

# Personal Data Processing Policy

Read this document to learn why we collect your data and how we process them.

## 1. Who is responsible for processing your data? Whom to contact?

The controller of your data is Santander Bank Polska S.A. You may contact us:

- a) By post – Santander Bank Polska S.A., al. Jana Pawła II 17, 00-854 Warszawa;
- b) By phone – 1 9999, 781 119 999 (calls from Poland) or +48 61 81 1 9999 (calls from abroad); calls are charged at your operator's rate;
- c) By email – kontakt@santander.pl;
- d) Otherwise as indicated at santander.pl.

We have appointed a Data Protection Officer, whom you may contact with matters relating to data protection. You can do it:

- a) By post – Santander Bank Polska S.A., pl. Andersa 5, 61-894 Poznań, with a note: "Inspektor ochrony danych" ("Data Protection Officer");
- b) By email – iod@santander.pl.

See point 7 to find out how to submit an application to exercise your rights.

## 2. What is the reason, purpose and basis for the processing of your data?

We process your personal data in accordance with 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 ("GDPR"), and the Polish data protection legislation.

We can process your data:

- a) to conclude or perform agreements signed by or relating to you;
- b) to comply with legal obligations;
- c) for purposes resulting from our legitimate interest;
- d) to perform tasks that serve the public interest;
- e) based on your consent.

## 3. When do we process your data?

- 1) We process the data to conduct banking and brokerage activities, and to provide other financial services before we enter into an agreement with you or when we perform it.
- 2) We also process data when carrying out numerous obligations imposed on us by law. These obligations arise from e.g. the Banking Law Act, the Act on trading in financial instruments, the Act on prevention of money laundering and terrorism financing, and regulations issued by such institutions as: the European Central Bank, the European Banking Authority or the Polish Financial Supervision Authority.
- 3) In particular, we can process your data to:
  - a) verify your identity and the identity of the people who represent you;
  - b) assess your repayment capacity;
  - c) analyse credit risk;
  - d) accept collateral for our receivables;
  - e) fulfill tax obligations, e.g. monitor and report the same in accordance with tax law;
  - f) properly manage risks;
  - g) prevent misselling, i.e. ensure that we do not offer you products that do not match your needs;
  - h) assess the level of your knowledge about investing in financial instruments.

- 4) In certain situations we process your data for purposes arising from our or third party's legitimate interests. For example, we do it:
  - a) to determine, assert or defend claims;
  - b) to check whether you are happy with our services;
  - c) in direct marketing of products and services – ours, those of Santander Bank Polska Group entities and other entities to whom we provide services;
  - d) for our administrative purposes, e.g. so that we can have a single place where to manage relations with you and our counterparties, analyse the loan portfolio, and prepare statistics and reports for our own use;
  - e) when you act for or on behalf of our customers;
  - f) when we use video surveillance to ensure security.
- 5) We process data based on your consent. You give us your consent for specific purposes, e.g. so that we can transfer your data within Santander Bank Polska Group or Santander Group. You have the right to withdraw your consent at any time.

Santander Bank Polska Group is understood as Santander Bank Polska S.A. and its subsidiaries, including its future members. For the list of subsidiaries, please visit <https://www.santander.pl/o-banku/o-nas>.

Santander Group means a universal banking group based in Spain. For more details go to: <https://www.santander.pl/o-banku/grupa-santander>.

#### 4. Whom may we disclose your data?

We may disclose your data to such recipients as:

- a) our authorised employees;
- b) the Polish Financial Supervision Authority (KNF);
- c) the Inspector General for Financial Information and the Ministry of Finance;
- d) Biuro Informacji Kredytowej S.A. (Credit Information Bureau, BIK);
- e) Krajowy Depozyt Papierów Wartościowych S.A. (Central Securities Depository of Poland, KDPW);
- f) Krajowa Izba Rozliczeniowa S.A. and other clearing houses;
- g) the Polish Bank Association (ZBP);
- h) business information bureaus;
- i) other banks, credit and payment institutions, participants of payment systems, participants of securities settlement processes, investment firms, insurance companies, investment fund companies, and entities that offer securities to the public;
- j) other institutions authorised by law to receive your data under relevant regulations;
- k) members of Santander Bank Polska Group and Santander Group;
- l) entities that process data on our behalf, and their authorised employees, where such entities process data:
  - on the basis of an agreement with us, and only at our request; and
  - provided that they keep banking, professional and insurance secrecy.These are mainly entities that provide banking, investment, IT and agency services.

