

Information on data processing according to article 13 and 14 General Data Protection Regulation (GDPR)

We hereby inform you about the processing of your personal data and your data protection claims and rights. The content and scope of the data processing depends mainly on the products and services you have requested or agreed with us.

Who is the responsible data controller and who may you approach?

The responsible data controller is:

Raiffeisen Immobilien Kapitalanlage-Gesellschaft m.b.H. (hereinafter the „Company“ or „Raiffeisen Immobilien KAG“)
Mooslackengasse 12
1190 Vienna
+43 1 71170-0
kag-info@rcm.at

The Data Protection Officer is:

Data Protection Officer
Am Stadtpark 9, 1030 Vienna
+43 1 71707-8603
datenschutzbeauftragter@rbinternational.com

Which data are processed and from which source do they originate?

We process those personal data which we receive from you within the framework of our business relationship or for which you have given your consent for processing. In addition, we process data that have been legitimately obtained from Account Information Providers (e.g. CRIF GmbH, Dun & Bradstreet), debtor's lists (e.g. Kreditschutzverband von 1870) or other publicly available sources (such as company register, association register, land register or media) or that are legitimately submitted to us by other companies affiliated with the bank.

Relevant personal data may include: your particulars and contact data (such as family name, date of birth and place of birth, nationality, etc.) or data relating to your ID or travel documents (such as a specimen of your signature, ID data). In addition, this may include payment and clearing data (e.g. payment orders, sales data in payment transactions), data re solvency and creditworthiness (e.g. kind and amount of income), data on marketing and sales, image and/or audio recordings (e.g. video recordings, telephone recordings), electronic log and identification data (apps, cookies, etc.) or AML (Anti-Money-Laundering) and compliance data as well as other data equivalent to the above categories.

For which purposes and on which legal basis are the data processed?

We process your personal data in accordance with the provisions laid down in the European General Data Protection Regulation (EU GDPR) and the Data Protection Act 2018.

- **to perform contractual obligations (Art. 6 para 1 subpara b GDPR)**

The purpose of processing personal data (Art. 4 (2) GDPR) is to manage alternative investment funds (AIF) invested in real estate in accordance with the Austrian Act on Real Estate Investment Funds - ImmoInvFG (Real Estate Fund business subject to Article 1 para 1 subpara 13a BWG – Banking Act), to manage independent assets as well as all transactions associated with the real estate fund business, and transactions which the Company is entitled to pursuant to the Alternative Investment Fund Managers Act, in particular the performance of our contracts with you, the execution of your instructions, and the performance of pre-contractual measures.

The purpose of data processing is primarily limited to the rights and obligations according to our contractual relationship.

The specific details relating to the purpose of the data processing addressed herein are specified in the individual contractual documentation and in terms and conditions (where applicable).

- **to fulfil legal obligations (Article 6 para. 1 subpara c GDPR)**

The processing of personal data may also be required for the purpose of fulfilling various legal requirements (such as under the Austrian Banking Act, the Act on Financial Markets Anti-Money Laundering, the Austrian Securities Supervision Act, the Austrian Act on Real Estate Investment Funds, the Alternative Investment Fund Managers Act, etc.) as well as on the basis of regulatory stipulations (e.g. by the European Central Bank, the European banking regulator, the Austrian Financial Market Authority, etc.) which govern Raiffeisen Immobilien KAG as an Austrian credit institution. Examples of these include:

- suspicious activity reports to the Austrian Financial Intelligence Unit (Section 16 of the Financial Markets Anti-Money Laundering Act – FM-GWG);
- providing information to the FMA;
- providing information to financial crime authorities within the framework of financial criminal proceedings for intentionally-committed financial crimes;
- evaluation and control of risks.

- **within the framework of your consent (Article 6 para 1 subpara a GDPR)**

If you consented to our processing your personal data subject to a purpose limitation (e.g. forwarding data to the recipients named in the consent, subscription of newsletter), your data will be processed only in accordance with the purposes established in the declaration of consent and subject to the scope agreed therein. Any consent issued may be withdrawn anytime with future effect.

