

# Personal Data Processing Policy for Counterparties or Business Partners and Their Representatives



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

## How to read this document

1. When we use 'you', we mean every natural person with whom we interact – regardless of whether we intend to establish a business relationship with them or already have one, in particular when it consists in providing services on our behalf or for our benefit. We also use 'you' if you act on behalf of or for the benefit of a third party and if you have business connection with that party or you are engaged in establishing or performing our relationship, for example when you are representative, attorney, proxy, beneficiary, member of company authorities, partner, shareholder or a contact person.
2. "We" means Santander Bank Polska S.A., including our organizational units such as Santander Brokerage Poland.
3. The terms in bold when used for the first time in this document are defined in the Glossary.

## Who is responsible for your data processing and how to contact us

1. We are the controller of your data.
2. You can contact us:
  - a. by post at the following address: Santander Bank Polska S.A., al. Jana Pawła II 17, 00-854 Warszawa;
  - b. by calling us at 1 9999 or +48 61 81 1 9999 for calls from abroad;
  - c. by e-mail: [kontakt@santander.pl](mailto:kontakt@santander.pl)
  - d. through any other contact method indicated at [santander.pl](https://www.santander.pl).



If you want to contact us with respect to data protection or your rights arising from the **GDPR**, use any of the indicated contact methods.

3. We have appointed a Data Protection Officer whom you may contact about matters related to data protection. You can contact us:
  - a. using the form on our website: [www.santander.pl/klient-indywidualny/kontakt/inspektor-ochrony-danych](https://www.santander.pl/klient-indywidualny/kontakt/inspektor-ochrony-danych),
  - b. by sending a letter to the following address: Santander Bank Polska S.A., ul. Kolorowa 10, 60-198 Poznań; please add a note: „Inspektor ochrony danych”,
  - c. by sending an e-mail to: [iod@santander.pl](mailto:iod@santander.pl).

## What's the purpose and basis for the processing of your data

We may process your data:

1. when we enter into and perform a contract with you, as well as before we enter into the contract, e.g. to obtain an offer or take other necessary actions preceding the signing of the contract – for this purpose we may communicate with you on matters related to the entry into force and performance of the contract.

### Legal basis

GDPR, Article 6(1) (b)

2. to comply with legal obligations we are subject to, in particular ones associated with our business activity, including banking operations.

These include the following obligations: accounting, taxation, archiving, prevention of prohibited activity, safeguarding of entrusted funds, security of transactions and obligations arising from laws regulating the banking activity.

### Legal basis

GDPR, Article 6(1) (c)

3. in relation to the legitimate interests pursued by us or by the third parties who partner with us.

### Legal basis

GDPR, Article 6(1) (f)

We do it primarily for the following purposes:

- a. to assess the risk of our relationship with you or an entity you cooperate with, including your credibility as a business partner or to analyse the legal or financial standing, the assets and liabilities and the security measures applied,
- b. to deliver on administrative, analytical, statistical and reporting purposes of Santander Bank Polska Group or Erste Group and to optimize internal processes, e.g. so that we can have a single platform to manage our relationship with you or your counterparty and to settle transactions,
- c. to make periodic reviews and to check if our relationship is compliant with applicable in-house regulations as well as with guidelines and recommendations from regulators,
- d. to improve existing processes or apply business tools such as predictive, management and sales models, and to analyse and effectively manage risks,
- e. to enable you taking actions for our benefit or on our behalf and to verify your powers of attorney and cooperate with you whenever you represent another entity,
- f. to prevent crimes (e.g. corruption, frauds), unethical behaviours, money laundering and terrorist financing, to ensure safety of data, transactions, our products & services and the ICT environment,

