

# PRIVACY NOTICE

In order to be compliant with 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) (the "GDPR"), Bank Handlowy w Warszawie S.A. (the „Bank”) hereby informs about the rules of processing Your personal data and about Your rights related with it.

Following rules are applicable from 25 May 2018.

If You have any questions regarding manners and scope of processing of Your personal data by the Bank, as well as regarding Your rights, please contact the Bank on the address ul. Senatorska 16, 00-923 Warsaw (Poland), or the data protection officer at the Bank via email (daneosobowe@bankhandlowy.pl) or post (address: ul. Golezowska 6, 01-249 Warsaw).

## I. INDICATION OF THE DATA CONTROLLER

The data controller of Your personal data is Bank Handlowy w Warszawie S.A. with its registered office in Warsaw at ul. Senatorska 16.

## II. PURPOSES AND LEGAL BASIS FOR PROCESSING OF YOUR PERSONAL DATA:

1. The bank processes Your personal data due to giving consent by You to incur obligations by Your spouse who is the Bank's Client or a person linked with the Bank's Client, including for the purpose of correct identification of You, i.e. for executing purposes resulting from the Bank's legitimate interest (the Article 6.1.f of the GDPR), and in addition:
  - a) for purposes of being compliant with legal obligations borne by the Bank in relation with conducting banking activities, including:
    - i. purposes resulting from the Polish Act of 16 November 2000 on counteracting money laundering and terrorist financing or - after its entry into force - the Polish Act of 1 March 2018 on counteracting money laundering and terrorist financing (so called the "AML Act");
    - ii. purposes related with handling actions and complaints related to services provided by the Bank on basis of the Article 5 of the Act of 5 August 2015 on handling of complaints by financial market organisations and on the Financial Ombudsman, as well as other requests, motions and inquiries addressed to the Bank.
2. Moreover, in certain situations it might be necessary to process Your personal data due to necessity to pursue legitimate interests by the Bank (the Article 6.1.f of the GDPR), in particular but not limited to:
  - a) if applicable, for purposes related with monitoring and improving quality of products and services provided by the Bank, including monitoring of telephone conversations and meetings with the Bank;
  - b) for purposes related with risk management and internal control of the Bank on basis of the Article 9 and subsequent of the Polish Banking Law;
  - c) if applicable in Your case, for purposes of restructuring and sale of the Bank's receivable debts to Your spouse and pursue of claims by the Bank;
  - d) if applicable, for purposes related with litigation, as well as pending state authorities proceedings and other proceedings, including for purposes of pursue and defending against claims;
  - e) for purposes of counteracting abuses and making advantage of the Bank's activity for criminal purposes, including for purposes of processing and sharing information concerning suspicions or detecting offences on principles stipulated in the Article 106d and subsequent of the Polish Banking Law;
  - f) if applicable, for purposes of internal reporting within the Bank, including management reporting.
3. In other cases, Your personal data will be processed only on basis of previously given consent to the extent and for purposes specified in consent's content.

### III. OBLIGATION TO PROVIDE PERSONAL DATA TO THE BANK

Providing personal data by You, might be in specified situations a condition to enter into and exercise an agreement between Your spouse and the Bank, results from compliance with legal obligations or is necessary to pursue purposes resulting from abovementioned legitimate interests of the Bank.

The failure to provide all required personal data by You, might be a hindrance to entering into and providing services by the Bank to Your spouse.

To the extent, where personal data are being collected on basis of consent, providing personal data is voluntary.

### IV. INFORMATION ON RECIPIENTS OF YOUR PERSONAL DATA

With regard to processing of Your personal data for purposes mentioned in p. II, Your personal data might be shared with following recipients or categories of recipients:

- a) entities affiliated with the Bank, including within Citigroup, during performing reporting obligations;
- b) entities supporting Bank in its business processes and banking operations, including data processors on behalf of the Bank.

### V. PERIODS OF PROCESSING PERSONAL DATA

Your personal data will be processed for period necessary for realisation of purposes indicated in p. II, i.e. to the extent of exercising agreement concluded between Your spouse and the Bank, for period until end of its exercising, and after this time for period and to the extent required by law provisions or for pursuing data controller's legitimate interests by the Bank in scope stipulated in p. II above. In case where You have given a consent for processing personal data for purposes different than stipulated in p. II above, Your personal data will be processed until withdrawal of such consent.

### VI. PROFILING OR AUTOMATED DECISION-MAKING

Your personal data will not be used for profiling You or for automated decision-making towards You.

### VII. RIGHTS OF DATA SUBJECTS

The Bank wishes to ensure You that all persons, which personal data are being processed by the Bank, are entitled to use its rights resulting from GDPR. With regards to such, You are entitled to following rights:

1. right of access to the personal data, including a right to obtain a copy of such data;
2. right to obtain the rectification (correction) of the personal data - in case when such data are inaccurate or incomplete;
3. right to obtain the erasure of the personal data (so called „right to be forgotten”) - in case when: (i) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed, (ii) the data subject objects to the processing, (iii) the data subject withdraws consent on which the processing is based and where there is no other legal ground for the processing, (iv) the personal data have been unlawfully processed, (v) the personal data have to be erased for compliance with a legal obligation;
4. right to obtain the restriction of processing of personal data - in case, when: (i) the accuracy of the personal data is contested by the data subject; (ii) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead, (iii) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, defence or exercise of claims, (iv) the data subject has objected to processing of the personal data - pending the verification whether the legitimate grounds of the controller override those of the data subject;
5. right to receive or transmit the personal data in case when: (i) the processing is based on agreement concluded with data subjects or on consent expressed by such person, and (ii) the processing is carried out by automated means;
6. right to object to processing of personal data, including profiling, when (i) grounds relating to Your particular situation arise, (ii) processing of personal data is based on necessity to pursue purposes resulting from legitimate interests of the Bank, referred to in p. II above.

## **VIII. RIGHT TO WITHDRAW CONSENT FOR PROCESSING OF PERSONAL DATA**

To the extent, where You have given a consent for processing of personal data, You are entitled to withdraw such consent for processing of personal data. Withdrawal of consent shall not affect the lawfulness of processing conducted based on consent before its withdrawal.

## **IX. RIGHT TO LODGE A COMPLAINT WITH A SUPERVISORY AUTHORITY**

In case You find processing of Your personal data by the Bank as infringing the GDPR provisions, You are entitled to lodge a complaint to relevant supervisory authority.

## **X. TRANSFER OF PERSONAL DATA TO ENTITIES OUTSIDE EUROPEAN ECONOMIC AREA (EEA) OR TO INTERNATIONAL ORGANISATIONS**

The Bank in justified and required, given the circumstances, cases might share Your personal data to entities situated outside EEA, i.e. USA, Singapore, India, China, Hong Kong and Canada, to which the transfer is necessary in order to exercise an agreement with Your spouse (e.g. in order to execute the instructions related with the agreement). In general, the transfer of data outside EEA shall take place on basis of standard data protection clauses concluded with the recipient of data, which content has been adopted by the European Commission and guarantees highest applied on the market standards of protection of personal data. You have a right to obtain a copy of abovementioned standard contractual clauses (or other appropriate safeguards for transfer outside EEA) via the Bank.