

**Privacy statement**  
**in the area of credit servicer authorisation and supervision of entities engaged in the**  
**sale of non-performing loans**

**Controller**

The Croatian National Bank, Trg hrvatskih velikana 3, Zagreb (hereinafter: 'CNB') processes personal data received in relation to:

- queries and complaints of borrowers related to the sale of non-performing loans pursuant to Article 18 of the Act on the manner, conditions and procedure for the servicing and sale of claims<sup>1</sup> (hereinafter: 'the Act');
- issuing and revoking authorisations to credit servicers pursuant to Articles 27, 28 and 30 of the Act;
- the cross-border performance of credit servicing activities pursuant to Articles 35 and 36 of the Act;
- in the cases of credit purchasers or their representatives designated in accordance with Article 23 of the Act in respect of the rights and obligations of creditors under non-performing credit agreements issued by credit institutions established in the European Union pursuant to Article 24 and Article 39 of the Act;
- entry into the register of credit servicers pursuant to Article 40 of the Act;
- the exercise of on-site and off-site inspection of entities subject to supervision by the CNB <sup>2</sup> pursuant to Article 42 of the Act.

Personal data are received by e-mail (and any attachments thereto) at [neprihodonosni.kredit@hnb.hr](mailto:neprihodonosni.kredit@hnb.hr) and as documentation submitted in paper form.

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<sup>1</sup> Act on the manner, conditions and procedure for the servicing and sale of claims (Official Gazette 155/2023, hereinafter: 'the Act')

<sup>2</sup> Entities subject to supervision are specified in Article 41, paragraph (1) of the Act: "Supervision of credit purchasers having their registered office in the Republic of Croatia or credit purchaser representatives designated in accordance with Article 23 of this Act and having a registered office in the Republic of Croatia, designated servicing entities referred to in Article 12, paragraph (2), subparagraph (1), item (a) of this Act having a registered office in the Republic of Croatia, credit servicers authorised by the Croatian National Bank, credit service providers providing services to a credit servicer authorised by the Croatian National Bank and credit institutions (hereinafter referred to as 'entities subject to supervision by the Croatian National Bank') shall be exercised by the Croatian National Bank."

## **The purpose and legal basis for the processing**

In order to process queries and complaints by borrowers within the scope of its competence, the CNB processes personal data submitted by borrowers in queries regarding regulations governing the manner, conditions and procedure of servicing and sale of claims and complaints regarding their treatment by entities subject to supervision by the CNB.

The CNB processes personal data submitted by applicants for authorisation for the purpose of issuing authorisation to credit servicers and in the procedure of authorisation revocation.

The CNB processes personal data for the purpose of notifying another Member State when a credit servicer authorised by the CNB wishes to perform credit servicing activities in another Member State.

The CNB also processes personal data for the purpose of cross-border provision of services where a credit servicer from another Member State of the European Union intends to perform credit servicing activities within the territory of the Republic of Croatia and the competent authority of the home Member State notified the CNB thereof.

The CNB processes the personal data of the purchaser or the purchaser's representative designated in accordance with Article 23 where the purchaser or the credit institution notifies the CNB of the rights and obligations of the creditor under a non-performing credit agreement.

The CNB processes personal data for the purpose of entry into the register of credit servicers.

The CNB processes personal data for the purpose of on-site and off-site inspection of entities subject to supervision by the CNB.

The processing of personal data is necessary for the fulfilment of the CNB's **legal obligations and the exercise of its powers**, as follows:

- in handling complaints as laid down in Article 18 of the Act and other regulations governing consumer protection<sup>3</sup>, particularly in relation to the CNB's power to act in response to received queries and complaints;

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<sup>3</sup> Consumer Protection Act (OG 19/2022 and 59/2023), Consumer Credit Act (OG 75/2009, 112/2012, 143/2013, 147/2013, 9/2015, 78/2015, 102/2015, 52/2016, 128/2022 and 156/2023), Act on Consumer Housing Loans (OG 101/2017, 128/2022 and 156/2023) and subordinate legislation adopted under said laws

- in issuing and revoking authorisation as laid down in Articles 27, 28 and 30 of the Act for the purpose of determining whether the prescribed requirements for issuing authorisation are met, including the requirements concerning the good repute of members of the management and supervisory body, their knowledge and experience and the good repute of holders of qualifying holdings;
- for the purpose of communicating information on the cross-border performance of credit servicing activities in accordance with Article 35, paragraphs (2), (3) and (5) of the Act to the competent authority of the host Member State;
- for the purpose of cross-border performance of credit servicing activities within the territory of the Republic of Croatia in accordance with Article 36 of the Act;
- in taking action when a purchaser or a credit institution notifies the CNB of the rights and obligations of the creditor under a non-performing credit agreement issued by a credit institution established in the European Union in accordance with Articles 24 and 39 of the Act;
- in making entries in the register of credit servicers pursuant to the subordinate regulation adopted under Article 40 of the Act;
- in performing on-site and off-site inspection of entities subject to supervision by the CNB as laid down in Article 42 of the Act.

