

## INFORMATION ON THE PROCESSING OF PERSONAL DATA

In connection with the implementation of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (“**GDPR**”), Bank Handlowy w Warszawie S.A. (“**Bank**”) would like to inform you of the rules regulating the processing of your personal data and on your rights connected with it.

The Bank declares that in accordance with Article 14 of the GDPR, it provides the necessary information to the data subjects, if the data are not collected directly from the individual to whom the data relates, but from another entity. If possible, the information will be provided as soon as the data are received or at the first contact with the data subject.

However, in some cases, there may be circumstances which may make the provision of this information impossible or which may require disproportionate efforts to provide this information. In such circumstances, the Bank makes the information public in order to ensure that appropriate measures are taken to protect the rights, freedoms and legitimate interests of data subjects. This information can be found below.

If you have any questions as to the manner and scope of the processing of your personal data by the Bank as well as your rights, please contact the Bank at ul. Senatorska 16, 00-923 Warszawa (Warsaw), or the personal data inspector by electronic means at daneosobowe@bankhandlowy.pl or in writing at ul. Senatorska 16, 00-923 Warsaw.

### **I. Identification of the controller**

Your personal data will be administered by Bank Handlowy w Warszawie S.A. with its registered office in Warsaw, ul. Senatorska 16.

### **II. Purposes and legal basis of the processing of your personal data**

The Bank processes your personal data for the following purposes:

1. the pursue of the legitimate interest of the person ordering or making the transfer and the Bank (Article 6(1)(f) of the GDPR) consisting in making or ordering a bank transfer of which you are the recipient or sender;
2. the fulfillment of legal obligations imposed on the Bank in connection with its banking activity, including:
  - i) resulting from the Act on Anti-Money Laundering and Combating the Financing of Terrorism of 1 March 2018 (the so-called “AML Act”);
  - ii) resulting from the Act on payment services of 19 August 2011 (the so-called “Payment Services Act”);

- iii) resulting from the Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market, amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC;
  - iv) connected with provision of Bank's cash flow liquidity, including fulfillment of obligations resulting from Regulation (EU) No. 575/2013 of the European Parliament and of the Council on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No. 648/2012 (the so-called "CRR Regulation");
  - v) connected with reporting to public authorities, including supervisory authorities, and other entities to which the Bank is obliged to submit its reports on the basis of the applicable legal provisions, including, in particular in connection with fulfillment by the Bank of the obligations resulting from the Act of 29 August 1997 – the Tax Code (the so-called "Tax Code");
  - vi) connected with the processing of complaints and claims relating to the services provided by the Bank pursuant to Article 5 of the Act on processing complaints by entities operating in the financial market and on the Financial Ombudsman of 5 August 2015, as well as other requests and queries addressed to the Bank.
3. Furthermore, in certain situations it may prove necessary to process your data due to exercise of Bank's other legitimate interest (Article 6.1(f) of GDPR), in particular for the following purposes:
- i) connected with monitoring and improvement of quality of the products and services provided by the Bank, including monitoring of phone calls and meetings with the Bank, checking your satisfaction with the provided services;
  - ii) connected with management of risk and Bank's internal control pursuant to Article 9 et seq. of the Banking Law;
  - iii) to establish, pursue and defend against any claims by the Bank;
  - iv) if applicable, connected with conducting litigations, as well as proceedings before public authorities and other proceedings, including for the purpose of pursuing and defending against claims,
  - v) counteracting abuses and use of Bank's operations for criminal purposes, including for the purpose of processing and sharing information related to suspicions or detection of crimes according to the rules prescribed in Article 106d et seq. of the Banking Law;
  - vi) internal reporting within the Bank or the Citigroup capital group, including management reporting;
  - vii) if applicable, maintaining internal record of given and received benefits, conflicts of interest and violations of ethical conduct in a scope necessary for counteracting abuses and use of Bank's operations for criminal purposes.
4. In other cases, your personal data will be processed only on the basis of your prior consent and in the scope and for the purpose determined in the wording of such consent.

### **III. Source of personal data**

In the event that your personal data have not been collected directly from you, the Bank informs that your personal data, i.e. name, surname, address of residence, bank account number and information indicated in the title of transfer, have been obtained from the person ordering or making the transfer, of which you are the recipient or sender.

#### **IV. The obligation to provide your personal data to the Bank**

To the extent your data are obtained directly from you, the provision of personal data by you results from the performance of obligations arising from the above laws and regulations or is necessary to achieve the purposes resulting from the legitimate interests of the Bank, including to enter into and to perform the agreement between the Bank's Client and the Bank.

If you fail to provide all required personal data, this may prevent the Bank from concluding the agreement and providing services to the Bank's Client.

In the scope in which personal data are collected on the basis of consent, providing personal data is voluntary.

#### **V. Information on the recipients of your personal data**

In connection with the processing of your personal data for the purposes indicated in point II, your personal data may be disclosed to the following recipients or recipient categories:

1. public authorities and entities performing public duties or acting upon commission of public authorities in the scope and for the purposes resulting from the legal provisions, e.g. to the Polish Financial Supervision Authority (Komisja Nadzoru Finansowego), the General Inspector of Financial Information (Generalny Inspektor Informacji Finansowej);
2. entities associated with the Bank, including within the frames of Citigroup, during performance of their reporting obligations;
3. entities performing duties resulting from the legal provisions, such as Credit Information Bureau (BIK) and business information bureaus, as well as other banks and institutions in the scope in which such information is necessary in connection with performance of banking activities and acquiring and disposing of claims;
4. entities participating in processes necessary for performance of agreements concluded with you, including Krajowa Izba Rozliczeniowa S.A., Visa, Mastercard, First Data Polska;
5. entities supporting the Bank in its business processes and banking activities, including entities processing personal data for the account of the Bank (the so-called data processors) and Bank's partners;
6. the Polish Bank Association.