#### 5. In what situations and how do we transfer your data to countries outside the European Union?

We transfer your data to recipients in countries outside the European Union, the so-called third countries, including the USA, in the following circumstances:

- a) if that is necessary for us to perform an agreement we have concluded with you, e.g. when we make a funds transfer or buy/sell securities on your behalf;
- b) when we obtain your consent to do so;
- c) provided that the data are properly secured – i.e. when agreements with recipients include standard data protection clauses adopted by the European Commission or when the Commission finds that the third country or the international organisation concerned will ensure a proper level of protection.

You can receive a copy of your data that we transfer to a third country. See point 7 for details on how to submit a request for that copy.

#### 6. How long will we process and store your data?

We will process your data for as long as it is necessary. It depends on the purpose for which we process them. We will do it:

- a) to perform the agreement we have concluded with you – until the agreement ends, and thereafter to pursue or defend any possible claims – taking into account the statutory limitation period for claims;

- b) to comply with our legal obligations arising from the fact that we carry on business and carry out agreements – until we fulfill those obligations;
- c) as long as we have a legitimate interest to process those data, or until you object to such processing, if there are no legal grounds for us to continue processing the data;
- d) to process data based on your consent – until you withdraw the consent.

## 7. What rights do you have?

You have the following rights:

- a) The right to access and rectify your data, and to demand that we remove the data or restrict their processing.
- b) The right to object to data processing:
  - when you are in a special situation, and we process data for purposes resulting from our legitimate interests;
  - when we do it for marketing purposes, including for profiling.
- c) The right to withdraw your prior consent to data processing at any time. The withdrawal of your consent will not affect the lawfulness of processing based on that consent before its withdrawal. This also applies to the withdrawal of the consent to be contacted by phone or electronically for marketing purposes.
- d) Transfer the data we have received from you, and which we process based on your consent, or to conclude and perform an agreement. The transfer means that we save the data and pass them on to you. We save the data in a structured, commonly used machine-readable format. At your request, we can send them to another data controller, if technically feasible. This right to transfer data does not apply to the data which constitute our trade secret.

To be able to transfer the data, we may need your authorisation to disclose information subject to banking secrecy.

We will exercise your rights at your request submitted as follows:

- By post – Santander Bank Polska S.A. pl. Andersa 5, 61-894 Poznań or al. Jana Pawła II 17, 00-854 Warszawa;
- Via the electronic banking service;
- By phone – 1 9999, 781 119 999 (calls from Poland) or +48 61 81 1 9999 (calls from abroad); calls are charged at your operator's rate;
- In branch.

When we exercise your rights, we may need additional information from you to confirm your identity.

- e) The right to lodge a complaint with the supervisory authority, namely the Head of the Personal Data Protection Office (Urząd Ochrony Danych Osobowych) if you believe that we process your data in breach of the GDPR.

## 8. Are you required to provide us with your data?

If you do not provide us with your data, we will not be able to enter into or perform an agreement with you. Provision of the data is voluntary, but necessary to enter into and perform an agreement with us. In such a situation we are required to identify you, and collect and save your data. This obligation is imposed on us by relevant legislation, including the law on the prevention of money laundering and terrorist financing.

## 9. What are your data sources and categories?

- 1) Most of the data we process come directly from you.
- 2) Some of them may come from sources such as business information bureaus, BIK, the Polish Bank Association, the electronic land registry system, entities which have received your consent for the data processing, and your representatives, based on relevant powers of attorney. From these sources we have such data as: your identification details, contact details, sociodemographic characteristics (i.e. data on employment, education and marital status), and data on your obligations.
- 3) If you run a business, we obtain some of your data from other public sources, such as: the National Court Register, the Central Register and Information on Economic Activity, or similar sources in other countries, and from private entities that collect and provide information about businesses.