## **Recipients**

In the cases where borrowers lodge a complaint with the CNB in relation to their treatment by any entity subject to supervision by the CNB, the CNB will disclose a part of personal data to the supervised entity concerned by the complaint to enable it to comment on the allegations contained in the complaint. The CNB will only disclose the personal data that are necessary for the entity to be able to comment on the complaint.

In the case of cross-border performance of credit servicing activities by credit servicers authorised in the Republic of Croatia and wishing to provide their services in another Member State within the territory of the European Union, the recipients of personal data are the competent authorities of host Member States.

In taking action vis-a-vis credit purchasers in respect of the rights and obligations of creditors under non-performing credit agreements, the CNB will deliver a part of personal data to the competent authority of the borrower's host Member State or the competent authority of the home Member State of the new credit purchaser.

Where the CNB receives personal data as the competent authority of the borrower's host Member State, in taking action vis-a-vis credit purchasers in respect of the rights and obligations of creditors under non-performing credit agreements, it will deliver the data to the competent authority of the purchaser's home Member State.

The recipient of personal data for credit servicers that are authorised in another Member State and provide services in the Republic of Croatia is the competent authority of the Member State that issued the authorisation.

### **Entities from which the Croatian National Bank receives data and personal data categories**

In most cases, the Croatian National Bank receives the data directly from respondents.

In the cases where the Croatian National Bank takes action in response to complaints, the Croatian National Bank receives data from borrowers, e. g. name and surname, OIB (personal identification number), contact address, loan account number or loan agreement reference number.

In on-site and off-site inspection, the Croatian National Bank receives data from supervised entities. Personal data that may be collected in the situation referred to above are, for example: name and surname, domicile/place of residence, OIB, loan account number or loan agreement reference number.

In the cases of cross-border performance of credit servicing activities, the CNB receives personal data from the credit servicer and the competent authority of another Member State that issued the authorisation to the credit servicer. Personal data that may be collected in the situation referred to above are, for example: name and surname and OIB of the responsible persons of the credit servicer in the host Member State.

In the cases of data collection for the register of credit servicers, the CNB receives personal data from the credit servicer and the competent authority of another Member State that issued the authorisation to the credit servicer. Personal data that may be collected in the situation referred to above are, for example: e-mail address, telephone numbers of persons responsible for receiving consumer protests lodged with the credit servicer and the name, surname and OIB of the responsible persons of the credit servicer in the host Member State and the Republic of Croatia.

In the cases of credit purchasers in respect of a creditor's rights and obligations under a non-performing credit agreement issued by a credit institution established in the European Union, the data are submitted to the CNB by credit institutions and credit purchasers. Personal data that may be collected in the situation referred to above are, for example: name, surname and OIB

of the credit purchaser or of holders of a qualifying holding in the new credit purchaser or of their representatives.

In issuing authorisations to credit servicers, the CNB collects a part of personal data such as: name, surname, OIB, domicile/place of residence, date and place of birth, citizenship, profession and curriculum vitae of responsible persons and holders of qualifying holdings in the credit servicer's company.

### **Storing of personal data**

The CNB keeps data received in connection with:

- borrower queries and complaints – 10 years;
- applications for authorisation – 20 years;
- on-site and off-site inspection – 30 years;
- data from the register and decisions on the issue and revocation of authorisation – permanently;
- data necessary for the cross-border performance of credit servicing activities – 30 years;
- performing activities related to the sale of loans – 30 years

counting from the last day of the year in which the procedure was completed.

### **Your rights**

The CNB, in accordance with the provisions of General Data Protection Regulation<sup>4</sup>, ensures the following rights in relation to the processing of your personal data: a) the right to information on the processing and access to personal data, b) the right to rectification, c) the right to restriction of processing and d) the right to object.

### **Data protection officer and supervisory authority**

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<sup>4</sup> General Data Protection Regulation – 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, OJ EU L119, in force since 25 May 2018

Any complaints regarding CNB actions in connection with your personal data processing should be addressed to the Croatian Personal Data Protection Agency (AZOP), Ulica Metela Ožegovića 16, Zagreb, [azop@azop.hr](mailto:azop@azop.hr), the supervisory authority responsible for personal data protection in the Republic of Croatia.

Should you require any additional information regarding the processing of personal data, please visit <https://www.hnb.hr/en/protection-of-personal-data> or address your query to the Croatian National Bank data protection officer at: [sluzbenik.osobni@hnb.hr](mailto:sluzbenik.osobni@hnb.hr).