

# Personal Data Processing Policy

Read this document to learn why we collect your data and what we do with them.

## 1. Who is responsible for processing your data? Who should you contact?

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

- a) by sending a letter to Santander Bank Polska S.A., al. Jana Pawła II 17, 00-854 Warszawa;
- b) by calling 1 9999 or 781 119 999 (for calls from Poland) or +48 61 81 1 9999 (for calls from outside of Poland); calls are charged at your operator's rate;
- c) by sending an email to [kontakt@santander.pl](mailto:kontakt@santander.pl);
- d) in any other way described at [santander.pl](http://santander.pl).

We have appointed a Data Protection Officer. You can contact the Officer in any matter related to data protection. To contact the Officer:

- a) write a letter to Santander Bank Polska S.A., ul. Kolorowa 10, 60-198 Poznań, adding the note "Inspektor ochrony danych" on the envelope; or
- b) send an email to [iod@santander.pl](mailto:iod@santander.pl).

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

## 2. Why and on what basis do we process your data?

We process your personal data in line 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 with Polish data protection regulations.

By "processing" we mean any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

We can process your data:

- a) to make agreements with you or with your participation and to perform those agreements; or
- b) to meet our legal obligations; or
- c) for purposes resulting from our legitimate interest; or
- d) to perform tasks that serve the public interest; or
- e) based on your consent.

## 3. When do we process your data?

- 1) We process your data to carry out banking and brokerage activities and to provide other financial services. We process the data both before we make an agreement with you and when we are performing that agreement.
- 2) We also process your data to meet many obligations we have under the law. These obligations are set out in for example in: the Polish Banking Law Act, the Polish Act on trading in financial instruments, the Polish Act on the 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 (KNF).
- 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 security for our receivables;
  - e) meet tax obligations, for example: to carry out monitoring and make reports in line with tax law;
  - f) duly manage risks;
  - g) prevent misselling, that is: not to offer you any products which do not match your needs;
  - h) assess the level of your knowledge about investing in financial instruments.
- 4) In certain situations, we will process your data for purposes related to our legitimate interest or the legitimate interest of a third party. For example, we can do that:
- a) to determine, pursue or defend claims;
  - b) to check if you are happy with our services;
  - c) for the purpose of the direct marketing of our products and services and the products and services of other entities from Santander Bank Polska Group and other entities for which we provide services;
  - d) for our administrative purposes, for example: 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) if you act for or in the name of our customers;
  - f) when we use video surveillance to ensure security.
- 5) We process your data based on your consent. You give us your consent for specific purposes. You have the right to withdraw your consent at any time.

#### 4. To who can we disclose your data?

We can disclose your data to such recipients as:

- a) our authorised employees;
- b) the Polish Financial Supervision Authority (Komisja Nadzoru Finansowego);
- c) the General Inspector of Financial Information (Generalny Inspektor Informacji Finansowej) and the Polish Ministry of Finance;
- d) Biuro Informacji Kredytowej S.A. (a Polish credit information bureau);
- e) Krajowy Depozyt Papierów Wartościowych S.A. (Poland's central securities depository);
- f) Krajowa Izba Rozliczeniowa S.A. (Poland's clearing house) and other clearing houses;
- g) the Polish Bank Association (Związek Banków Polskich);
- 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;  
Santander Bank Polska Group means Santander Bank Polska S.A. and its subsidiaries, including the Group's future members. The list of Santander Bank Polska Group members can be found at <https://www.santander.pl/o-banku/o-nas>. Santander Group is a universal banking group based in Spain. For more details, go to: <https://www.santander.pl/o-banku/grupa-santander>.
- l) the entities which process data on our behalf and their authorised employees – but those entities must process data:
  - under an agreement with us and only at our request; and
  - subject to banking, professional and insurance secrecy.These are mainly entities that provide banking, investment, IT and agency services.

#### 5. In what situations and how can we transfer your data outside the European Economic Area (EEA)?

We can transfer your data to recipients in countries outside of the EEA (the so-called third countries), including the USA, in the following circumstances:

- a) if we need to do that to perform an agreement we have made with you, for example: when we make a transfer of funds or buy/sell securities on your behalf;
- b) if we have obtained your consent to do so;
- c) if the European Commission has decided that a given third country or international organisation guarantees an adequate level of protection;

- d) if appropriate safeguards have been provided by including standard protection clauses adopted by the European Commission in the agreement with the data recipient, and as long as your data protection rights can be enforced in the third country and you have access to effective legal remedies.