- g. to mitigate the risk related to banking activity in order to ensure, e.g. safety of persons, assets and our bank, to ensure our compliance with regulatory requirements, guidelines and recommendations and the in-house policies and regulations of Santander Bank Polska Group and Erste Group – for these purposes we also record our communication with you,
  - h. to carry out direct marketing by us, the subsidiaries of Santander Bank Polska Group and Erste Group and other companies who partner with us, including assessment of your satisfaction with our relationship and to improvement of its quality,
  - i. to process complaints, ask questions, provide explanations and satisfy your rights, for example those related to protection of personal data,
  - j. to identify claims, pursue them or defend against them, to manage our receivables, including their sale to other entities,
  - k. to take and promote initiatives and actions aimed at environmental protection or sustainable development and examine whether and to what extent our relationship can fulfill that purpose, in particular by verifying and assessing whether and to what extent your activities may have an impact on the environment, e.g. by determining the greenhouse gases emission rate or the use of renewable energy sources,
  - l. to check you against international sanctions lists,
  - m. to fulfil other purposes arising from documents regulating our relationship.
4. pursuant to your consent given for the purpose specified therein. You can withdraw your consent at any time.

#### Legal basis

GDPR, Article 6(1) (a)

### Whom may we disclose your data to

Your data can be accessed only by employees or contractors authorised by the bank, on the need-to-know basis only. Moreover, we may disclose your data to the following recipients:

1. bodies, organizations institutions or entities authorized to receive such data by the law. Primarily, these are:
  - a. Komisja Nadzoru Finansowego (Polish Financial Supervision Authority),
  - b. Ministry of Finance,
  - c. National Revenue Administration, including relevant tax offices,
  - d. Bank Guarantee Fund,
2. economic information bureaus, other banks and financial institutions.
3. Entities to whom data may also be transferred on the basis of your consent or authorisation, or in accordance with your contract.

4. Entities providing advisory, control or auditor services and other services supporting our activity.
5. We may also disclose data to:
  - a. members of Santander Bank Polska Group and Erste Group,
  - b. parties to whom we outsourced certain banking operations,
  - c. entities which partner with us, including data related to products and services offered by such parties,
  - d. entities and their authorised employees who process data on our behalf and for us. These include, for example IT, legal, advisory, clearing, postal and support service providers.
6. Other entities to whom the data must be disclosed in connection with our relationship or with your partnering entity.
7. When permitted by law, we can also disclose your data on our website, for example.

## When and how may we transfer your data to third countries outside of the European Economic Area (EEA)

We can transfer your data to recipients in countries outside the **EEA**, the so-called third countries, including the USA. Such transfers are allowed in the following circumstances:

1. if it is necessary for us to perform a contract we have made with you;
2. when we obtain your consent to do so;
3. where the Commission (EU) has decided that the third country or the international organisation ensures an adequate level of protection;
4. where appropriate safeguards have been provided by incorporating standard protection clauses adopted by the Commission (EU) in the agreement with the data recipient, and on condition that your data protection rights are enforceable in the third country and effective legal remedies are available to you.

## How long will we process and store your data

1. When processing is necessary for the performance of a contract made with you, your partnering entity or with an entity that you represent – by the time of the contract's termination or expiry.
2. When processing is carried out in accordance with our legal obligations – by the time such legal obligations expire.
3. When processing is necessary for the purposes of the legitimate interests pursued by us or by a third party – by the time when an effective objection to the processing of your data is made or for as long as the legitimate interest exists, e.g. until the claims become barred under the statute of limitations.
4. When processing is carried out on the basis of your consent – by the time of your consent withdrawal.

## Your rights and their exercise

You have the right to:

1. get information about the processing of your data, access and rectify your data and demand that we remove the data or restrict their processing;
2. object to data processing if you are in a specific situation and we process the data, including profiling, for purposes resulting from our legitimate interests;
3. withdraw your prior consent to data processing at any time, if we process the data based on your consent. The withdrawal of consent will not affect the lawfulness of processing based on your consent before its withdrawal;
4. transfer the data we have received from you, and which we process based on your consent, or to enter into and perform our contract;
5. lodge a complaint with the competent authority, namely the Head of Personal Data Protection Office (Urząd Ochrony Danych Osobowych) if you believe that we process your data in violation of the GDPR.

We may need additional information from you to verify your identity when processing your data.

## Are you required to provide us with your data

In some situations, we have an obligation to verify your identity and to collect, record and verify your data. If we do not have access to your data, we will not be able to fulfil the purposes that require us to process such data, including entering into a contract with you or an entity you represent or partner with. The provision of data for marketing purposes is voluntary.