- **to preserve legitimate interests (Article 6 para 1 subpara f GDPR) generally**

Where required, data processing may be pursued in consideration of interest that benefits Raiffeisen Immobilien KAG or third parties in order to preserve legitimate interest. These following cases constitute examples of data processing that is required to preserve legitimate interest:

- the review and optimization of processes to analyze requirements as well as the direct approach of customers;

- measures to control business transactions and to improve services and products;
 - measures to protect customers and employees and the Company's property;
 - measures to prevent and to combat fraud (Fraud Transaction Monitoring), to combat money laundering, the financing of terrorism and crimes that expose assets to risks;
 - data processing for the purpose of prosecution;
 - the enforcement of legal claims and the defense in the event of legal disputes;
 - guaranteeing IT security and IT operation in the Company;
 - preventing and solving criminal offences.
- **to preserve legitimate interests (Article 6 para 1 subpara f GDPR) in the marketing of our services**

The analysis of data processed at the Company for the purpose of

- providing or transmitting individual information and offers of the Company or of companies mentioned below;
- developing services and products which target your specific interest and life situation; and
- improving the user experience of the service facilities like apps and more

is based on our legitimate interest in the marketing of our services. Data will only be analyzed for this purpose until you object to it.

The following data which the Company autonomously collected or which you transmitted to the Company will be analyzed for this:

- **Personal Data/Master Data**

Gender, title, family name, date of birth, country of birth, nationality, marital status, tax status, vocational training, profession, employer, proof of identity e.g. driver's license data, income data, address and other contact data e.g. telephone number or email-address and postal address, GPS information, securities risk class according to investor profile, living situation as lessee or owner of an apartment or house, family relationship (excluding personal data of these data subjects), number of persons living in the same household, information disclosed during a consultation e.g. hobbies and interests or planned investments and car, household invoices, internal rating categories like the analysis of income and expenses situation and asset and liabilities situation by the Company.

- **Data from services, website and communication**

Data for the use of electronic services and internet pages; functionalities of the internet pages and apps and email messages between yourself and the Company; information about reputable internet sites or content and prompted links inclusive of third-party websites; information about response times to content or download errors and the period of use of internet sites and information on the use of and about the subscription to Company newsletters. This information will be recorded using automated technology like cookies or via web tracking (recording and analyzing the surfing behavior) on the website and using third-party service providers or software (e.g. Google Analytics).

- **Data on user-generated content**

Information uploaded to internet sites or apps of the Company, such as comments or personal posts and photos or videos or similarly.

Who receives my data?

Within the Company, those offices or employees will receive your data that require them to fulfill contractual, legal, and/or regulatory obligations and legitimate interests. Moreover, service providers under contract (in particular accountants, property manager, real estate valuers) or processors such as IT- und back office-service providers will receive your data, if these data are required for them to perform their respective services. All data processors are bound by contract to treat your data confidentially and to process them exclusively in the context of their service delivery performance.

If a legal or regulatory obligation applies, public agencies and institutions (European Banking Supervisors, European Central Bank, Austrian National Bank, Austrian Financial Market Supervisory Authority, financial authorities, etc.) and our bank's auditors and annual auditors may be the recipient of your personal data.

With regard to forwarding customer-related data to other third parties we wish to point out that the Company, as an Austrian credit institution, is obliged to observe banking secrecy obligations pursuant to Section 38 BWG and therefore, is obliged to maintain secrecy on all customer-related information and facts which were entrusted to us or made accessible to us by virtue of the account relationship. We therefore may only forward your personal data if you explicitly released us in writing and in advance from the banking secrecy obligation or if we are obliged or authorized by law or due to regulatory provisions to do so. The recipients of personal data in this context may include other credit institutions or financial institutions or similar establishments. We transfer data which we require from you for the performance of the account relationship only. Depending on the individual agreement, these recipients may include, for example, correspondent banks, stock exchanges, custodian banks or other undertakings affiliated with the Company (by virtue of official or statutory obligation).