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

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

We will process your data for as long as necessary. The exact time span depends on the purpose for which we process them. We will process the data:

- a) to perform the agreement we have made with you – until the agreement ends, and afterwards – to pursue or defend against any possible claims (taking into account the statutory limitation period for those claims);
- b) to meet our legal obligations arising from the fact that we carry out business and perform the agreements we have made – until we fulfil those obligations;
- c) as long as we have a legitimate interest to process those data, or until you object to that processing and 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:
  - if you are in a special situation, and we are processing the data for purposes resulting from our legitimate interests;
  - if we do that for marketing purposes (for example, for profiling);
- c) the right to withdraw your 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 your consent to be contacted by phone or electronically for marketing purposes;
- d) the right to move the data which you have provided to us and which we process either based on your consent or to make and perform an agreement. If you want to move your data, we will save them and give them back to you. We save the data in a structured, commonly used and machine-readable format. At your request, we can send them to another data controller (if this is technically possible). The right to move your data does not apply to the data which are 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. You can submit that request to us:

- in a letter sent to Santander Bank Polska S.A. ul. Kolorowa 10, 60-198 Poznań or al. Jana Pawła II 17, 00-854 Warszawa;
- using our electronic banking service;
- by calling 1 9999 or 781 119 999 (for calls from Poland) or +48 61 81 1 9999 (for calls from outside of Poland); calls are charged at your operator's rate;
- at our outlets;
- in an email sent to [iod@santander.pl](mailto:iod@santander.pl).

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

- e) make a complaint to the supervisory authority, that is: the President of the Personal Data Protection Office (Prezes Urzędu Ochrony Danych Osobowych), if you believe that we process your data in breach of the GDPR.

## 8. Do you have to provide us with your data?

If you do not provide us with your data, we will not be able to make an agreement with you or perform it. Providing the data is voluntary, but necessary to make an agreement with us and perform it. In such a case, we have to identify you and collect and save your data. This obligation arises from various regulations, for example the provisions which prevent money laundering and terrorism financing.

#### 9. Where do we obtain your data from? What are their categories?

- 1) Most of the data we process come directly from you.
- 2) Some of your data may come from sources such as business information bureaus, Biuro Informacji Kredytowej S.A., the Polish Bank Association, Elektroniczne Księgi Wieczyste (the Polish electronic land registry system), the entities which have received your consent for providing your data to us, and the people who represent you based on a power of attorney. These sources provide us with your data such as: your identification details, contact details, socio-demographic characteristics (that is for example: data on employment, education and marital status), and data on your liabilities.
- 3) If you run a business, we obtain some of your data from other public sources, such as: the National Court Register (Krajowy Rejestr Sądowy), the Central Register and Information on Economic Activity (Centralna Ewidencja i Informacja o Działalności Gospodarczej), or similar sources in other countries, and from private entities which collect and provide information about businesses.
- 4) We obtain the data of the people who represent you or act on your behalf either from you or from the same sources as your data.

#### 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) We use them to assess:
  - a) your repayment capacity when we are making an agreement with you.

In such a case, we analyse:

    - data from the application which you submit when you want to use our products and services; or
    - the information about you we have because you use our products and services; or
    - the information which we obtained when assessing sources such as reports from Biuro Informacji Kredytowej S.A., business information bureaus and interbank lists of restricted entities.

To carry out that assessment, we use a set of rules and algorithms which we have developed to examine repayment capacity as well as possible. As a result of the assessment, we automatically approve or turn down your request for an agreement, or we make an individual decision;
  - b) if you meet the conditions which enable us to provide you with specific services.

In such a case, we analyse:

    - how actively you use specific services;
    - what funds are paid to your accounts;
    - the funds in your accounts, and the balance of your assets held as part of your investment products.

We specify these conditions each time in the documents relating to a particular service, for example: in an agreement, in the terms and conditions document or in the rules of providing 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 such a case, we carry out the assessment using data from the documents you provided to us when you were making the agreement or ordering the transaction. We assess that risk on the basis of economic, geographic, entity-based and behavioural criteria. We also analyse other data, for example payment transaction data, to make sure that you are secure.

As a result, we automatically assign you to a risk group. If your risk group is one we do not accept, an automatic block may be triggered, and we will not start a relationship with you.
- 3) When we make automated decisions, you have the right to:
  - a) ask our employee for an intervention;
  - b) express your own opinion;
  - c) dispute our decision.

This right applies to the decisions which:

  - we need to take in order to make an agreement with you or perform that agreement; or
  - are based on your clear consent.

- 4) We may also process your data in a partially automated way when we are profiling. We do that to provide you with information about products that match your needs. To do so, 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, occupation, duration of employment, and similar factors. In such a case, you have the right to object to have your data processed for marketing purposes.

#### 11. When and how are your data processed by Biuro Informacji Kredytowej?

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

You can find some basic information about how your personal data are processed by **BIK** in the table below.