#### **VI. Personal data processing periods**

Your personal data will be processed for a period necessary for the achievement of the objectives indicated in point II, i.e. for the achievement of legitimate interests, for a period until the end of their implementation, and after that period for a period required under the legal provisions or for implementation by the Bank of a legitimate interest of the data controller in the scope as prescribed in point II above, and if you give your consent to the data processing after termination or expiry of the agreement, until you withdraw your consent.

#### **VII. Profiling and automated decision making**

Profiling should be understood as any form of the automated processing of personal data which consists in their use for assessment of certain features of an individual, in particular for analysis or forecast of certain features related to effects of work of a given individual, his/her economic standing, health, personal preferences, interests, reliability, conduct, localization or moving.

In the scope necessary for ordering or executing transfer by the Bank or in connection with performance by the Bank of an obligation resulting from the legal provisions, your personal data may be processed in an automated manner which may involve automated decision-making, including profiling, which may cause legal effects against you or otherwise considerably affect your situation. This type of cases occurs in the following situations:

1. conducting assessment of the risk of money laundering and terrorist financing in accordance with the AML Act:
  - i) Your personal data are used in the process “Know your customer”, which takes place at the stage of establishing relations, but also later, as part of cyclical reviews. Within the frames of profiling, among others, on the basis of circumstances such as the type of client, business relations, transaction history, geographical risk and verification if a client is a person holding an exposed political position within the meaning of the AML Act and if such person has demonstrated a high risk activity before (e.g. transactions previously reported to the General Inspector of Financial Information (GIIF), a level of risk for the particular client is determined or changed. If as a result of such profiling you are qualified as a high risk person, the Bank reserves the right to contact you in order to obtain additional information. Furthermore, as a result of such qualification at the stage of establishing relation, we may refuse to conclude the agreement with you;
  - ii) Your personal data will be profiled for the purpose of identification of possible cases of money laundering or terrorist financing in accordance with the AML Act. Within the frames of such profiling the following data are considered, among others: data on transactions, nationality, type of client, type of business relations, geographical area as well as prior high risk activity. As a result of such profiling certain conduct is identified as potentially non-compliant with the provisions of the AML Act in terms of money laundering or terrorist financing. Should any justified suspicions of money laundering or terrorist financing be found, the relevant transaction will be reported to competent authorities or the agreement may be terminated. Such a finding may also lead to refusal to conclude another agreement with you in the future, or refusal to extend the current relation by further products offered by the Bank.
2. In justified cases you may receive an automated decision on refusal to execute a payment transaction in the case of suspicion that it has been initiated by an unauthorized person. Identification of such cases relies on profiling determined according to criteria connected with the features of transactions, including the transaction amount, the venue where the transaction is initiated, the authentication method.

## **VIII. Rights of the data subject**

The Bank would like to assure you that all persons whose personal data are processed by the Bank enjoy respective rights resulting from the GDPR. In view of the foregoing, you have the following rights:

1. the right to access personal data, including the right to obtain copies of such data;
2. the right to demand correction of personal data – if the data are incorrect or incomplete;
3. the right to demand removal of personal data (the so-called right to be forgotten) – if:

- i) the data are no longer necessary for the purposes for which they have been collected or processed;
  - ii) the data subject raises an objection against data processing;
  - iii) the data subject withdraws the consent on which the processing is based and there is no other legal basis for the processing;
  - iv) the data are processed in violation of the law;
  - v) the data have to be removed for purpose of fulfillment of an obligation resulting from the legal provisions;
4. the right to demand limitation of the processing of personal data – if:
- i) the data subject questions the correctness of personal data;
  - ii) the processing of data is in violation of the law and the data subject opposes removal of the data, demanding their limitation instead;
  - iii) the controller no longer needs the data for own purposes, but the data subject needs them for determination, defense or pursuit of claims;
  - iv) the data subject raises an objection against data processing, until it is determined if legally justified reasons on the part of the controller are superior to the basis of the opposition;
5. the right of data portability – if:
- i) the processing takes place on the basis of an agreement with the data subject or on the basis of consent expressed by such person and
  - ii) the processing takes place in an automated manner;
6. the right to oppose the processing of personal data, including profiling – if:
- i) certain reasons arise which are connected with your specific situation and
  - ii) the processing of data relies on the necessity for purposes resulting from Bank's legitimate interest referred to in point II above.

#### **IX. The right to revoke the consent to process personal data**

In the scope in which you have given your consent to the processing of personal data, you may revoke it. Revoking the consent does not affect the legality of the data processing carried out on the basis of the consent before it is revoked.

#### **X. The right to file a complaint with a supervisory authority**

If you find that the processing of your personal data by the Bank violates the provisions of GDPR, you may file a complaint with the relevant supervisory authority.

#### **XI. Transfer of personal data to entities from beyond the European Economic Area (EEA) or international organizations**

In cases justified and necessary due to circumstances, the Bank may disclose your personal data to entities having their registered office outside the EEA (USA, Singapore, India, China, Hong Kong, Canada and the United Kingdom of Great Britain and Northern Ireland) and international organizations (e.g. SWIFT), as well as other entities having their registered office outside the EEA or international organizations to which the transfer is necessary for the purpose of performing the agreement (e.g. execution of your orders connected with the agreement). As a principle, data will be transferred outside the EEA on the basis of standard contractual clauses concluded with the recipient, the content of which has been determined by the European Commission and ensures the highest standards of personal data protection applied in the market. You have the right to obtain copies of the above-mentioned contractual clauses (or other appropriate safeguards of data transfers outside the EEA) via the Bank.