Additional data recipients may include those departments for which you issued the respective consent to us (consent to the processing of data, exemption from banking secrecy obligations).

What is the storage period for my data?

We process your personal data, insofar as is necessary, for the duration of the entire business relationship (from initiation to processing until termination of a contract) and, beyond this, according to statutory retention and documentation obligations as stipulated, among others, by the Austrian Business Code (UGB), the Austrian Federal Fiscal Code (BAO), the Austrian Banking Act (BWG), the Austrian Financial Markets Anti-Money Laundering Act (FM-GwG), the Austrian Act on Real Estate Investment Funds and the Austrian Securities Supervision Act (WAG).

Moreover, the storage period must take into consideration the statutory periods of limitation which, according to the Austrian Civil Code (Allgemeines Bürgerliches Gesetzbuch – ABGB) may be up to 30 years in certain cases (the most commonly referred to period of limitation in practice is 3 years).

Which data protection rights do I have?

You have the right of access to your information, the right to rectification, the right to erasure or the right to restrict the processing of your personal data, the right to object to the processing as well as the right to data portability in accordance with the requirements under data protection laws. Complaints may be lodged with the Austrian Data Protection Authority, Wickenburggasse 8, 1080 Vienna, www.dsb.gv.at or your local data protection authority if you are located outside of Austria.

Am I obliged to provide data?

Within the context of the business relationship you must provide such personal data as is necessary for the business relationship to commence and to be performed, the collection of which we are obliged to pursue by law. If you do not provide said data to us, we will reject the formation of the contract or the performance of the contract in general, or will no longer be able to perform the existing contract and consequently, will have to terminate it. However, you are not obliged to issue your consent to the processing of data which are irrelevant or not required by law or regulatory provisions in relation to the fulfilment of the contract.

Is there any automated decision-making?

To substantiate and to perform the business relationship, we do not use fully-automated decision making methods in principle as laid down in Article 22 GDPR. Should we apply these methods in the individual case, we will inform you separately of this, provided this is required by law.

Information on data processing - real estate lease agreements

Raiffeisen Immobilien KAG is a lessor of real estate which is part of a real estate fund managed by the company. If you are a lessee leasing real estate from us, an employee of such a lessee, or if you are engaged by such a lessee on a different legal basis, the following information applies to you instead (or in addition if specified as such below) of the information in the corresponding paragraph above:

Which data are processed and from which source do they originate?

We process the personal data that we receive directly from you or from real estate agents. We also process data that we have received from credit agencies (such as CRIF, Dun & Bradstreet, KSV) and from publicly accessible sources (e.g. commercial register, register of associations, land register or media).

To the extent necessary, we process the following personal data of a lessee: Your personal details and contact data (e.g. name, address, date and place of birth, nationality, etc.) or data relating to identity documents (e.g. identity card data). In addition, this may also include data about the lease agreement (contract data, correspondence, billing data), payment transaction data (e.g. account details, payment orders, collection data), creditworthiness data (e.g. education, occupation, employer, type and amount of income, marital status), or AML (Anti Money Laundering) and compliance data, as well as other data comparable with the above categories.

For which purposes and on which legal basis are the data processed?

For the conclusion, execution and performance of the lease agreement and within the framework of property management, such as for billing and settlement of rents and ancillary costs, we require personal data of the lessee or the contact person at the lessee. Without processing such data, the lease agreement cannot be concluded or executed. However, you are not obliged to provide us with data which are not relevant for the performance of the lease agreement or which are not required by law or regulation.

Legal bases for the processing of your personal data are:

- **Performance of a contract (Art. 6 para. 1 (b) GDPR)**

We process your personal data necessary for the conclusion, execution, termination or assignment of the lease agreement as well as for the enforcement of claims or assertion of claims, and/or other measures and activities related to the lease agreement.