- 4) We obtain the data of the persons who represent you or act on your behalf from the same sources as your data, as well as directly from you.

**10. When do we make automated decisions and profile data, and to what extent?**

- 1) When we process your data, we may make automated decisions.
- 2) In this way, we assess:
- a) Your repayment capacity when we enter into an agreement with you.  
Then we analyse:
- data from the application that you submit when you want to use our products and services; or
  - information that we have about you because you use our products and services; or
  - information obtained in the course of repayment capacity assessment, e.g. reports furnished by BIK, business information bureaus and inter-bank lists of restricted entities.
- This assessment is made using a set of rules and algorithms that we have developed for the most effective examination of repayment capacity. As a result of the assessment, we automatically approve or turn down your request for an agreement, or make an individual decision.
- b) Whether you meet the conditions for us to provide certain services to you.  
Then we analyse:
- how actively you use certain services;
  - the inflows to your accounts;
  - the balance on your accounts, and the value of any investment products you have.
- We specify these conditions each time in the documents relating to a particular service, e.g. an agreement, terms and conditions, or rules for the provision of that service. As a result of the assessment, we automatically approve or turn down your request for a service, or make an individual decision.
- c) The risk of money laundering and terrorism financing, and the risk of other offences.  
In the course of the assessment we look at the data contained in the documents that you provided us with when signing an agreement or ordering a transaction. We assess that risk on the basis of economic, geographic, entity-based and behavioural criteria. We also analyse those data which relate to payment transactions, to ensure your security as well.
- As a result, we automatically assign you to a risk group. When this is a risk group that is unacceptable to us, an automatic block may be triggered, and no relationship will be established with you.
- 3) When we make automated decisions, you have the right to:
- a) ask our employee for an intervention;
- b) express your own position;
- c) contest the decision.
- This applies to decisions that:
- are necessary for us to enter into or perform an agreement with you; or
  - are based on your express consent.
- 4) We may also process your data semi-automatically when we do profiling. The purpose of profiling is to provide you with information about products tailored to your needs. To this end we use such analytical instruments as market research and public opinion polls. When we process your data for this purpose, we take into account your income, expenses, liabilities, profession, duration of employment, etc. In such circumstances you may refuse to have your personal data processed for marketing purposes.

**11. When and how are your data processed by BIK?**

We may transfer your data to BIK (Biuro Informacji Kredytowej S.A.) with its registered office situated in Warsaw, address: ul. Zygmunta Modzelewskiego 77a, postal code: 02-679 Warszawa. If we do this, BIK will join us as a controller of your data.

You can find more details about how your personal data are processed by **BIK**:

Data controller	The data controller is Biuro Informacji Kredytowej S.A. (BIK) with its registered office situated in Warsaw, address: ul. Zygmunta Modzelewskiego 77a, postal code: 02-679 Warszawa.
Contact details	You may contact <b>BIK</b> by e-mail: <a href="mailto:kontakt@bik.pl">kontakt@bik.pl</a> or by post: Centrum Obsługi Klienta BIK S.A., 02-676 Warszawa, ul. Postępu 17A. <b>BIK</b> has their Data Protection Officer. You can contact them by email: <a href="mailto:iod@bik.pl">iod@bik.pl</a> , or by post: Inspektor Ochrony Danych, Centrum Obsługi Klienta BIK S.A., 02-676 Warszawa, ul. Postępu 17A. You can contact the Data Protection Officer with respect to