## Where do we obtain your data from and what are their categories

1. Most of your data we process come directly from you or entities you control, own, represent, partner or are connected with.  
Some of these are:
  - a. identification data: name, birth date, personal identification number (PESEL),
  - b. tax information, e.g. tax residency,
  - c. addresses: business address, home address or address for service,
  - d. contact details (e. g. phone number, email address),
  - e. your ID data,
  - f. information about your finances, transactions and assets,
  - g. your sources of income and liabilities,
  - h. data about your personal or capital connections with other entities and about functions performed in these entities.
2. In some cases we may also process data about any potential criminal convictions, e.g. when our relationship involves outsourcing of banking activities.

3. When in the course of our relationship we provide you access to bank resources, in particular elements of our technical or safety infrastructure, we may also process digital data about you, e.g. online identifiers or data about the device you use and its software. For this purpose, we may also process your voice or image, e.g. when we record our communication, including phone calls, chats, videochats.
4. Some of your data may come from other banks and financial institutions. We receive the following data categories from such sources: financial data or information related to bank fraud prevention.
5. Some of your data may come from:
  - a. business information bureaus,
  - b. Credit Bureau (Biuro Informacji Kredytowej S.A.);
  - c. Court and Economic Monitor (Monitor Sądowy i Gospodarczy);
  - d. entities to whom you gave your consent for your data transfer,
  - e. from persons representing you and persons you represent.

From these sources, we get financial data, e.g. data on your liabilities, as well as data contained in the aforementioned registers or records kept by the listed entities. Data from the Credit Bureau (Biuro Informacji Kredytowej S.A.) can be obtained in particular when we entrust you the performance of banking activities for our benefit.

6. We obtain some of your data from other public sources, e.g.:
  - a. National Court Register (Krajowy Rejestr Sądowy),
  - b. Central Register and Information on Economic Activity (Centralna Ewidencja i Informacja o Działalności Gospodarczej),
  - c. register of REGON company registration numbers,
  - d. Central Register of Beneficial Owners (Centralny Rejestr Beneficjentów Rzeczywistych),
  - e. similar sources in third countries,
  - f. private entities that collect and share such information.

We can primarily get financial, economic and net worth data from such sources.

7. We can capture some data devoted to you when analyzing your data. We have the following data categories from such sources: financial data, information about assets and liabilities, inflows and outflows.
8. Some of your data may come from other sources, e.g. job candidates, suppliers and their employees, prospective customers and counterparties. From these sources, we may obtain information that relates to, e.g. employment and collaboration or conflicts of interest, as well as your identification or contact details.
9. 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.

## When do we use profiling or automated data processing?

We may use partly automated processes to evaluate some of your personal aspects (profiling).

We carry out this processing in order to, e.g.:

1. Make sure that your money and transactions are safe and counteract crimes that might be potentially committed using our activity. This way, we detect potential threats that we can immediately address.
2. Assess if we want to establish and continue relationship with you.
3. Manage risk and prevent the misuse of our institution to commit criminal activities.
4. Improve our models and algorithms.
5. Contribute to sustainable development, environment protection and use of renewable energy sources.
6. Improve the quality of our relationship and communication with you.

## Glossary

terms	how we understand and define them
EEA:	the European Economic Area (the European Union member states, together with Iceland, Norway and Liechtenstein).
Erste Group:	a universal banking group based in Austria. More details: <a href="http://www.erstegroup.com/en/about-us/corpgov">www.erstegroup.com/en/about-us/corpgov</a> , Documents, Details of the companies wholly or partly owned by Erste Group.
Santander Bank Polska Group	Santander Bank Polska S.A. and its subsidiaries, including its future members. For the list of subsidiaries, please visit <a href="http://www.santander.pl/grupa-kapitalowa">www.santander.pl/grupa-kapitalowa</a> .
GDPR	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.

Any questions?



Call us at 1 9999 or at +48 61 81 1 9999 if you are calling from abroad. Calls are charged based on your phone services provider's rates.



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