- **Compliance with legal obligations (Art. 6 para. 1 (c) GDPR)**

The processing of personal data may be necessary for the fulfilment of various legal obligations (e.g. obligations under tax laws).

- **To preserve legitimate interests (Art. 6 para. 1 (f) GDPR)**

We may process personal data beyond the actual performance of the lease agreement in order to preserve our legitimate interests in the financing, development or sale of the property or the leased premises, provided that the interests or the fundamental rights and freedoms of the data subject are not overriding.

- **Within the framework of your consent (Art. 6 para. 1 (a) GDPR)**

If you have given us your consent to process your personal data for certain other purposes, we will process them only in accordance with the purposes specified in your declaration of consent and to the extent agreed therein. You can withdraw your consent at any time.

Who receives my data?

Personal data will only be transferred to third parties to the extent absolutely necessary. In connection with the performance of the lease agreement recipients of your personal data may be: Property management (billing, accounting, bookkeeping), billing companies (e.g. for billing heating costs, cold and hot water), facility management, security service, craftsmen/service providers (e.g. contact to repair damage), private and public bodies that require information in connection with the rental item (e.g. chimney sweeps), insurance companies, banks, valuation experts, rating agencies, tax offices and other authorities, tax consultants; auditors, collection services, legal representatives (regarding the enforcement of rights or defense of claims or within the framework of administrative proceedings). Your personal data may also be made available to companies to which rights or obligations under the lease agreement have been transferred.

Based on our legitimate interests or those of a third party in the financing, development or sale of the property or the leased premises personal data – but only to the extent absolutely necessary - may be disclosed to banks, appraisers, rating agencies, brokers, prospective buyers, investors and their advisors.

We use service providers in connection with the hardware, software and network technology used by us (IT service providers, web hosting, support for our hardware and network, etc.) who provide us with technical support in the provision of our services, process data on our behalf or have access to personal data. These service providers are our processors. We only use processors who meet the requirements of GDPR and we have concluded contracts with all our processors. All processors are contractually obliged to treat your data confidentially and to process it within the scope of their services exclusively on our behalf and in accordance with our instructions.

Where will my data be processed?

In principle, we only process your data within the European Union. Please note, however, that some processors, e.g. software providers, may be located outside the EU and may access data from outside the EU. In such cases, we will ensure that your personal data is adequately protected and complies with the requirements of the GDPR for transfer to third countries (e.g. adequacy decision, standard contractual clauses, Privacy Shield, or other appropriate safeguards pursuant to Art. 46 GDPR).

What is the storage period for my data?

Personal data will be processed and stored for the duration of the lease agreement and after termination according to statutory retention and documentation obligations or the statutory periods of limitation which, according to the Austrian Civil Code (ABGB) may be up to 30 years in certain cases (the most commonly referred to period of limitation in practice is 3 years). Please note that additionally to the applicable Austrian statutory provisions, including tax law, the legal and tax provisions of the country in which the real estate is located may apply.

Is there any automated decision-making?

Currently, no automated decision-making or profiling is used to make a decision on the conclusion and performance of the lease agreement.

Which data protection rights do I have?

You have the right of access to your personal data, the right to rectification, the right to erasure or the right to restrict the processing of your personal data, the right to object to the processing as well as the right to data portability in accordance with the requirements under data protection laws.

You can exercise your rights by sending a request to our data protection officer by letter or e-mail. You will find the contact details in the first item of this data protection information, under "Who is the responsible data controller and who may you approach?".

If necessary, we will ask you to prove your identity to ensure that the request was sent by you. We will reply within one month of receiving your request, but we reserve the right to extend this period by two months. The assertion of your rights is generally free of charge for you. Only if the applications are obviously unfounded or if there is an excessive number of applications can they be subject to charges for you.

If you believe that the processing of your personal data infringes data protection law or that your rights have otherwise been infringed, you may lodge a complaint with the Austrian Data Protection Authority, Wickenburggasse 8, 1080 Vienna, e-mail: dsb@dsb.gv.at or with the local supervisory authority responsible for your country of residence.