunications, computer, payment clearing, outsourcing, legal, accounting, auditing or other services to the bank in connection with its business operations. BK may share or disclose your personal data to regulatory bodies having authority over the bank.

When you consent to the processing of your Consumer Data with us, you also agree to help us comply with our statutory and contractual obligations with other financial institutions. We may also share Consumer Data externally with our partners, upon your written and/or electronic consent, for value added services you may find useful and relevant on top of your account with us. For contractual and value-added service data sharing agreements, we employ standardized model clauses as recommended by the National Privacy Commission to ensure the data protection of Consumer Data. Below are the disclosures required by the government entities, other regulatory authorities, and financial institutions:

- **BSP, Anti-Money Laundering Council (AMLC)**
 - We are subjected to mandatory disclosures to the AMLC under Republic Act 9160 or the Anti-Money Laundering Act of 2001, as amended, when there is probable cause that the deposits or investments involved are in anyway related to unlawful activities or money laundering offenses.
 - BSP mandates disclosures and reporting in compliance with its issuances for the protection of the integrity of the banking sector.
- **Bureau of Internal Revenue (BIR)**
 - We may conduct random verification with the BIR in order to establish the authenticity of tax returns submitted to us.
 - The BIR may inquire into bank accounts of the following: a) a decedent in order to determine his gross estate; b) a taxpayer who has filed an application to compromise his tax liability on the ground of financial incapacity; and c) a taxpayer, information on whose account is requested by a foreign tax authority.
- **Credit Information Corporation (CIC)**
 - The Credit Information Systems Act (RA 9510) mandates us to submit your credit data to the CIC and share the same with other accessing entities and special accessing entities authorized by the CIC.

- **Judicial and Investigative Authorities**

- We may be mandated to disclose certain Consumer Data upon service of legal court orders (i.e. unexplained wealth under Section 8 of RA 3019) or express legal request from police, public prosecutors, courts, or dispute resolution providers allowed by law.
- In these cases, we will notify you of the disclosure to the requesting government authority, subject to limitations imposed by law.
- Any person or entity to whom the Bank is under an obligation or otherwise required to make disclosure pursuant to legal process or under the requirements of any Philippine Law, regulation, court order or agreement entered into, binding on or applying to the Bank, or agreement entered into by the Bank, whether such legal process, obligation, request, requirement, agreement or guidance may be existing currently or created in the future.

- **Other Regulatory Authorities**

- Regulatory authorities when such other persons or entities we may deem as having authority or right to such disclosure of information as in the case of regulatory agencies, government or otherwise, which have required such disclosure from us and when the circumstance so warrant.

- **Financial Institutions**

- To fulfill payments and services, we may have to share your information with correspondent banks, network payment processors (i.e. i2i, GCash, PayMaya and other remittance partners), portfolio service providers, or to any financial institution, processing agent, intermediary, clearing house, issuer, borrower, underwriter, dealer, seller, registrar, registry, paying and collecting agent, custodian, depository, underwriter, fund manager, fund provider, insurer, credit card company, acquiring company, securities and investment services provider, trustee, or any other person who will be involved in the transactions, Services, or any banking/credit or financial activities or with whom the Data Subject has or proposed to or is required to have dealings.
- We disclose your Consumer Data with insurers, insurance brokers, or providers of deposit or credit protection for protection against all kinds of risks.
- For purposes of credit investigation, consumer reporting, or for reports of credit history, account updates and fraud prevention, we may share your data with reference agencies such as the Credit Card Association of the Philippines (CCAP), and the Bankers Association of the Philippines (BAP).

- **Value Added Services**

- We may disclose your Consumer Data to our partners who collaborate with us to provide services to you and provide joint communications that we hope you find of interest.
- In the course of the Bank's business, we may also disclose your Consumer Data to the following authorized personnel, including, but not limited to, an agent, broker, adviser, contractor or third party service provider who provides administrative, mailing, telemarketing, direct sales, telecommunications, call center, business process, travel, visa, knowledge management, human resource, data processing, information technology, computer, information security, anti-fraud, payment, debt collection, credit or business information, reference or other background checks, leads and referrals, nominee or

securities clearing, consulting service, or other services to the Bank.

- We may also share your data to Aboitiz Construction Inc., and any of the UnionBank's and Aboitiz Equity Ventures, Inc.'s subsidiaries and affiliates, for the purposes as set out in the Bank's DPS in force, provided by you to us from time to time or for compliance to any law, regulations, government requirement, treaty, agreement, policy or as required by or for the purpose of any court legal process, examination, inquiry, audit, or investigation of any authority. This applies notwithstanding any non-disclosure agreement.

- **Assignees/Relevant Individuals**

- We may also share your Consumer Data to enable an actual or proposed assignee of the Bank, or participant or sub-participant or transferee of the Bank's rights in respect of the Data Subject or any other Relevant Individual, of all or any part of the assets or business of the Bank, to evaluate or consummate a transaction intended to be the subject of the assignment, transfer, participation, or sub-participation.
- Your data may be shared to any party giving or proposing to give a guarantee or third party security to guarantee or secure the Data Subject's obligations or those of any Relevant Individual.

RIGHTS OF THE DATA SUBJECTS

Under the Data Privacy Act of 2012 and subject to prescribed procedures of BK, as data subjects you have the following rights:

- **Right to be Informed:** you may request the details as to how your Personal Information is being processed or has been processed by the Bank, including the existence of automated decision-making and profiling systems.
- **Right to Access:** upon written request, you have reasonable access to demand for your Personal Information, which may include the contents of your processed personal information, the manner of processing, sources where they were obtained, recipients and reason of disclosure.
- **Right to Dispute:** you may dispute inaccuracy or error in your Personal Information in the Bank systems through our contact representatives.
- **Right to Correct:** you may require BK to correct any Information and/or Personal Data relating to you, which is inaccurate.
- **Right to Object:** you may suspend, withdraw, and remove your Personal Information from certain further processing, upon demand, which includes your right to opt-out to any commercial communication or advertising purposes from the Bank, automated processing or profiling purposes.
- **Right to Data Erasure or Blocking:** based on reasonable grounds and subject to applicable laws and regulations, you have the right to suspend, withdraw or order blocking, removal or destruction of your personal data from the filing system, without prejudice to the bank's continuous processing for commercial, operational, legal and regulatory purposes.
- **Right to Secure Data Portability:** you have the right to obtain from the Bank your personal information in an electronic or in structure format that is commonly used and allows for your further use.

- **Right to be indemnified for Damages:** as data subject, you have every right to be indemnified for any damages sustained due to such violation of your right to privacy through inaccurate, false, unlawfully obtained or unauthorized use of your information.
- **Right to File a Complaint:** you may file your complaint or any concerns with our Data Privacy Officer and/or with the National Privacy Commission through www.privacy.gov.ph.

CHANGES IN DATA PRIVACY STATEMENT

The bank may revise or amend its Data Privacy Statement to keep up-to-date with relevant laws and regulations applicable to Data Privacy, any relevant updates will be posted on the branches and Bangko Kabayan website.

CONTACT OUR DATA PRIVACY OFFICER

For any queries, clarifications, request or to exercise your rights pertaining to your personal data, you may send us a written letter of your concern to our Data Privacy Officer whose contact information is as follows:

Address: Bangko Kabayan Inc. (A Private Development Bank) Santiago St., Brgy Poblacion, Ibaan Batangas.

Email Address: dataprivacy@bangkokabayan.com

Telephone Number: 043-311-1420 loc. 207