Data controller	The controller of your personal data is Biuro Informacji Kredytowej S.A. (BIK) with its registered office in Warsaw, address: ul. Zygmunta Modzelewskiego 77a, 02-679 Warszawa.
Contact details	You can contact <b>BIK</b> by writing an email to <a href="mailto:kontakt@bik.pl">kontakt@bik.pl</a> or a letter to Centrum Obsługi Klienta BIK S.A., 02-676 Warszawa, ul. Postępu 17A. <b>BIK</b> has appointed its own Data Protection Officer. You can contact the Officer by writing an email to <a href="mailto:iod@bik.pl">iod@bik.pl</a> or a letter to Inspektor Ochrony Danych, Centrum Obsługi Klienta BIK S.A., 02-676 Warszawa, ul. Postępu 17A. You can contact the Data Protection Officer in any matter related to personal data processing and the use of rights related to data processing.
Purposes of data processing and its legal basis	<p><b>BIK</b> will be processing your data:</p> <ul style="list-style-type: none"> <li>to assess your repayment capacity and analyse credit risk, also through profiling (the Polish Banking Law Act is the legal basis for this type of personal data processing);</li> <li>for statistical purposes and to make analyses which do not produce any personal data and whose results are not used as a basis to take decisions on specific natural persons (the data controller's legitimate interest under the Polish Banking Law Act is the legal basis for this type of personal data processing);</li> <li>to use internal methods and other methods and models mentioned in Article 105a(4) of the Polish Banking Law Act (the relevant provision of the Polish Banking Law Act is the legal basis for this type of personal data processing);</li> <li>to handle your potential complaints and claims (the data controller's legitimate interest, which involves handling the complaint and defending itself against potential claims, is the legal basis for this type of personal data processing).</li> </ul>
Categories of processed data	<p><b>BIK</b> processes the following categories of your personal data:</p> <ul style="list-style-type: none"> <li>personal identification data: PESEL (Polish personal identification number)/ NIP (taxpayer identification number), first name, surname, identity document data, surname at birth, mother's maiden name, father's first name, mother's first name, date of birth, place of birth, citizenship;</li> <li>address and contact details;</li> <li>socio-demographic characteristics: details of employment or conducted business activities, educational background, income and expenses, marital status, number of people in the household, matrimonial property regime;</li> <li>data about your liability: its source, amount and currency, account number and balance, the date when the liability arose, repayment terms, purpose of financing, collateral and the secured claim, repayment history, debt balance at the moment when the liability expired, liability expiry date and reasons for not repaying the liability or repaying it with a delay described in Article 105a(3) of the Polish Banking Law Act, reasons for which the liability has expired, information about consumer 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 consumer bankruptcy processed by <b>BIK</b> may come from the Bank or from the Monitor Sądowy i Gospodarczy official journal.</p>

<p>Period for which data will be processed</p>	<p><b>BIK</b> will be processing your personal data:</p> <ul style="list-style-type: none"> <li>• to assess your repayment capacity and analyse credit risk – for as long as your liability exists. The data can also be processed after the liability expires, but only if you have given your consent for that or if the conditions set out in Article 105a(3) of the Polish Banking Law Act are met. In any case, the data must not be processed for more than 5 years after the liability expires or – for data resulting from an inquiry sent to BIK – for more than 5 years after the inquiry is sent. Those data also must not remain available for more than 12 months after they are provided;</li> <li>• to use internal methods and other methods and models mentioned in Article 105a(4) of the Polish Banking Law Act – for as long as your liability exists and for 12 years after that liability expires;</li> <li>• for statistical and analytical purposes – for no longer than the period of processing your personal data for the purposes specified in the points above;</li> <li>• to handle your complaints and reported claims – until your potential claims arising from the agreement or other sources become time-barred.</li> </ul>
<p>Data recipients</p>	<p><b>BIK</b> can provide your personal data to entities authorised to receive them under the applicable laws, including the entities listed in Article 105(4) and Article 105(4d) of the Polish Banking Law Act. <b>BIK</b> can also provide your personal data to the PESEL register or to the register of Polish identity cards to verify if the personal data you provided are correct. In addition, <b>BIK</b> can provide your personal data to other entities cooperating with <b>BIK</b>, as long as you have granted your consent for that. Your personal data can also be provided to the entities which process data in the name of BIK, for example to IT service providers. Those entities will process your data as subcontractors, under an agreement with BIK and only in line with BIK's instructions.</p>
<p>Rights of the data subject</p>	<p>You have the right to access your data and the right to have them rectified or removed or to have their processing restricted. If your personal data are processed on the basis of their controller's legitimate interest, you have the right to object to their processing.</p> <p>If your personal data are processed on the basis of your consent, you have the right to withdraw that consent. Note that even if you withdraw your consent, the processing of your data carried out before the withdrawal will remain lawful.</p> <p>If your personal data are processed on the basis of your consent or in order to make and perform an agreement, you have the right to move your personal data, that is: to receive your personal data from their controller in a structured, commonly used and machine-readable format. You can send those data to another data controller. The right to move your data does not apply to the data which are a trade secret.</p> <p>In addition, you have the right to make a complaint to a supervisory authority dealing with personal data protection.</p>