	any matters relating to personal data processing and exercising of rights related to data processing.
Purposes of data processing and legal basis for such activities	<p><b>BIK</b> will be processing your data for the following purposes:</p> <ul style="list-style-type: none"> <li>• To assess your repayment capacity and analyse credit risk, including through profiling - the provisions of the Banking Law Act (<i>Prawo bankowe</i>) serve as a legal basis for the data processing.</li> <li>• To collect and analyse statistical data where no personal data are produced as a result of such analyses and the result does not affect decisions concerning specific natural persons – the data processing is based on the legitimate interest of the data controller arising from the Banking Law Act.</li> <li>• To use internal methods and other methods and models as referred to in Article 105a(4) of the Banking Law Act – the data processing is based on the provisions of the Banking Law Act.</li> <li>• To consider your potential complaints or legal claims – the data processing is based on the data controller's legitimate interest such as the resolution of a complaint or defence against legal claims.</li> </ul>
Categories of processed data	<p><b>BIK</b> processes the following categories of personal data:</p> <ul style="list-style-type: none"> <li>• Identification data: PESEL (personal identification number)/ NIP (taxpayer identification number), name and surname, ID, family name, mother's maiden name, father's name, mother's name, date of birth, place of birth, nationality.</li> <li>• Address and contact details.</li> <li>• Socio-demographic characteristics: details of employment or conducted business, educational background, income and expenses, marital status, household size, matrimonial regime.</li> <li>• Information about liabilities: source, amount and currency, account number and balance, origination date, repayment terms, purpose of financing, collaterals, repayment history, debt balance upon termination, expiry date and causes of default or delayed payment referred to in Article 105a(3) of the Banking Law Act, reasons for termination, information about personal bankruptcy, credit decision and details of credit applications.</li> </ul>
Source of data	<p><b>BIK</b> will get your personal data from the Bank.</p> <p>Information about personal bankruptcy processed by <b>BIK</b> may come from the Bank or Monitor Sądowy i Gospodarczy.</p>
Period for which personal data will be processed	<p><b>BIK</b> will be processing your personal data for the following purposes:</p> <ul style="list-style-type: none"> <li>• For the purpose of assessing repayment capacity and credit risk analysis - during the existence of your liabilities; upon their termination, the data processing may only continue based on your explicit consent or if the conditions referred to in Article 105a(3) of the Banking Law Act are fulfilled, but in no event for a period longer than 5 years upon their termination; when it comes to data arising from an enquiry furnished to BIK - they will be processed for a period no longer than 5 years from the receipt of the enquiry, but such data will be made available for a period no longer than 12 months from the receipt thereof.</li> <li>• For the purpose of using internal methods and other methods and models referred to in Article 105a(4) of the Banking Law Act - for the period in which the liability exists and for 12 months from its termination.</li> <li>• For statistical and analytical purposes - for a period no longer than the period of the processing of your personal data for the purposes referred to above.</li> <li>• For the purpose of resolving your complaints and reported claims - by the time your potential claims arising from an agreement or any other instrument become time barred.</li> </ul>
Data recipients	<p><b>BIK</b> may provide your personal data to entities authorized to receive them by the operation of law, including entities referred to in Article 105(4) and Article 105(4d) of the Banking Law Act, and to the registry of personal identification numbers (PESEL) or registry of identification documents (RDO) for the purpose of verifying the correctness of provided data, or to other partners of <b>BIK</b>, subject to your consent. Your data may also be made available to entities</p>

	<p>processing data on behalf of BIK, such as its IT services providers, where such provides will be processing your data on a subcontractor basis under an agreement with BIK and exclusively on instructions from <b>BIK</b>.</p>
<p>Rights of the data subject</p>	<p>You have the right of access to your personal data and the rights to rectification, to erasure and to restriction of processing. Where your personal data might lawfully be processed on grounds of the legitimate interests of a controller or a third party, you are entitled to object to the processing of any personal data relating to you.</p> <p>If your data is processed based on your consent, you have the right to withdraw your prior consent to data processing at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.</p> <p>Where your personal data are processed on the basis of your consent or the processing is necessary for the performance of a contract, you have the right to be allowed to transmit your data, i.e. to receive your personal data from the controller in a structured, commonly used, machine-readable and interoperable format. You have the right to transmit such data to another controller. This right does not apply to data which is subject to a legal obligation of professional secrecy.</p> <p>In addition, you have the right to lodge a complaint with a supervisory authority dealing with personal data protection.</p>